

Privacy Policy

Effective Date: May 1, 2018

Refereum respects your privacy. We endeavor to build a community that you can trust and strive to be transparent about the data we collect about you, how we use that data, with whom we share your data, and your rights to manage and control your data. This [Privacy Policy](#) (including our Cookie Policy (www.refereum.com/legal/cookies)) applies when you use the products and services we make available to you on www.refereum.com, or any other websites or software applications operated by Refereum, and any communications between you and Refereum on any media or format (the “**Refereum Service**”).

By using the Refereum Service you agree and consent to the practices described in this Privacy Policy. Your choices on how we use, collect and share data are described in this Privacy Policy.

Refereum collaborates and has business relationships with other companies, for example, providers of channels, content and services (including analytics and ad-related services), who may also collect data from the Refereum Service, and share data with us. We also have accounts on third party publishing platforms and social networking sites that let you engage with and follow Refereum and other users. This Privacy Policy does not cover the actions of these or any other third parties, and we cannot control how such third parties may collect, use, or secure your data. For information about a third party’s privacy practices, please consult the privacy policy of that third party.

DATA WE COLLECT

We collect your personal data in different ways: data you provide to us; data we collect about you from third parties; and data we automatically collect when you use the Refereum Service. If we combine or associate data from other sources with data that we collect through the Refereum Service, we will treat the combined data in accordance with this Privacy Policy.

Data You Provide

You provide us personal data when you register for a Refereum account (“**Account**”), engage with the Refereum Service, create content using the Refereum Service, or when you communicate with us. You are not required to provide us any personal data; though if you don’t, it may limit your ability to use the Refereum Service.

- ***Account Data***. You can register for an Account by providing us your email, and if applicable, creating a password. If you do not register for an Account, you may only access limited content on the Refereum Service, such as obtaining basic information about the Refereum Service, viewing a list of the games and streamers that are available on the Refereum Service, or watching video trailers. An Account allows you to access other features of the Refereum Service, including buying digital content, watching videos, watching others play video games, allowing Refereum Account holders to watch your streams, engaging with third party services by linking your Refereum Account to such services, engaging with any other products or services that we may offer from time to time, and entering sweepstakes, and contests and other promotions offered by Refereum (each, a “**Promotion**”).
- ***Payment Data***. To facilitate the processing of purchase transactions, we may ask you to provide your financial data as may be required by our payment processors. If you participate in our

Promotions, we may ask you to provide your financial data for us to send cash prizes (e.g. PayPal) and related prizes in cryptocurrencies (e.g. your Ethereum wallet address).

- *Identity Verification Data*. To help create and maintain a trusted environment and as may be required by applicable laws, we may collect identity verification data (such as images of your government issued ID, passport, national ID card, or driving license, as permitted by applicable laws) or other authentication data.
- *Communications Data*. You may communicate with us by filling out surveys, providing feedback or leaving comments, chatting with us, emailing us, or contacting us through the Refereum Service or via any other means. When you communicate with us, we collect all data that you volunteer. Such communication is voluntary and is not required to use the Refereum Service, but we may use the data you provide to develop or improve the Refereum Service, respond to your inquiry, provide you customer service, help you troubleshoot, or otherwise help provide or support the Refereum Service.
- *Other Data*. If you are a potential winner in a Promotion, we may ask you for your name, address, phone number, proof of your age, proof of identity (which may include submitting a copy of a driver's license, passport or similar government issued identification), tax identification number, and financial account data (if you win a cash prize or related prizes in cryptocurrencies). You are not required to provide the requested data; though, if you don't, you will not be declared a winner of the Promotion and will not be eligible to receive any prizes.

Data Collected From Third Parties

We collect data about you from third-party service providers.

