

Quicksilver Software, Inc. Privacy Policy

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This Privacy Policy describes how Quicksilver Software, Inc. collects, uses and discloses information in connection with the use of our game applications, including but not limited to Gem Rush and NMJL Online, and what choices you (the “**Customer**”) have with respect to the information.

Applicability Of This Privacy Policy

This Privacy Policy applies to Quicksilver’s Gem Rush and NMJL Online games (the “**Games**”) and to other games that may be released under the Quicksilver® and SymPlay™ labels, and to our Web presence (the “**Web Site**”), together referred to as the “**Services**”. If you do not agree with these terms, do not access or use the Services or any other aspect of Quicksilver’s business.

Information We Collect and Receive

Quicksilver requires minimal personal information related to Customers of the Games or the Web Site. For some products, such as Gem Rush, we do not require Customers to provide us with contact information such as email addresses. NMJL Online requires an email address to be used as the primary user identifier, so we do require that in order for users to sign on and actually play games. We do not currently require phone numbers, physical addresses or even real names from Customers. Note that email addresses are needed in order to enable certain forms of contact with Customers, such as password resets and account expiration alerts; Customers who do not provide emails will have reduced functionality in such situations.

The Web Site does not require or track any personal information.

We may obtain and retain certain information that is necessary for the operation of the Games or the Web Site, such as chat logs, access logs and error logs, but only for amounts of time required to ensure the proper and efficient operation of our online systems. Logs may also record IP Addresses of Customers, which we use for security purposes such as blocking of malicious content. Such information is regularly purged as a part of the normal operation of our systems.

Quicksilver may collect and receive Customer Data, Game Login Data and other information and data (“**Other Information**”) in a variety of ways:

- **Customer Data.** Customers may submit email addresses via optional data entry forms in the Games to enable us to confirm your identity. Additionally, Customers may send optional requests for contact via a form on our Web Site, which will request an email address.
- **Game Login Data.** Customers are required to log in to the Games in order to play. For the Gem Rush game, this requires either (a) a Steam ID and password, or (b) a unique user name and password. For NMJL Online, this requires a unique user email address and password.
 - I. For Gem Rush, The Steam ID is collected automatically by the system upon launching the Games. The Steam ID is a numerical value that does not, by itself, provide any information about the Customer’s real-world identity. We use the Steam ID only to create a unique account for each Customer, in order to be able to support online play.
 - II. For NMJL Online, we obtain Customer email addresses from our partner organization, which is solely responsible for providing us with authorized Customer lists. Customers cannot create accounts directly in the game or on the Web Site. First-time Customers will

be required to create a password when logging in to the NMJL Online game. This password is unique to the game and is not shared outside of our systems.

- III. In no case do we retain the Customer's password in clear text; it is always stored in an obfuscated form and then is used only to verify the validity of the login credentials that were previously entered by the Customer. For their own safety, we recommend that Customers use unique usernames and passwords for the Games that are different from the credentials that they use for other games, Web Sites and Services, although we cannot require Customers to do so.
- **In-Game Communications.** As part of the normal operations of our game lobbies and games, we allow optional direct communication between one or more Customers. We retain logs of such activity for compliance monitoring and security purposes, but only for amounts of time required to ensure the proper and efficient operation of our online systems and to respond to lawful requests from law enforcement or government agencies. Logs are regularly purged as a part of the normal operation of our systems.
 - **Gameplay Performance Data.** For some of the Games, we track winners and losers and certain game scoring data such as winning or losing hands. Since each game normally includes more than one other human player, these records in our user database will indirectly connect multiple Customers and include data regarding their in-game performance as well as times of actions. Such records use internal User ID numbers as their primary keys; if the email associated with a given User ID is deleted from our records, this will break the association in our records between that ID and that email address even though the game performance data continues to exist in the database.
 - **Other Information.** Quicksilver also collects, generates and/or receives Other Information:
 - I. Usage Information.
 - *Log data.* As with most websites and technology services delivered over the Internet, our servers automatically collect information when you access or use the Services and record it in log files. This log data may include the Internet Protocol (IP) address, the address of the web page visited before using the Services, browser type and settings, the date and time the Services were used, information about browser configuration and plugins, language preferences and cookie data.
 - *Device information.* Quicksilver may collect information about devices accessing the Services, including type of device, what operating system is used, device settings, application IDs, unique device identifiers and crash data. Whether we collect some or all of this Other Information often depends on the type of device used and its settings.
 - *Location information.* We do not collect location information from you.
 - II. Cookie Information. Quicksilver uses cookies and similar technologies in our Web Site that help us provide a good user experience while using the Games, but we do not use this information for purposes other than ensuring efficient operation of the Games.
 - III. Contact Information. In accordance with the consent process provided by your device, any contact information that a Customer chooses to provide may be retained in order to allow us to provide requested information.
 - IV. Additional Information Provided to Quicksilver. We receive Other Information when submitted via the Services or if you participate in a focus group, contest, activity or event, apply for a job, request support, interact with our social media accounts or otherwise communicate with Quicksilver via our Web site.

