Fighting Chess Privacy Policy

Last Updated December 11, 2023

Welcome to Fighting Chess

This Privacy Policy outlines how FightChess.com collects, uses, protects, and discloses personal information obtained from anyone who uses our Services ('Users'), anyone who creates an account on the Fightchess.com website or any related content, features, mobile and web applications, and other services (collectively the 'Services') which are brought to you by Fighting Chess, LLC, and its affiliate companies.

This Policy addresses requirements in the Michigan Personal Data Protection Act (PDPA) which protects the privacy rights of anyone who lives within the state of Michigan or provide products or services to Michigan residents, and control or process personal data belonging to 100,000 or more Michigan consumers. The PDPA provides consumers with the right to opt-out of the sale of their personal data and request the deletion of their personal information. In addition to the PDPA, Michigan has a common law right to privacy. However, there is no statutory right to privacy in Michigan. Also, any other applicable international, national, and state requirements related to data collection, usage practices, and disclosures.

Please read this policy closely. By using the Services, you agree to the handling of your information in accordance with this Policy. If you provide us with your information (directly or indirectly through our service providers) we will treat your information according to this Policy. If we need to use your Personal Information for any other purpose, other than as disclosed herein, we will update this Policy or ask for your previous consent, if necessary.

Summary of Key Points

We encourage you to read this entire Policy, but here are some key points that may be of your interest:

- **Personal Information ('PI')** means information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.
- During registration, we may ask you to provide an email address, a username and if registration with a telephone number is available in your country, we will ask you to provide a telephone number.
- We will never ask you to provide us with sensitive PI.
- Paying Users are asked for payment information when they purchase anything from our Services. Please see Section 'Information Collection' for more information about how we safeguard payment information.
- Because the security of your PI is important to us, we only ask for PI where it serves a business purpose and try to limit the collection of PI to only what is necessary to accomplish those purposes. We also use commercially reasonable physical, technical, and administrative security measures designed to safeguard all information collected by the Services.

Table of Contents

1. Definitions
2. Children's Privacy
3. Information Collection
4. How We Use Information
5. When We Disclose Information to Third Parties
6. How to Exercise your Right to Access, Change or Correct your Information
7. How to Exercise your Rights to Cancel and Delete your Account and How to Request Reactivation
8. California Privacy Rights (CPRA)
9. Additional Information regarding Personal Data processed subject to the General Data Protection Regulation (GDPR)
10. Other Region and State-Specific Terms
11. Links to Other Services
12. Location of Information Processing
13. Security
14. Changes to Our Privacy Policy
15. Contact Us

1. Definitions

GDPR

GDPR collectively refers to the European Union ('EU') and the United Kingdom ('UK') General Data Protection Regulations.

Personal Data

Personal Data, as that term is defined in the GDPR, means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Personal Data and Personal Information will be used as synonyms for the purposes of this Policy.

Usage Data

Usage Data is data collected automatically either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit). Usage Data may include pseudonymous data where applicable.

Cookies

Cookies and/ or similar technologies (collectively referred to as 'Cookies'): are small pieces of data stored on your device (computer or mobile device).

Data Controller

Data Controller: means the natural or legal person who (either alone or jointly or in common with other persons) determines the purposes for which and the way any PI is, or is to be, processed. For the purpose of this Policy, we are a Data Controller of your Personal Data.

Data Processors

Data Processors: means any natural or legal person who processes the data on behalf of the Data Controller and follow their instructions, normally it refers to our service providers. We use the services of various Data Processors in order to process your data more effectively.

Data Subject

Data Subject is any living individual whose Personal Data we process.

2. Children's Privacy

FightChess.com is not specifically targeted towards minors, meaning a person under the minimum age required to consent to the processing of their personal information as determined by applicable laws in their state or country of residence.

3. Information Collection

There are two general categories of information that we collect.

A. Information Users Provide to Us

As more fully set forth below, we and our third-party service providers collect information that Users provide when using the Services, including when Users create an Account, sign up for Services, or contact us with a question, comment, or request.

To register an Account, Users are asked to provide a username, an email address, and/or telephone number (which is optional if you choose to register with an email).

Users are also able to complete their profile with additional information which is optional such as: first and last name, location, country, language, content language, time zone, OTB rating, status, profile picture and any other information the User chooses to share in the User Profile section of the profile.

There is also other information provided that depends on the type of Account. For example:

Payment information such as credit or debit card information and billing address is collected from Users who purchase a subscription, including those who gift a paid Account to others, unless Users are purchasing through PayPal, or other similar mechanisms with which we integrate. For your security, we do not store your credit card number in our databases, but we and our payment service providers may retain only the first six digits and/or last four digits to identify your Account and respond to your requests and questions and to process the payment.

In addition, Users can provide us with information through separate sections of the Services. These sections, accessible via the Settings link on the Services, allow Users to administer their Accounts, including when they provide testimonials, seek customer support, or submit comments or questions.

If you submit any information relating to other people in connection with the Services, you represent that you have the authority to do so and permit us to use the information in accordance with this Policy.

When you contact us directly by any means we will collect your email address, name and any information you provide.

B. Information We Collect from Users

We and our third-party service providers collect PI directly from Users of the Services in the form of the actions they take and activities they complete when using the Services. For example, from all Users, we may collect information about patterns of usage and order history.

We and our third-party service providers also use a variety of technologies, such as Cookies, to automatically collect certain technical information from your computer or mobile device over time and across different websites.

We and our third-party service providers may use the information collected through these technical methods for several purposes, including delivering content, tracking and enhancing our Users' experience with the Services, and delivering advertising to visitors of our Services when they visit other websites and applications. For example, when you return to the Services after logging in, Cookies help the Services recognize who you are without having to log back in. More information about the use of Cookies is set forth below.