- *Account Data*. You can register for an Account through a third party service provider for which you have approved our access (e.g., Twitch, Discord or Facebook) (each, an “**Authorized Third Party Service**”) from which we may collect your username, email address, and profile picture which we will display in your Account profile. In addition, we also receive third party authentication key and your user id to allow us to receive your data with the Authorized Third Party Service. Your username and profile picture may also be seen by other users of the Refereum Service (e.g., when you watch a stream or your position on the leaderboard). When you connect to the Refereum Service through any Authorized Third-Party Service, you are authorizing us to collect, store, and use such data according to this Privacy Policy.
- *Streaming Data*. If you connect to an Authorized Third-Party Service to stream digital content, we may collect your username and viewing data, which includes data about you and other viewers who are watching your stream, and capture and collect thumbnail images of you streaming. We may also obtain data from the Authorized Third-Party Services about the content you choose to stream such as the title of the content and whether you own that content.
- *Other Data*. We collect usernames from certain Authorized Third-Party Services when you engage with us on such third party services, to verify that you are a Refereum Account holder. In addition, we may receive data about you from third party service providers who provide identity verification services, geolocation data and your IP address.

These third party services have their own privacy policies which apply to their collection, use and sharing of personal data. We encourage you to read their privacy policies carefully before you decide to create or otherwise connect your Account through any Authorized Third-Party Service. Refereum does not have any control over the protection and privacy of the data you provide to the any third-party service and is not responsible for how any such service collect and use the data you provide to them.

Data Collected by Automated Means

When you use the Refereum Service or open one our emails, we use cookies and similar technologies (collectively, “**Cookies**”) to automatically record and store certain data. Cookies enable our systems to recognize you, your devices and to provide you services. For more information about Cookies, how we use them, and how to control the use of Cookies, including information on how to opt-out of Cookies, please read our [Cookie Policy](http://www.refereum.com/legal/cookies) available at www.refereum.com/legal/cookies.

When you visit or use the Refereum Service, we log usage data, such as when you view or click on content. We also collect your IP address, a unique user ID, device ID, referring and exit page addresses, software and system type, and how you use the Refereum Service. Examples of how we use the data we automatically collect from you include the following:

- Provide automatic updates to the Refereum Service;
- Remember data about you, such as your login and preferences, so you do not have to re-enter it while using the Refereum Service or the next time you access the Service;
- Provide you with a customized experience by showing advertisements, content, and information you may find most interesting or relevant;
- Monitor the effectiveness of marketing campaigns; and
- Monitor and store aggregate data on site usage metrics such as total number of visitors, pages visited, videos and video games streamed, number of hours streamed, and number of viewers of videos and streams.

HOW WE USE YOUR DATA

We are committed to providing you a customized and engaging experience. Our use of your personal data will depend on how you use the Refereum Service and the choices you make in allowing us to use your personal data.

Services

Your personal data allows us to provide, support, personalize, and develop the Refereum Service, including to:

- authorize access to the Refereum Service;
- track your entries, submission and status in Promotions or other activities;
- determine potential winners of Promotions;
- monitor and verify streaming activity to help us properly reward streamers;
- deliver RFR tokens to your Ethereum Address (e.g., if you win a Prize or earn a reward);
- personalize and improve the Refereum Service, including using your data to develop new and existing products and services, and to improve your experience by providing you content you find most relevant and interesting;
- investigate, respond to, and resolve complaints and issues about the Refereum Service;
- understand the usage trend of our users (e.g., by using aggregated data);
- create content on our blog or social media accounts; and
- administer referrals, rewards, surveys, Promotions or events sponsored or managed by Refereum or its partners.

Communications

We may communicate with you by posting notices on the Refereum Service. We may also communicate with you through third party services such as Telegram, Discord, and similar social media services. In addition, we may also use your email address to:

- contact you in connection with a Promotion, such as if you are selected as a winner;

- respond to your support questions, comments, feedback, surveys;
- confirm your purchase transactions on the Refereum Service;
- notify you of major changes to the Refereum Service or to contact you about your use of the Refereum Service, including the content that you posted; and
- send you promotional messages from us or our partners or to messages about the Refereum Service, including news, general information, or how to use the Refereum Service.