Generally, no one is under a statutory or contractual obligation to provide any Customer Data or Other Information (collectively, "**Information**"). However, certain Information is collected automatically and, if some Information is not provided, we may be unable to provide the full range of services available in the Games. For example, if no email address is provided, we will not be able to reset your password, and you may not be able to log in to certain Games.

Information We Do Not Collect

The Games and Web Site do not collect the following types of Customer information:

- Financial Information (including but not limited to payment, credit, salary and other similar data)
- Health and Fitness Data
- Location Data (i.e., latitude and longitude)
- Contacts from your personal Contact List
- Browsing History and Search History
- Purchase History

How We Use Information

Customer Data and Game Login Data will be used by Quicksilver in accordance with Customer's instructions, including any applicable terms in the Customer license agreement for the Games, and as required by applicable law. Quicksilver is a processor of Customer Data and Customer is the controller.

Quicksilver uses Game Login Data and Gameplay Performance Data in furtherance of our legitimate interests in operating the Games. More specifically, Quicksilver uses Game Login Data:

- To allow users to play the Games.** In order for us to be able to record game activity and enable online play, we must maintain unique accounts for each Customer. Such accounts maintain only enough information to perform such functions. Game Login Data is used only to create and maintain such Customer accounts and, if an email address is provided, to enable resetting of the user's password.
- To allow users to see the results of their actions within the Games.** In some Games, we allow users to see who won and lost games, and to see cumulative scoring data. Additionally, our support staff may have ongoing access to gameplay records, which is used to analyze system performance and also to design new gameplay features.
- To display player rankings.** In some games, we may retain player ranks or handicaps in order to enable players to evaluate potential game opponents based, for example, on skill level or experience. These may be displayed in "leaderboards" or other ranking reports. Customer Data such as email addresses or real names will not be displayed in any such leaderboards or ranking reports.
- As required by applicable law, legal process or regulation.**
- To investigate and help prevent security issues and abuse.**

Quicksilver uses In-Game Communications Data to provide the ability for Customers to organize games together, ask and answer questions, and discuss game strategies. In general, we do not monitor or censor such communications, and Customers should be aware that some such communications may contain content that is offensive or inappropriate for some Customers. Any such content is the responsibility of the Customer sending it; Quicksilver is not liable for any In-Game Communications Data.

Quicksilver uses Other Information in furtherance of our legitimate interests in operating our Services, Web sites, Games and business. More specifically, Quicksilver uses Other Information:

- To provide, update, maintain and protect our Web Site and business.** This includes use of In-Game Communications Data, Game Performance Data and Other Information to support delivery of the Services under a Customer Agreement, prevent or address service errors, security or technical issues, analyze and monitor usage, trends and other activities or at a Customer's request.
- As required by applicable law, legal process or regulation.**
- To communicate with you by responding to your requests, comments and questions.** If you contact us, we may use your Other Information to respond.

- **To send emails and other communications, if an email address was provided to us.** We may send you service, technical and other administrative emails, messages and other types of communications. We may also contact you to inform you about changes in our offerings, and important Web Site-related notices, such as security and fraud notices. These communications are considered part of the Services and you may not opt out of them.
- **To investigate and help prevent security issues and abuse.**

If Information is aggregated or de-identified so it is no longer reasonably associated with an identified or identifiable natural person, Quicksilver may use it for any business purpose. To the extent Information is associated with an identified or identifiable natural person and is protected as personal data under applicable data protection law, it is referred to in this Privacy Policy as “**Personal Data.**”

Data Retention

Quicksilver will retain Customer Data in accordance with a Customer’s instructions, including any applicable terms in the Customer Agreement and Customer’s use of Game and Web Site functionality, and as required by applicable law. The deletion of Customer Data and other use of the Games by Customer may result in the deletion and/or de-identification of certain associated Other Information. Quicksilver may retain Other Information pertaining to you for as long as necessary for the purposes described in this Privacy Policy. This may include keeping your Other Information after you have deactivated your account for the period of time needed for Quicksilver to pursue legitimate business interests, conduct audits, comply with (and demonstrate compliance with) legal obligations, resolve disputes and enforce our agreements. Under typical circumstances, such information will be kept for no more than one calendar year.

To request deletion of your Customer Data, please email deletions_qsi@quicksilver.com or visit our Web site Deletion Request page at https://www.quicksilver.com/deletion_form.html.

How We Share and Disclose Information

This section describes how Quicksilver may share and disclose Information. Customers determine their own policies and practices for the sharing and disclosure of Information, and Quicksilver does not control how they or any other third parties choose to share or disclose Information. As used in the following sections, the term “**Information**” includes Customer Data, Game Login Data, Other Information, In-Game Communications Data and Gameplay Performance Data, as defined above.

