

Supplemental UK and EEA Privacy Statement

Last updated: May 12, 2025

We, Arc Games Inc. and Arc Games B.V., address this Supplemental UK and EEA Privacy Statement to individuals located in the United Kingdom (UK) and European Economic Area (EEA) only. This document supplements our [Arc Games Privacy Policy](#) and describes how we process your personal data when you use or interact with our Services, as we define “our Services” in the Arc Games Privacy Policy. If there are any inconsistencies between the Arc Games Privacy Policy and this Supplemental UK and EEA Privacy Statement, this Statement prevails.

If you are located in the EEA, the EU General Data Protection Regulation applies to our processing of your personal data, as well as local data protection laws, as the case may be. If you are located in the UK, the UK General Data Protection Regulation applies to our processing of your personal data. References to the “GDPR” are references to the General Data Protection Regulation as it applies in the country where you are located.

1. Who is the data controller and its GDPR representatives?

The data controller is:

Arc Games Inc.
Attn: Privacy Policy Inquiry
100 Redwood Shores Parkway, 2nd Floor
Redwood City, CA 94065
United States of America.

Arc Games Inc.’s representative in the EEA for data protection matters is:

Arc Games B.V.
Attn: Privacy Policy Inquiry
in Herikerbergweg 181 Unit 4.3
1101 CN, Amsterdam, The Netherlands.

2. What types of personal data do we collect and how do we collect it?

Please see Section 1 of the [Arc Games Privacy Policy](#). We also use cookies and other tracking technologies in our Services as described in our [Cookie Policy](#).

3. For what purposes do we process personal data? What lawful bases of processing do we rely on?

The table further below outlines the purposes for which we process personal data and the lawful bases of processing that correspond with each processing purpose. The lawful bases of processing include the following:

- The processing is necessary for us to perform a contract with you or take steps at your request prior to entering into a contract per Article 6(1)(b) GDPR (“**Contract Performance Legal Basis**”);
- The processing is necessary for us to comply with an applicable legal obligation per Article 6(1)(c) GDPR (“**Legal Obligations Legal Basis**”);

- The processing is necessary for us to realize a legitimate interest based on an assessment of that interest and your privacy and other fundamental interests per Article 6(1)(f) GDPR ("**Legitimate Interest Legal Basis**"); more information on the balancing test is available upon request; or
- The processing is performed according to your consent per Article 6(1)(a) GDPR ("**Consent Legal Basis**"). In these cases, you can withdraw your consent at any time with future effect by using the consent settings on our website or mobile games, or by emailing us at privacy@arcgames.com with a description of what data processing activities of ours you would like to withdraw your consent from.

Purposes of Use or Disclosure	Legal Basis and Legitimate Interest
<ul style="list-style-type: none"> • To process your requests or transactions; • To personalize and provide you with our Services; • To facilitate your use, and our administration and operation, of our Services; • To operate any console games you play and provide you with related Services, and maintain their compatibility with the third-party console platform provider's services; • To contact or communicate with you about your use of our Services, including welcome messages, and other important information about our Services and our relationship with you; and • To notify contest and sweepstakes winners. 	<ul style="list-style-type: none"> • Contract Performance Legal Basis if there is a contract between you and us, or you and we are preparing to enter into a contract. • Otherwise, Legitimate Interest Legal Basis – namely to provide, optimize and personalize our Services, to maintain security of the Services and to ensure internal quality control.
<ul style="list-style-type: none"> • To better understand the needs, characteristics and usage patterns of users of our Services and perform research and analysis in connection with improving our Services, developing new products and services, and marketing our products and services more effectively. 	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to operate and optimize our business; improve our Services and marketing; develop new products and services; and ensure the security and integrity of our platforms and systems.
<ul style="list-style-type: none"> • To prevent or investigate actual or suspected fraud, hacking, infringements of our contracts and policies, violations of applicable laws, or other misconduct involving our Services or any of our other products and services. 	<ul style="list-style-type: none"> • If we are contractually required to process your personal data for these purposes, Contract Performance Legal Basis. • If applicable laws require us to process your personal data for these purposes, Legal Obligations Legal Basis. • Otherwise, Legitimate Interest Legal Basis—namely, to enable us to comply with laws, prevent fraud, enforce contracts and defend, exercise or establish our legal rights.
<ul style="list-style-type: none"> • To evaluate and enter into a reorganization, restructuring, merger, acquisition, divestiture, financing, or 	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to engage in a transaction that our management team considers to be