We collect several different types of information for various purposes to provide and improve our Service to you.

Types of Data Collected

1. Personal Information

While using our Service, we may collect certain PI. PI may include, but is not limited to:

- Required Information (username, email address, or telephone number, as applicable)
- Optional Information (first and last name, location, country, language, content language, time zone, OTB rating, status, profile picture and any other information the User chooses to share in the “About me“ section of the profile)
- We may use your PI to contact you with newsletters, marketing or promotional materials and other information that may be of interest to you, we will ask for your previous consent, if that is required by the applicable legislation. You may opt out of receiving any, or all, of these communications from us by following the unsubscribe link or instructions provided in any email we send, by changing your notification settings in your profile or by contacting us.

- If you use our App for the Apple or Android platform, we may ask, with your permission, to collect your contact list information (including email addresses and phone numbers) to share with Apple or Google for the exclusive purpose of finding your friends and connections.
- If you participate in one of our Fighting Chess or Traditional Chess tournaments with prizes, you may be required to install software that monitors your activity on your computer or device. This software may log your device processes and tabs, record your device screen, access your webcam(s) and video, record your input and output audio, and track your mouse or cursor movement. This PI will be collected and disclosed to a third-party to conduct the competition, to prevent, detect and investigate violations of the competition's rules and our Fair Play Policy as further described in Section 5 (When We Disclose Information to Third Parties).
- We also collect Usage Data and Cookies Data, as described below in separate sections.

2. Usage Data

We may also collect information that your browser sends to us whenever you visit our Service or when you access the Service through a mobile device (“Usage Data“).

This Usage Data may include information such as your Internet Protocol address (e.g., IP address), browser type, browser version, the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers, your country, your Fighting Chess statistics and other diagnostic data.

When you access the Service by or through a mobile device, this Usage Data may include information such as your browser type, operating system, device type, the page served, your IP address, how you got to our website, the time and length of your visit, your language preferences, your approximate geolocation, and the websites you visited prior to visiting the Services. When you download and use one of our Apps, we and our service providers may track and collect App usage data, such as the date and time the App on your device accesses our servers and what information and files have been downloaded to the App based on your device number.

3. Cookies Data

We use Cookies to provide you with the Services, to track the activity on our Service and to hold certain information. We use the following types of Cookies to recognize your device and to provide and improve our Services:

Essential Cookies

These Cookies are essential to provide you with services available through the Services and enable you to use some of its features. For example, they allow you to log in to secure areas of our Services and help the content of pages you request load quickly. Without these Cookies, the Services that you have asked for cannot be provided, and we only use these Cookies to provide you with those Services. You may not disable these types of Cookies.

Functionality Cookies

These Cookies allow us to remember choices you make when you use our Services, such as remembering your language preferences, remembering your login details, and remembering the changes you make to other parts of Services which you can customize. The purpose of these Cookies is to provide you with a more personal experience and to avoid you having to reenter your preferences every time you visit our Services.

Analytics and Performance Cookies

These Cookies are used to collect information about traffic to our Services and how Users use the Services. It includes the number of visitors to our Services, the websites that referred them to our Services, the pages they visited on our Services, what time of day they visited our Services, whether they have visited our Services before, and other similar information. We use this information to help operate our Services more efficiently, to gather broad demographic information, and to monitor the level of activity on our Services.

Social Media Cookies

These Cookies are used when you share information using a social media sharing button or “like“ button on our Services or engage with our content on or through a social networking website such as Facebook, Instagram or Pinterest and also if you choose to sign up using your social media account. These cookies are also placed on your browser if you access a section of our Services that provides you with embedded videos from YouTube, Twitch or other third-party websites. Some of these cookies may be considered essential if you log in using your social media account.

4. How We Use Information

We and our third-party service providers may use the information collected from Users as follows:

- To permit you to register and use the Services, including, for example, to send you communications about your Account, or to allow you to provide feedback through the Support or Contact Us Sections. (Lawful Basis: to comply with our legal obligations and performance of our contract with you)
- To complete and fulfill your purchase, such as to process your payments, communicate with you regarding your purchase, and provide you with related customer service. (Lawful Basis: performance of our contract with you, to comply with our legal obligations and necessary for our legitimate interests)
- To respond to your inquiries and fulfill your requests, retrieve your password, or provide technical support. (Lawful Basis: performance of our contract with you, to comply with our legal obligations and necessary for our legitimate interests)
- To provide you with information, newsletters, marketing communications, publications and other communication via various mediums to keep you informed (Lawful Basis: your consent, performance of our contract with you and necessary for our legitimate interests)
- To deliver our advertising to you based on your visits to the Services. (Lawful Basis: your consent and necessary for our legitimate interests)
- To measure the effectiveness of our advertising. (Lawful Basis: performance of our contract with you and necessary for our legitimate interests)