You can stop receiving marketing or other promotional emails anytime by clicking “Unsubscribe” or “Unsubscribe Preferences” at the bottom of such emails. Please note that you cannot opt-out of receiving service messages from us, including transactional, security, legal notice or other important information relating to the availability of the Refereum Service, or any aspect thereof.

Advertising

We use third-party analytics services (“**Third Party Analytics**”), such as Google Analytics and Facebook Analytics to provide site metrics and other analytics services. These Third-Party Services use cookies, web beacons, and other technologies to collect data, such as your IP address, your device ID, other applications on your device, the browsers you use to access our Services, web pages viewed, time spent on webpages, links clicked, and conversion data (e.g., transactions entered into). The data collected by these Third Party Analytics is described in the section titled, “**Data Collected by Automated Means.**”

Some of the Promotions and streams that you see on the Refereum Service is sponsored content, meaning that a third-party advertiser is paying to have the content featured on the Refereum Service. This content may look similar to non-sponsored content, except that they are labeled “ads” or “sponsored.” If you engage with such content (e.g., by watching a stream or entering into a Promotion), your username and/or profile picture may be viewable by all users of the Refereum Service, and your data may be collected along with other users of the Refereum Service to provide aggregated data to the advertiser.

Aggregate Data

We use aggregate data from you and users of the Refereum Service to generate aggregate insights. This data does not identify you, but helps us to understand how the Refereum Service is being used, including the types of games streamed, the number of hours streamed, and the number of viewers per game.

Security and Investigations

We use data for security, fraud prevention and investigations. Your data and communications may be used if we think it is necessary for security purposes or to investigate possible fraud or other violations of our [Terms of Service \(www.refereum.com/legal/terms\)](http://www.refereum.com/legal/terms), this Privacy Policy and/or any other Refereum terms or rules.

HOW DATA IS SHARED

Our Services

Your username and profile picture may be viewed by other Account holders. For example, when you engage with the Refereum Service, such as by streaming digital content or leaving public comments or feedback, we may display your username, profile picture, or both in connection with such activities. In addition, if you enter into a Promotion, we may share any personal data you submit in connection to your entry as required for us to run the Promotion or for our partners for their marketing purposes.

Service Providers and Partners

We share your data with the following third parties for the following purposes:

- To service providers working on our behalf, including to provide website hosting, maintenance, and security services, or to improve the Refereum Service by creating new products, services, or features. These service providers can only use or disclose data as necessary to provide services or to the extent required by law;
- To our partners as required to provide the Refereum Service, such as to allow you to stream digital content or participate in a Promotion on the Refereum Service;
- To entities controlled by or under our common control (our “**Affiliates**”);
- To third-party advertisers (“**Advertisers**”) that you connect to through the Refereum Service to the extent necessary for you to access the Advertisers’ products or services; and
- To our partners and others for business purposes, such as providing your aggregated or non-personally identifiable data with our partners or others for business purposes, including data showing the types of games streamed, the number of hours streamed, and the number of viewers.

Business Transfer or Corporate Change

If there is a business transfer or corporate change, such as a merger, acquisition, or sale, we may transfer or assign the data that we have collected from you in connection with such transaction or in contemplation of such transaction (e.g. due diligence). This means that the person or entity buying our business or a part of our business will continue to have the right to use your data in the ways described in this Privacy Policy, unless you agree otherwise. For those persons or entities who do not become an Affiliate, such parties will not have the legal right to continued access to, or use of, your data.