- **Customer’s Instructions.** Quicksilver will solely share and disclose Information in accordance with a Customer’s instructions, including any applicable terms in the Customer Agreement and Customer’s use of Game or Web Site functionality, and in compliance with applicable law and legal process.
- **Customer Access.** Administrators may be able to access, modify or restrict access to Information. This may include, for example, exporting logs of Game or Web Site activity, In-Game Communications, or emails sent.
- **Corporate Affiliates.** Quicksilver may share Information with its corporate affiliates, parents and/or subsidiaries.
- **To Implement App Functionality.** Quicksilver uses certain third-party tools to implement functionality to contact the user, with the user’s permission, for its products. These tools include:
 - **SocketLabs:** reliable delivery of password reset emails and account-related notifications
 - **Firebase:** implementation of “push notifications” to applications in order to inform players of the status of their turns (in our Gem Rush game)
- **During a Change to Quicksilver’s Business.** If Quicksilver engages in a merger, acquisition, bankruptcy, dissolution, reorganization, sale of some or all of Quicksilver’s assets or stock, financing, public offering of securities, acquisition of all or a portion of our business, a similar

- transaction or proceeding, or steps in contemplation of such activities (e.g., due diligence), some or all Information may be shared or transferred, subject to standard confidentiality arrangements.
- **Aggregated or De-identified Data.** We may disclose or use aggregated or de-identified Information for any purpose. For example, we may share aggregated or de-identified Information with prospects or partners for business or research purposes, such as measuring time spent on our Web Site or in the Games.
 - **To Comply with Laws.** If we receive a request for information, we may disclose Information if we reasonably believe disclosure is in accordance with or required by any applicable law, regulation or legal process.
 - **To enforce our rights, prevent fraud, and for safety.** To protect and defend the rights, property or safety of Quicksilver or third parties, including enforcing contracts or policies, or in connection with investigating and preventing fraud or security issues.
 - **With Consent.** Quicksilver may share Information with third parties when we have consent to do so.

Security

Quicksilver takes security of data very seriously. Quicksilver works hard to protect Information you provide from loss, misuse, and unauthorized access or disclosure. These steps take into account the sensitivity of the Information we collect, process and store, and the current state of technology. Given the nature of communications and information processing technology, Quicksilver cannot guarantee that Information, during transmission through the Internet or while stored on our systems or otherwise in our care, will be absolutely safe from intrusion by others.

Information sent to and from our servers is encrypted in transit, and key elements such as passwords are obfuscated in our databases.

Age Limitations

To the extent prohibited by applicable law, Quicksilver does not knowingly request personal information from anyone younger than 16 years old. If you learn that anyone younger than 16 has unlawfully provided us with personal data, please contact us and we will take steps to delete such information in accordance with our standard deletion policies.

Changes To This Privacy Policy

Quicksilver may change this Privacy Policy from time to time. Laws, regulations and industry standards evolve, which may make those changes necessary, or we may make changes to our business. We will post the changes to this page and encourage you to review our Privacy Policy to stay informed. If we make changes that materially alter your privacy rights, Quicksilver will provide additional notice, such as via email or through the Games. If you disagree with the changes to this Privacy Policy, you should discontinue use of our Games and Web Site.

Data Protection Officer

To communicate with our Data Protection Officer, please email gdpr@quicksilver.com.

Identifying The Data Controller and Processor

Data protection law in certain jurisdictions differentiates between the “controller” and “processor” of information. In general, the Customer is the controller of Customer Data. In general, Quicksilver is the processor of Customer Data and the controller of all other Information.

Your Rights

Individuals located in certain regions, including the State of California and the European Economic Area, have certain statutory rights in relation to their personal data. Subject to any exemptions provided by law, you may have the right to request access to Information, as well as to seek to update, delete or correct this Information. You can do this by contacting us via email at gdpr@quicksilver.com.

To the extent that Quicksilver’s processing of your Personal Data is subject to the California Consumer Privacy Act (CCPA) European General Data Protection Regulation (GDPR), Quicksilver relies on its legitimate interests, described above, to process your data. Quicksilver may also process Information that constitutes your Personal Data for direct marketing purposes; you have a right to object to Quicksilver’s use of your Personal Data for this purpose at any time.

Data Protection Authority

Subject to applicable law, you also have the right to (i) restrict Quicksilver’s use of Information that constitutes your Personal Data and (ii) lodge a complaint with your local data protection authority or directly with Quicksilver at gdpr@quicksilver.com.

Contacting Quicksilver

Please feel free to contact Quicksilver if you have any questions about this Privacy Policy or Quicksilver’s practices, or if you are seeking to exercise any of your statutory rights. You may contact us with general queries at gdpr@quicksilver.com and for data deletion requests at deletions_qsi@quicksilver.com.

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