- To allow us to assess and improve the Services, its educational content, and other services we provide (for example, to improve our content and User experience); to research, evaluate, and improve the educational efficacy of the Services; and to inform our understanding of the Services' User base. (Lawful Basis: performance of our contract with you and necessary for our legitimate interests)
- To verify your identity or conduct appropriate checks for fraud prevention and detection (Lawful Basis: to comply with our legal obligations and necessary for our legitimate interests)
- To customize, adapt, and personalize Users' viewing and content-consumption experience. (Lawful Basis: performance of our contract with you, your consent and necessary for our legitimate interests)
- To maintain and analyze the functioning of the Services. (Lawful Basis: necessary for our legitimate interests)
- To manage and conduct our business (Lawful Basis: performance of our contract with you and necessary for our legitimate interests)
- As we believe to be necessary or appropriate: (a) to comply with applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and governmental authorities, including authorities outside your country of residence; (d) to detect violations of and enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates, including the security of the Services; (f) to protect our rights, privacy, safety, or property, or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain (collectively, (a)-(g) are **Other Uses and Disclosures**). (Lawful Basis: to comply with our legal obligations and necessary for our legitimate interests)
- To send you push notifications, SMS, alerts and or other types of notifications on your mobile device. You may choose to stop receiving push notifications at any time by changing the settings on your mobile device. If you provide us with your mobile phone number, we may send you SMS text messages about your account with your previous consent if required by law. Please note that your carrier may charge you for the text messages you receive. To permanently stop receiving SMS text messages from us (if you are located in the U.S. or Canada) text STOP, CANCEL, or UNSUBSCRIBE in reply to any SMS text message sent by us. (Lawful Basis: performance of our contract with you, to comply with our legal obligations and necessary for our legitimate interests)
- To research and develop new products and services (Lawful Basis: performance of our contract with you and necessary for our legitimate interests)
- To publish your name in case you are the winner of a contest, sweepstake, tournament, or events in general. (Lawful Basis: performance of our contract with you, your consent and necessary for our legitimate interests)
- For administrative purposes (Lawful Basis: performance of our contract with you and necessary for our legitimate interests)
- To conduct our competitive events and to prevent, detect and investigate violations of our Fair Play Policy, Competitive Events Policy and the rules of any event organized by us. (Lawful Basis: performance of our contract with you, to comply with our legal obligations, your consent and necessary for our legitimate interests)
- To carry out any other purpose described to you at the time the information was collected.

5. When We Disclose Information to Third Parties

Information collected from Users will not be disclosed except for the following purposes, which include our operations purposes:

- To service providers such as payment processors, financial institutions, technological, analytical, marketing, advertising service providers and partners and third-party professional advisors (i.e., auditors, law firms, etc.), provided that, the service providers agree to keep the information confidential.
- To our affiliates and business partners and their employees for business purposes, when necessary for the purpose of the provision of our services or when such affiliates provide services to us.
- As needed to conduct our competitive events and to prevent, detect and investigate violations of our Fair Play Policy, Competitive Events Policy and the rules of any competitive event organized by us.
- As we believe to be necessary or appropriate as set forth above in Other Uses and Disclosures.
- With government bodies and law enforcement or where we believe that disclosure is in accordance with, or required by, any applicable law or legal process, including lawful requests by public authorities to meet national security or law enforcement requirements. If required or permitted to do so under the law, and if deemed necessary or warranted, we may provide notice to Users prior to the disclosure.
- Subject to confidentiality agreements, the terms of this Policy, and applicable law, information may be disclosed to service providers, advisers, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a corporate transaction in which we or any of our affiliates are acquired by or merged with another company, or we sell, liquidate, transfer, or license all or a portion of our assets in bankruptcy or otherwise. This means that if some or all our assets are acquired or otherwise transferred or licensed, including in bankruptcy, that such acquirer shall be subject to the same commitments stated under this Policy.
- We may use third-party advertising networks and other affiliates in association with cookies, pixel tags, IFrames or similar technologies to: (1) deliver interest-based advertising to those Users, including our advertising, when those Users visit third-party websites; and (2) provide us with statistics about the effectiveness of our advertising on third-party websites. These third-party advertising networks may use this cookie information in accordance with their own privacy policies.
- To a third-party that uses or supports referral links to our Services only if you click on a referral link.
- Any third-party where such disclosure is required to enforce or apply to our Terms of Service or other relevant agreements.
- Any third-party if necessary to protect the rights, property, integrity or security of our company, our customers, or others (including, without limitation, you).

For service efficiency purposes, some of these affiliates and third parties are in territories outside the EU/EEA, and from time to time we may transfer your personal data to a third country not being approved by the European Commission as a safe country for such transfer (adequacy decision). If you are a EU/EEA resident and whenever applicable we will use the Standard Contractual Clauses to ensure

an equivalent level of protection as granted within the EU/EEA or other lawful grounds for carrying out said transfer.

6. How to Exercise your Right to Access, Change or Correct your Information

Any User can review or change the information they provided when they registered for the Services by updating the information on their account **user profile**.

When we change any PI at your request, we will make reasonable efforts to make the changes in our then-active databases as soon as reasonably practicable and always within the applicable legal term. Changing setting options may not result in immediate changes to the settings, which are subject to our operations and maintenance schedules.

7. How to Exercise your Rights to Cancel and Delete your Account and How to Request Reactivation

Users may cancel their Accounts at any time by clicking on the "**User Profile**" section.

Please bear in mind that after an account is canceled, the PI and other Account information is not deleted permanently. We store the User information to allow the User to reopen their Account at any time.

Upon Account cancellation, anonymized User information may nonetheless persist internally in our backup, archive files or similar databases, and may still be used anonymized, for our internal support, administrative, and record-keeping purposes including, but not limited to, allowing us to improve the Services and other services we provide through research, evaluation, and analytics as permissible by applicable law and for other purposes specifically outlined in this Policy. We may also keep certain information in backup or archive records if required by law it is relevant to preventing fraud or future abuse or for legitimate business purposes, such as Account recovery, or if required by law. All retained data will continue to be subject to our Policy in effect at that time.

Following cancellation of an Account, to reactivate your Account and potentially recover previous information and resume where the relevant User left off you will need to request it using the Feedback menu using the email address associated with your Account.

If you want to permanently delete your PI you can request it manually by clicking on "Delete" in the "**User Profile**" section of the Services. In this case, we will delete your PI, anonymize the information that will remain public such as games statistics, posts and comments, and block your email address and social media accounts from being used on FightChess.com in the future.