Purposes of Use or Disclosure	Legal Basis and Legitimate Interest
<p>whole or partial sale or transfer of our business or assets ("Business Transaction").</p>	<p>advantageous to our business interests. But we will seek your consent if we wish to use your personal data for any new purpose incompatible with those set forth in our Privacy Statements, and if you provide such consent, the Consent Legal Basis applies.</p>
<ul style="list-style-type: none"> To use essential cookies and tracking technologies. 	<p>EEA:</p> <ul style="list-style-type: none"> The legal basis for the storage of and access to information on your end user device for us to be able to provide the digital service expressly requested by you is Article 5(3) of the ePrivacy Directive, as transposed into local law (e.g., in Germany, Sec. 25 (2) No. 2 German Digital Services Data Protection Act (Telekommunikation-Digitale-Dienste-Datenschutz-Gesetz)). The further processing of personal data collected through the use of essential cookies is Contract Performance Legal Basis (if we concluded a contract with you) or Legitimate Interest Legal Basis, such as to provide our Services. More information on the balancing test is available upon request. <p>UK:</p> <ul style="list-style-type: none"> It is necessary for us to perform a contract with you or take steps at your request prior to entering into a contract per the Contract Performance Legal Basis; or The further processing of personal data collected through the use of essential cookies is Contract Performance Legal Basis (if we concluded a contract with you) or Legitimate Interest Legal Basis, such as to provide our Services. More information on the balancing test is available upon request.
<ul style="list-style-type: none"> To use or disclose personal data for targeted advertising purposes; To use cookies and tracking technologies other than essential technologies; and To send you direct marketing, including newsletters, surveys, contest and sweepstakes announcements. 	<ul style="list-style-type: none"> Where required, we obtain consent before using tracking technologies other than essential technologies necessary for the provision of the Services and rely on the Consent Legal Basis to collect and process your personal data through cookies to serve targeted advertising at you and measure the performance of our targeted ads.

Purposes of Use or Disclosure	Legal Basis and Legitimate Interest
	<ul style="list-style-type: none"> We also rely on consent to send you direct marketing, including newsletters, surveys, contest and sweepstakes announcements.

4. What legitimate interests are pursued where the processing is based on the Legitimate Interest Legal Basis?

Please see the table further above.

5. What categories of recipients receive personal data from us?

We may disclose personal data to the following types of third parties and in the below-mentioned circumstances.

- **Other Users in Your Online Community:** If you participate in any of our online communities on our Services, we may disclose your public profile information to other online community members, including your screen name, profile picture or avatar, your in-game scores and achievements, and any other information you choose to provide or make public.
- **Service Providers.** We may disclose your personal data to our service providers, including providers of information technology and related services, and companies that assist us with customer service activities. We have executed appropriate contracts with the service providers that prohibit them from using or sharing personal data except as necessary to perform the contracted services on our behalf or to comply with applicable legal requirements.
- **Advertising and Analytics Business Partners:** With your consent, we may disclose your personal data to third-party business partners who assist us by serving you targeted advertisements on or off our Services, providing you with our offers, surveys or marketing messages, or providing us with analytic services. For example, we may disclose your contact details (such as email or phone number) to Meta in order to use Facebook's Custom Audiences, which enables Meta to identify and advertise to you on the Facebook platform. Below is a list of such business partners:

Gleam
33 Wimbledon Avenue, Mount Eliza, Melbourne, Australia
<https://gleam.io/privacy>

Google (Google Ads and Google Analytics)
1600 Amphitheatre Parkway, Mountain View, CA 94043
<https://policies.google.com/privacy>

Meta
1 Meta Way, Menlo Park, CA 94025
<https://www.facebook.com/privacy/policy/>

Microsoft
1 Microsoft Way, Redmond, WA 98052
<https://help.ads.microsoft.com/#apex/ads/en/60212/-1>

Reddit
548 Market St, San Francisco, CA 94107
<https://www.reddit.com/policies/privacy-policy>

TUNE, Inc.

11350 McCormick Rd, EP III, Suite 200, Hunt Valley, MD 21031
<https://www.tune.com/resources/data-and-privacy/privacy-policies/>

X Corp.
865 FM 1209 Bldg 2 Bastrop, TX, 78602-3227
<https://x.com/en/privacy>

- **Social Media Platforms:** If you use third-party social media functions on our Services, such as a social media platform's "Add This" or "Like" button, the operator of the social media platform collects information about that interaction and may link it to information the operator already holds about you. Below is a list of such platforms:

Gleam
33 Wimbledon Avenue, Mount Eliza, Melbourne, Australia
<https://gleam.io/privacy>

Google (Google Ads and Google Analytics)
1600 Amphitheatre Parkway, Mountain View, CA 94043
<https://policies.google.com/privacy>

Meta
1 Meta Way, Menlo Park, CA 94025
<https://www.facebook.com/privacy/policy/>

X Corp.
865 FM 1209 Bldg 2 Bastrop, TX, 78602-3227
<https://x.com/en/privacy>

- **Disclosures In Response to Legal Obligations:** We may access, preserve, and disclose your personal data to third parties, such as legal advisors and law enforcement authorities, if we believe doing so is required or appropriate: (i) to comply with law enforcement or national security requests and legal processes, such as a court order or subpoena; (ii) to respond to your requests; (iii) to protect your, our or others' rights, property or safety; (iv) to enforce our policies or contracts; (v) to collect amounts owed to us; (vi) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal activity; (vii) in connection with the establishment, exercise, or defense of legal claims; or (viii) if we, in good faith, believe that disclosure is otherwise necessary or advisable.
- **With Your Consent:** We may disclose personal data about an individual to certain other third parties or publicly with their consent or direction. For example, with an individual's consent or direction, we may post their testimonial on our websites or other Services.
- **Disclosures Due to Business Transactions:** We may disclose personal data to potential acquirers of our business assets and their representatives for the purposes of evaluating and entering into Business Transactions.