If you want your posts and public comments to be removed, you must delete them separately before requesting deletion. After you delete your personal data, FightChess.com Support Staff will have no means to verify your identity and will not remove these posts for you.

Any data deletion requests will be executed within the term provided by the applicable law.

Please keep in mind that a request to delete PI may lead to cancellation of your Account or the inability to use certain Services, and if any other Account type is linked to a Member Account, a request to delete PI in one of the Accounts may be reflected in your other Account.

8. California Privacy Rights (CPRA)

This Section supplements the information contained in our Policy and applies solely to Users who reside in the State of California. We adopt this notice to comply with the CCPA. Any terms used in this Section have the same meaning as defined in the CCPA. Please note that we may claim legal exemptions for certain types of PI and certain of our Services from all or certain parts of the CCPA.

The CCPA provides California residents with specific rights regarding their PI. This section describes your CCPA rights and explains how to exercise those rights. In this section “you“ or “your“ refers to California residents. Under the CCPA, we are required to disclose the categories of sources from whom we collect PI, and the third parties with whom we share it -- which we already have explained above in Section “Information Collection“, Section “How We Use Information“, and Section “When We Disclose Information to Third Parties“.

Only you as a California resident or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your PI.

The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected PI or an authorized representative. We will verify your request by asking you to provide information related to your interactions with us. We will not otherwise ask for PI from you that we would not otherwise maintain as part of us providing our Services.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.
- We cannot respond to your request or provide you with PI if we cannot verify your identity or authority to make the request and confirm the PI relates to you. Making a verifiable consumer request does not require you to create an Account with us. We will only use PI provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

To exercise your rights follow the steps described below:

- **Right to access PI**. You may be entitled to receive information regarding the categories of PI we collected, the sources from which we collected PI, the purposes for which we collected and shared PI, the categories of PI that we share and the categories of third parties to whom the PI was shared with, and the categories of PI that we disclosed for a business purpose in the last 12 months. You can exercise this right by requesting it by emailing us at fightchess.store@gmail.com.
- **Right to data portability**. You may be entitled to receive a copy of your electronic PI in a readily usable format so you can transmit this data to another organization. You may only make a verifiable consumer request for access or data portability twice within a 12-month period. You can exercise this right by requesting it by emailing us at fightchess.store@gmail.com.

- **Right to Correct**. You have the right to request that we correct inaccurate PI that we maintain about you. You are also able to correct any inaccurate PI manually by accessing your profile on the User Profile section of the Services.
- **Right to deletion**. You may be entitled to request that we delete the PI that we have collected from you. We will use commercially reasonable efforts to honor your request, in compliance with applicable laws. Please note, however, that we may need or be required to keep such information for our legitimate business purposes or to comply with applicable law. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy.
- **Right to opt-out of certain sharing with third parties**. We do not sell your personal information to third-parties. We only disclose certain information to our service providers when it is necessary to fulfill our business purposes and in accordance with this Policy.

Do Not Sell or Share My Personal Information.

Even though we do not share your information in exchange for compensation, if you are a Michigan resident, you have the right to request us to not disclose your PI to third parties for monetary or other valuable consideration.

- You can exercise such right by emailing us at fightchess.store@gmail.com.

"Do Not Track" Signals

We do not respond to Do Not Track ("DNT") signals received from web browsers. Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked.

You can enable or disable Do Not Track by visiting the Preferences or Settings page of your web browser. If you enable DNT functionality on any device, some of the Services, including paid Services or FightChess.com subscriptions, may become unstable.

a. Information We Collect and Share

We have collected the following categories of PI from or about consumers within the last 12 months:

Personal Information Category	**PI we collect in this Category**	**Sources of PI**
A. Identifiers	• A real name or alias • Internet Protocol address(es) • Email address • Account name (username), or other similar identifier • Mobile push tokens • Specific third-party identifiers relating to chess services (e.g., USCF or FIDE	• Information you provide us • Information we collect from you automatically • 3rd Party Service Provider

Personal Information Category	PI we collect in this Category	Sources of PI
	ID number) may be collected for some accounts	
B. Geolocation Data	• IP address data	• Information we collect from you automatically
C. Internet or other similar network activity	• Browsing history; information on a User's interaction with the Services; information regarding your operating system and device	• Information we collect from you automatically • 3rd Party Service Provider

For additional information regarding the PI we collect and have collected in the 12 months preceding the effective date of our Policy, the heading above styled "Types of Data Collected" under Section 3.B. (Information We Collect from Users)."

b. Business and Commercial Purposes for Which We Use PI

We may use or disclose the PI we collect from each of the Categories of PI (described in the table above) for one or more of the following purposes:

See Section 3 above (How We Use Information).

c. Categories of PI We Share:

We may share your PI by disclosing it to a third party for the business purpose described below. We only make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the PI confidential, and prohibit using the disclosed information for any purpose except fulfilling the contract.

In the preceding 12 months, we have also disclosed the following categories of PI for one or more business purposes:

We share Category A, B, and C Personal Information with our Affiliates, partners, parent/subsidiary organizations, service providers, and government entities and advertising networks.

d. Our Retention of PI

We retain PI for as long as necessary to provide the Services and fulfill the transactions you have requested, or for other business purposes, to comply with our legal obligations, resolving disputes, and enforcing our agreements. We decide how long we need PI on a case-by-case basis. We may consider the following factors when making retention decisions:

- Whether we need to keep some of your PI to maintain your Account;

- Whether we are required by law to keep some types of PI for certain periods of time to comply with our legal obligations; and
- Whether we need some of your PI for other business purposes, such as to prevent harm and ensure safety and security of our Sites; investigate possible violations of our terms and conditions of use; or protect ourselves.

e. Non-Discrimination

We fully support your privacy rights and will not discriminate against you for exercising any of your PDPA rights.

f. Notice of Financial Incentives

We may offer special incentives to Users who enroll in certain promotions. The availability of these promotions to you at any given time will vary. If we offer such programs, we may ask for your PI as a prerequisite to your participation in the promotion.

9. Additional Information regarding Personal Data Processed subject to the General Data Protection Regulation (GDPR)

If you are located in the EEA or the UK, our legal basis for collecting and using the Personal Data described in this Policy depends on the Personal Data we collect and the specific context in which we collect it.

The purpose of this section of this Policy is to explain how you may exercise certain of your rights under applicable data privacy laws related to that information. This policy identifies our legal representative and Data Protection Office in the EEA and UK and provides you with the information that you may need to contact them. We (FightChess.com, LLC) are the data controller for the processing of your information. Please see Section “Contact Us“ below for our contact details.

a. Retention of Data

We will retain your Personal Data only for as long as necessary for the purposes set out in this Policy. We will retain and use your Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies, or until you instruct us to do otherwise in a fashion consistent with your rights (and our obligations) under the GDPR.

b. Transfer Of Data

Your information, including Personal Data, may be transferred to --- and maintained on --- computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.

If you are located outside the United States and choose to provide information to us, please note that we are a United States based provider. Therefore, we operate our Services, collect and process your Personal Data from the United States.

We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy and no transfer of your Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of your Personal Data. If we onward transfer your Personal Data outside the EEA or the UK, we rely on the European Commission's standard contractual clauses and the UK Information Commissioner's equivalent transfer mechanism, as relevant. This is unless the transfer is to a country that has been determined by the European Commission or the relevant UK authorities, as applicable, to provide an adequate level of protection for individuals' Personal Data.

c. Your Data Protection Rights Under the GDPR

If you are located in the EEA or the UK, then you have certain data protection rights. We aim to take reasonable steps to allow you to correct, amend, delete, or limit the use of your Personal Data.

If you wish to be informed on what Personal Data we hold about you, if you want it to be removed from our systems, please contact us at the contact information provided in Section “Contact Us“, below.

You can edit your Account information at any time. In certain circumstances, you have the following data protection rights:

- **The right to access and to data portability**. You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format. You can exercise this right by requesting it by emailing us at fightchess.store@gmail.com.
- **The right to update, correct and rectify your personal data**. You are also able to update, correct or rectify any inaccurate Personal Data manually by accessing your profile on the User Profile sections of the Services.
- **The right to delete the information we have on you**. To know how to exercise your right to deletion, please refer to the section titled: “Account Cancellation and Reactivation; Data Deletion“ this Policy.

- **The right to object**. You have the right to object to our processing of your Personal Data. You can do it by contacting us by emailing us at fightchess.store@gmail.com.
- **The right to object to marketin**g. You can object to marketing at any time by opting-out using the unsubscribe/ opt-out function displayed in our communications to you or by managing your preferences on User Profile section on the site.

- **The right of restriction**. You have the right to request that we restrict the processing of your Personal Data if this is applicable by contacting us via the Feedback Menu.
- **The right to withdraw consent**. You also have the right to withdraw your consent at any time where we relied on your consent to process your Personal Data by contacting us via the Feedback Menu.

- If you are unable to perform these actions yourself or if you have any complaints about how we process your Personal Data please contact us by emailing us at fightchess.store@gmail.com.

Please note that we may ask you to verify your identity before responding to such requests. Some of these rights only apply in certain circumstances and in many cases, are limited by law. For example,

where fulfilling your request will adversely affect other individuals or our trade secrets or intellectual property, where there are overriding public interest reasons or where we are required by law to retain your Personal Data. We will respond to your requests to exercise these rights as required by applicable law.

You also have the right to complain to a Data Protection Authority about our collection and use of your Personal Data. However, we invite you to contact us with any concern, as we would be happy to try to resolve it directly. For more information, please contact (a) your local data protection authority in the EEA country in which you reside or work, or where you think an infringement of data protection laws occurred or (b) the UK Information Commissioner's Office, as applicable to you.

10. Other Region and State-Specific Terms

a. United States

(1) Colorado Residents

Scope. This section applies only to Colorado residents. It describes how we collect, use, and share Personal Data of Colorado residents in our capacity as a business under the Colorado Privacy Rights Act ("CPA") and your rights with respect to that Personal Data. For purposes of this section, the term "Personal Data" has the meaning given in the CPA but does not include information exempted from the scope of the CPA. Please note that we may claim legal exemptions for certain types of Personal Data and certain of our Services from all or certain parts of the CPA.

Your Colorado privacy rights. As a Colorado resident, you have the rights listed below. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Access**. You may request confirmation whether we are processing your Personal Data and access to such Personal Data by requesting it on the User Profile Section of our Services.
- **Correction**. You can edit and correct your Personal Data at any time by by accessing your profile on the User Profile sections of the Services.
- **Deletion**. You may have the right, under certain circumstances, to request that we delete the Personal Data you have provided to us. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy or contact us at the contact information provided in Section "Contact Us", below.

- **Data portability**. You may be entitled to receive a copy of your electronic Personal Data in a readily usable format. You can exercise this right by requesting it by emailing us at fightchess.store@gmail.com.