6. **Where is your personal data processed and on what basis do we transfer personal data across borders?**

Arc Games Inc. is the data controller, and is located in the U.S. Our servers and business operations are located primarily in the United States.

The UK Government recognizes the EEA as providing an adequate level of protection for personal data. Arc Games Inc. is certified under the EU-U.S. Data Privacy Framework, the UK Extension to the EU-U.S. Data Privacy Framework, and the Swiss-U.S. Data Privacy Framework ("**Data Privacy Framework**"), which

provide a mechanism for the transfer of Personal Information from the European Union, United Kingdom and Switzerland, respectively.

If there is any conflict between the terms in the Privacy Policy, this Supplemental UK and EEA Privacy Statement and the Data Privacy Framework Principles, the Data Privacy Framework Principles shall govern. To learn more about the Data Privacy Framework program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

Any transfer outside the EEA, Switzerland, Andorra, Argentina, non-public organizations in Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan (for the EEA and UK), Jersey, New Zealand, the UK, or the Republic of Korea (for the EEA and UK) (or any other country deemed “adequate” by the European Commission or UK authorities, as applicable) will be safeguarded by appropriate safeguards. Data transfer agreements are accessible upon request by contacting us at the details shown further above.

7. How long do we process personal data?

We retain your personal data only as necessary for the purposes for which the personal data is processed or for legal requirements. The length of time for which we retain personal data depends on the purposes for which we collect and use it and how long we need to retain it to comply with applicable laws (including for the purpose of satisfying any legal, regulatory, tax, accounting or reporting requirements), to establish, exercise or defend our legal rights, or to make the data available to judges and courts or the competent public authorities. If we retain the personal data solely to satisfy legal requirements, we will keep your personal data blocked. This means that we will implement measures to prevent the data's processing, except for making it available to public administrations, judges, and courts if necessary to satisfy legal requirements or address potential liabilities arising from its processing. Once the personal data is no longer necessary for the purposes for which we collected it, we will delete it.

8. Children's Personal Data

If you are under age 16, do not provide any Personal Information unless you have first obtained your parent's or guardian's permission, and your parent or guardian has expressly given us consent for you to do so.

9. What data protection rights do you have?

In the EEA and the UK, you have the following rights, subject to the conditions under the GDPR and/or local data protection law:

- **To object, on grounds relating to your particular situation, to the processing of your personal data by us.** This includes the right to object to our processing of your personal data for direct marketing (also known as mass marketing under Swiss law) and the right to object to our processing of our personal data where we are performing a task in the public interest or pursuing our legitimate interests or those of a third party. If we process your personal data based on our legitimate interests or those of a third party, or in the public interest, you can object to this processing, and we will cease processing your personal data, unless the processing is based on compelling legitimate grounds or is needed for legal reasons. Where we use your personal data for direct marketing for our own products and services, you can always object and opt out of future marketing messages using the unsubscribe link in such communications.
- To obtain from us confirmation as to whether your personal data is being processed, and, where that is the case, to request access to details about how we process your personal data and copies of the personal data.
- To obtain from us the rectification of inaccurate personal data concerning you.
- To ask us to erase your personal data to the extent it is not required for legally required purposes or necessary for security and integrity purposes.

- To request restriction of processing of your personal data, in which case, it would be marked and processed by us only for certain purposes.
- To receive your personal data which you have provided to us in a structured, commonly used and machine-readable format and you have the right to transmit the personal data to another entity without hindrance from us.
- To withdraw your consent at any time. This will not affect the lawfulness of our use of your personal data before your withdrawal.
- To lodge a complaint with a supervisory authority.
- In some jurisdictions such as France and Portugal, you also have the right to provide us with guidelines as to the processing of your personal data after your death.

You may view a list of supervisory authorities in the EEA, UK and Switzerland and their respective contact information here:

- EEA: https://edpb.europa.eu/about-edpb/about-edpb/members_en
- United Kingdom: <https://ico.org.uk/global/contact-us/>

To submit a request to exercise your privacy rights, you can contact us by any method described in the Contact Us section below. In your request, please describe what rights you are exercising and how you would like us to assist. We may need to request specific information from you to help us verify your identity and that you have the right to request what you are requesting. These are security measures to ensure that we do not disclose personal data to any person who has no right to receive it, or otherwise process the data in unauthorized ways. We may also contact you to ask for further information about your request to clarify the scope of your request and speed up our response. We will respond to requests to exercise privacy rights according to applicable laws.

10. Are you required to provide us with your personal data?

You are not legally required to provide personal data to us but we cannot provide our Services without receiving some personal data from you.

11. How can you contact us?

If you have any questions about our privacy practices, personal data processing activities, or would like to exercise your rights under privacy laws, you may contact us at privacy@arcgames.com.

12. Will we change this Supplemental EEA+ Privacy Statement?

From time to time, we may revise this Supplemental EEA+ Privacy Statement. When we do so, the changes will be posted and the revised document will be available online and the “last updated” date above revised.