- **Opt-out of tracking for targeted advertising purposes**. You can submit requests to opt-out of tracking for targeted advertising purposes by submitting your request to the Feedback Menu. We do not otherwise "sell" your Personal Data to third parties for monetary consideration.
- **Opt-out of profiling**. You have the right to opt-out of the automated processing of your Personal Data to evaluate, analyze, or predict personal aspects related to your economic situation, health, personal preferences, interests, reliability, behavior, location, or movements, to the

extent this results in decisions that produce legal or similarly significant effects. However, we do not perform this type of profiling.
- **Sensitive Personal Data**. We will not process your sensitive Personal Data without your consent.
- **Non-discrimination**. You have the right to be free from discrimination related to your exercise of any of your Colorado privacy rights.

Authentication. In order to protect your Personal Data from unauthorized access or deletion, we may require you to verify your credentials before you can submit a rights request. If you do not have an Account with us, or if we suspect that your Account has been accessed without your authorization, we may ask you to provide additional PI for verification. If we are subsequently unable to confirm your identity, we may refuse your rights request.

(2) Connecticut Residents

Scope. This section applies only to Connecticut residents. It describes how we collect, use, and share Personal Data of Connecticut residents in our capacity as a business under the Connecticut Data Privacy Act ("CDPA") and your rights with respect to that Personal Data. For purposes of this section, the term "Personal Data" has the meaning given in the CDPA but does not include information exempted from the scope of the CDPA. Please note that we may claim legal exemptions for certain types of Personal Data and certain of our Services from all or certain parts of the CDPA. by emailing us at fightchess.store@gmail.com.

Your Connecticut privacy rights. As a Connecticut resident, you have the rights listed below. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Access**. You may request a copy of the Personal Data by requesting it on the Feedback Menu of our Services.
- **Correction**. You can edit and correct your Personal Data at any time by accessing your profile on the User Profile sections of the Services.
- **Deletion**. You may have the right, under certain circumstances, to request that we delete the Personal Data you have provided to us. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy or contact us through the Feedback Menu.
- **Data portability**. You may be entitled to receive a copy of your electronic Personal Data in a readily usable format. You can exercise this right by requesting it by emailing us at fightchess.store@gmail.com.
- **Opt-out of tracking for targeted advertising purposes**. You can submit requests to opt-out of tracking for targeted advertising purposes by submitting it to our Feedback Menu. We do not otherwise "sell" your Personal Data to third parties for monetary consideration.
- **Opt-out of profiling**. You have the right to opt-out of the automated processing of your Personal Data to evaluate, analyze, or predict personal aspects related to your economic situation, health, personal preferences, interests, reliability, behavior, location, or movements, to the extent this results in decisions that produce legal or similarly significant effects. However, we do not perform this type of profiling.
- **Sensitive Personal Data**. We will not process your sensitive Personal Data without your consent.
- **Non-discrimination**. You have the right to be free from discrimination related to your exercise of any of your Connecticut privacy rights.

Authentication. In order to protect your Personal Data from unauthorized access or deletion, we may require you to verify your credentials before you can submit a rights request. If you do not have an account with us, or if we suspect that your account has been accessed without your authorization, we may ask you to provide additional Personal Data for verification. If we are subsequently unable to confirm your identity, we may refuse your rights request.

(3) Virginia Residents

Scope. This section applies only to Virginia residents. It describes how we collect, use, and share Personal Data of Virginia residents in our capacity as a business under the Virginia Consumer Data Protection Act ("**VCDPA**") and your rights with respect to that Personal Data. For purposes of this section, the term "**Personal Data**" has the meaning given in the VCDPA but does not include information exempted from the scope of the VCDPA. Please note that we may claim legal exemptions for certain types of PI and certain of our Services from all or certain parts of the VCDPA.

Your Virginia privacy rights. As a Virginia resident, you have the rights listed below. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Know**. You have a right to know whether we are processing your Personal Data.
- **Access**. You may request a copy of the Personal Data by requesting it on the User Profile Section of our Services.
- **Correction**. You can edit and correct your Personal Data at any time by accessing your profile on the User Profile sections of the Services.
- **Deletion**. You may have the right, under certain circumstances, to request that we delete the Personal Data you have provided to us. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy.
- **Opt-out of tracking for targeted advertising purpose**s. You can submit requests to opt-out of tracking for targeted advertising purposes by emailing us at fightchess.store@gmail.com.
- . We do not otherwise "sell" your Personal Data to third parties for monetary consideration.
- **Opt-out of profiling**. You have the right to opt-out of the automated processing of your Personal Data to evaluate, analyze, or predict personal aspects related to your economic situation, health, personal preferences, interests, reliability, behavior, location, or movements, to the extent this results in decisions that produce legal or similarly significant effects. However, we do not perform this type of profiling.
- **Sensitive Personal Data**. We will not process your sensitive Personal Data without your consent.
- **Non-discrimination**. You have the right to be free from discrimination related to your exercise of any of your Virginia privacy rights.

Authentication. In order to protect your Personal Data from unauthorized access or deletion, we may require you to verify your credentials before you can submit a rights request. If you do not have an account with us, or if we suspect that your account has been accessed without your authorization, we may ask you to provide additional Personal Data for verification. If we are subsequently unable to confirm your identity, we may refuse your rights request.

b. Australia

If you are a resident of Australia, you may have the following rights and choices:

Update your privacy settings. You may update your privacy settings by visiting your account settings and manage your cookies using the Feedback Menu.

Manage marketing communications from us. To update your marketing communication preferences, you can contact us by emailing us at fightchess.store@gmail.com.

Access, Correction or Deletion. You may request to access, to correct or to delete your PI. You can edit and correct your PI at any time by changing it directly in our Services. To make a request for access you may do it by requesting it on the User Profile Section of our Services. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy.

Objection and Restriction. You may object to our processing of your PI, including for marketing purposes, or ask us to restrict processing of your PI. To object to data processing or request a restriction, contact us by emailing us at fightchess.store@gmail.com. If you request that we stop processing some or all of your PI or you withdraw (where applicable) your consent for our use or disclosure of your PI for purposes set out in this privacy notice, we might not be able to provide you all of the Services and customer support offered to our users and authorized under this Notice.

c. Brazil

Legal Basis of Processing

We use your PI only as permitted by law. Applicable Brazil data protection law requires us to have a "legal basis" for each purpose for which we collect your PI. Our legal basis for collecting and using the PI described in this Privacy Statement will depend on the type of PI and the specific context in which we collect it. However, we will normally process PI from you when:

- We have your consent to do so;
- We have a contract with you and it is necessary to process your PI to perform our contract with you, including to provide you with the benefits of our Services and operate our business;
- The processing is in our legitimate business interests, such as operating our businesses, improving and developing Services, communicating with you, marketing our offerings and services, and personalizing your experience, and to detect illegal activities; and/or
- To comply with legal requirements, including applicable laws and regulations.

Sharing with Credit Bureaus

Inapplicable.

If you are a resident of Brazil, you may have the following rights and choices:

Update your privacy settings. You may update your privacy settings by visiting your account settings and manage your cookies via your browser.

Manage marketing communications from us. To update your marketing communication preferences, you can change your notification preferences by going to your User Profile on your account.

Access, Correction, Anonymization or Deletion. You may request to access, to correct, anonymize or to delete your PI. You can edit and correct your PI at any time by changing it directly in our Services. To make a request for access you may do it by emailing us at fightchess.store@gmail.com. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy.

Objection and Restriction. You may object to our processing of your PI or ask us to restrict processing of your PI. You may request objection, restriction and portability rights by by emailing us at fightchess.store@gmail.com.

Portability. You may request portability of your PI.

Withdraw Consent. If we have collected and processed your PI with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your PI conducted in reliance on lawful processing grounds other than consent.

File a complaint. You have the right to file a complaint with a supervisory authority about our collection and processing of your PI.

d. Canada

While we take steps to maintain protection of your PI, your PI may be disclosed in response to valid demands or requests from governments, regulators, courts, and law enforcement authorities in those other jurisdictions or countries.

If you are a resident of Canada, you may have the following rights and choices:

Update your privacy settings. You may update your privacy settings by visiting your account settings.

Manage marketing communications from us. To update your marketing communication preferences, you can contact us in the Feedback Menu. You may also click unsubscribe at the bottom of any marketing emails or messages.

Cookies and other tracking technologies. You may be able to opt-out of interest based advertising by visiting the Digital Advertising Alliance of Canada Opt-Out Page, NAI Opt-Out Page and the Choices Opt-Out Page.

Access, Correction or Deletion. You may make a request to access, to correct or to delete your PI (provided we no longer have a business need to retain your PI). You may request a copy of the PI or delete the PI in your Account. You can edit and correct your PI at any time by changing it directly in our

Services. Even if you request for your PI to be deleted, certain aspects may be retained for us to: meet our legal or regulatory compliance (e.g., maintaining records of transactions you have made with us); exercise, establish, or defend legal claims; and to protect against fraudulent or abusive activity on Site or while using our Services. Data retained for these purposes will be handled as described in "Data Retention".

Withdraw consent. You can withdraw your consent at any time to collection, use, and disclosure of your PI. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your PI conducted in reliance on lawful processing grounds other than consent.

File a complaint. You have the right to file a complaint with the applicable Privacy Commissioner about our collection and processing of your PI.

e. India

Where data of Indian individuals is involved, you agree that the "reasonable security practices and procedures" under Section 43A's Explanation (ii) of the Information Technology Act, 2000 means this Privacy Statement and such data security procedures that we may implement from time to time, and which we may, in our discretion, give you notice from time to time.

What you can do to manage your privacy

You have choices when it comes to managing the privacy of your PI.

Update your privacy settings. You may update your privacy settings by visiting your User Profile.

Manage marketing communications from us. To update your marketing communication preferences, you can contact us at fightchess.store@gmail.com.

Correct your PI. You can edit and correct your PI at any time by changing it directly in our Services.

f. Mexico

If you are a resident of Mexico, you may have the following choices and rights (known as "ARCO rights"):

You have choices when it comes to managing the privacy of your PI and exercising your ARCO rights. Please note that we are required to verify your request prior to exercising your rights. After we have received a request, our response will indicate whether the request for access, rectification, cancellation, or opposition is appropriate and, if so, the determination will be made within 15 business days from such date. The deadlines may be extended under the terms set out in the applicable laws.

Access. You have the right to know what personal data we have about you, what we use it for and the conditions of use we give to it. Electronic copies of your personal data will be provided if you exercise your right of access. You may request a copy of the Personal Data by requesting it by emailing us at

fightchess.store@gmail.com. When making a request, please provide a clear and precise description of the personal data you wish to access and any other information that facilitates the location of your data.

Rectification. You have the right to request the correction of your personal data if it is outdated, inaccurate, or incomplete (Rectification). You can edit and correct your Personal Data at any time by accessing your User Profile.

Deletion/Cancellation. You have the right to request that we remove your PI from our records or databases when you consider that it is not being used in accordance with the principles, duties, and obligations provided for in the applicable laws. To know how to exercise your right to deletion, please refer to the section titled: "Account Cancellation and Reactivation; Data Deletion" from this Policy or contact us at the contact information provided in Section "Contact Us", below. When making a request, please provide a clear and precise description of the personal data you wish to delete/cancel or any other information that facilitates the location of your data.

Opposition/Rejection. You have the right to oppose the use of your personal data for specific purposes. You may request objection, restriction and portability rights by emailing us at fightchess.store@gmail.com. When making a request, please provide a clear and precise description of the personal data you wish to oppose, or any other information that facilitates the location of your data.

Update your privacy settings. You may update your privacy settings by visiting your account settings.

Manage marketing communications from us. To update your marketing communication preferences, you can contact us by emailing us at fightchess.store@gmail.com.

How to limit the use and disclosure of your PI

If you are a resident of Mexico, you also have the right to limit the use or disclosure of your PI by contacting us by emailing us at fightchess.store@gmail.com.

How to withdraw your consent

If you are a resident of Mexico, you also have the right to withdraw your consent for our processing of your PI by emailing us at fightchess.store@gmail.com.

g. Thailand

Legal Basis of Processing

We use your PI only as permitted by law. The Thai Personal Data Protection Act ("PDPA") requires us to have a "legal basis" for collecting your PI. Our legal basis for collecting and using the PI described in this Privacy Statement will depend on the type of PI and the specific context in which we collect it. However, we will normally process PI from you when:

- We have your consent to do so;
- We have a contract with you and it is necessary to process your PI to perform our contract with you, including to provide you with the benefits of our Services and operate our business;

- The processing is in our legitimate business interests, such as operating our businesses, improving, and developing Services, communicating with you, marketing our offerings and services, and personalizing your experience, and to detect illegal activities; and/or
- To comply with legal requirements, including applicable laws and regulations.

If you are a resident of Thailand, you may have the following rights and choices:

Update your privacy settings. You may update your privacy settings by visiting your account settings.

Manage marketing communications from us. To update your marketing communication preferences, you can change your notification preferences by going to the User Profile of your Account.

Access, Correction, Anonymization or Deletion. You may request to access, to correct, or to delete your PI. You can edit and correct your PI at any time by changing it directly in our Services. To make a request for access you may do it by requesting it on the Feedback Menu. To know how to exercise your right to deletion, please refer to the section titled: “Account Cancellation and Reactivation; Data Deletion“ from this Policy.

Objection and Restriction. You may object to our processing of your PI or ask us to restrict processing of your PI. You may request objection, restriction and portability rights by emailing us at fightchess.store@gmail.com.

Portability. You may request portability of your PI.

Withdraw Consent. If we have collected and processed your PI with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your PI conducted in reliance on lawful processing grounds other than consent.

File a complaint. You have the right to file a complaint with a supervisory authority about our collection and processing of your PI.

11. Links to Other Services

In certain sections of our Services, we may include links to third-party websites or applications (for example, Facebook and Instagram). These websites and applications are governed by their own privacy policies or information collection practices, which may be substantially different from ours. We do not guarantee and are not responsible for the privacy or security of these websites, including the accuracy, completeness or reliability of information found on these websites. If you follow links to websites not affiliated or controlled by us, we encourage you to review the privacy policies and information collection practices of any external websites and apps, as those parties' practices would not be subject to this Policy.

12. Location of Information Processing

Our Services are controlled and operated by us from the United States. Your information may be stored and processed in any country where we have facilities or in which we engage service providers, including

the United States, which may have data protection laws that are different from those of your country. In addition, your information may be subject to access requests from governments, courts, or law enforcement officials in countries where it may be processed, under the laws of those countries.

13. Security

The security of your PI is important to us, and we employ physical, technical, and administrative security measures designed to safeguard the information collected by the Services. We use industry standard SSL (secure socket layer technology) encryption to transfer PI. Other security safeguards include, but are not limited to, data encryption, firewalls, and physical access controls to buildings and files. We also conduct periodic audits of our security (no less than annually) to apply best practices and reasonable industry standards. However, no data transmission over the Internet can be guaranteed to be completely secure. If there is a breach of our security, we will notify you where required by law or deemed necessary and appropriate under the circumstances.

Account holders create a password in the registration process. You can help protect against unauthorized access to your Account and PI by selecting and protecting your password appropriately and limiting access to your computer and browser by signing off after you have finished accessing your Account. At registration, we assign a Member ID to each Account and use those Member IDs to authenticate logins, allow access to the subscription content, and monitor compliance. The Member ID is also used to authenticate users when requesting technical support. Access to information is limited (through user/password credentials and two-factor authentication) to those employees who require it to perform their job functions.

Some of the precautions we take to protect PI includes: (a) limiting employee access to PI to only those employees with a need to such access to fulfill their job responsibilities; (b) conducting background checks on our employees and, specifically, upon all employees that may have access to PI; (c) requiring employees to sign confidentiality agreements upon hiring; (d) conducting regular employee privacy and data security training and education; and (e) protecting PI with commercially reasonable technical, contractual, administrative, and physical security safeguards.

Please be aware, however, that no information system can be guaranteed to be 100 percent secure, so we cannot guarantee the absolute security of your information. Moreover, we are not responsible for the security of information you transmit to the Services over networks that we do not control, including the internet and wireless networks. If you have reason to believe that your interaction with us is not secure, please email us at fightchess.store@gmail.com.

14. Changes to Our Privacy Policy

We constantly try to provide the best services, and accordingly our Policy will change from time to time. If we substantially update this Policy, we will notify you by posting the revised Policy on our Services, and for certain revisions that materially expand the ways in which we use or share the information previously collected from you through the Services, either display an alert next to the Policy, display an alert upon login to the Services, or directly communicate with you (e.g. via our messaging service or the email address associated with your Account).

15. Contact Us

Fighting Chess LLC is in the United States of America, and we are the operator for all our Services. You may contact fightchess.store@gmail.com if you have any questions, complaints, or other issues related to this Policy and issues related to your information.

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