Legal Disclosures

We may share your data if we believe it is required by law or that it will protect the rights, safety, and property of the Refereum Service, our users or others. We may have to disclose data about you:

- as required by law or pursuant to a legal process, or in response to a court order, judicial or other governmental request, subpoena, or warrant in the manner and to the extent legally required;
- in response to a request by public authorities, including to meet national security or law enforcement requirements; or
- when we believe, in good faith, such disclosure is necessary to prevent harm or financial loss in connection with an investigation of suspected or actual illegal activity, including fraudulent, abusive, or unlawful uses; to investigate and defend ourselves against third-party claims or allegations; to enforce our agreements with you; to protect the security or integrity of the Refereum Service (such as by sharing data with company facing similar threats); or protect the rights, property, or safety of the Refereum Service, our users, or others.

YOUR CHOICES

You may decline to share certain data with Refereum. However, by doing so, you may not be able to access some features and functionality in the Refereum Service.

Your Right to Access and Control Your Personal Data

You have the right to access and control your personal data, including the right to change, correct or delete your data, and determine whether your data can be collected, used and stored:

- *Delete Your Data.* In certain jurisdictions, applicable laws entitle you to request that we delete some or all of your personal data. You may submit your request by emailing us from the email address that is registered to your account at legal@refereum.com. We will send you an email to confirm your request, and you must confirm in order for us to delete your personal data. Please note that all requests to delete your personal data are final and we will not maintain any backup copies of your data.
- *Change or Correct Data.* You can ask us to edit, update, or fix inaccuracies in your personal data. For example, if you discover that any personal data we have about you is incorrect, you can ask us to change or correct such data by emailing us at legal@refereum.com.
- *Object to, Limit or Restrict, Use of Data.* You can ask us to stop using some or all of your personal data or limit or restrict how we use your data. For example, you may object that we do not have a legal right to use your data or that your data is inaccurate or unlawfully held.
- *Right to Access and/or Take Your Data.* In certain jurisdictions, applicable laws entitle you to request a copy of your personal data. You may submit your request by emailing us at legal@refereum.com from the email address registered to your Account. We will send you an email to confirm your request and you must confirm before we will send you your personal data to the email address registered to your Account. We will provide a copy of your requested personal data in machine-readable form.

You can send your requests and questions regarding your data to us at legal@refereum.com. We will consider your requests and respond in accordance with applicable laws.

Account Closure & Deletion

You can close your Account at anytime and for any reason by going to the “**My Account**” page on the Refereum website, selecting “**Close Account**” and no longer visiting Refereum’s website.

If you close your Account you will immediately lose all promotional points, rewards, or other benefits associated with your Account as well as any elite or premium status that you may have attained; automatically be withdrawn from any Promotion; and not be entitled to any Prizes.

Except as otherwise noted above, we generally delete your account data within thirty (30) days of closure. However, we may keep data as necessary to comply with our legal obligations, including to: comply with requests by law enforcement, meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our Terms of Service, or to fulfill your request to “unsubscribe” from our communications. We may also retain aggregated data (information about our users that we combine together so that it no longer identifies or references an individual user) and other anonymized data for regulatory compliance, industry and market analysis, demographic profiling, marketing and advertising, and other business purposes.

OTHER IMPORTANT INFORMATION

Data Controller

The data controller responsible for your personal data is Refereum, Inc., a company incorporated in the State of Delaware, United States. Our mailing address is: 1459 18th Street, #356, San Francisco, CA 94107, USA.

Lawful Bases for Processing

We only collect, use and share your personal data where we have lawful bases. Lawful bases include the following:

- ***Consent***. You provide us explicit consent before we process any data based on consent;
- ***Contract***. You agree to the processing of personal data that is necessary for entering into an agreement with us or performing your obligations under such agreement; and
- ***Legitimate Interests***. Your interests or fundamental rights and freedoms do not override the processing of your data. This includes processing your data to:
 - Protect you, us, or others from threats (such as security threats or fraud);
 - Comply with our legal obligations (such as in response to a subpoena or request from law enforcement);
 - Enable or administer our business, such as for quality control, consolidated reporting, and customer service (such as responding to bugs, error reports, and customer service requests);
 - Manage corporate transactions, such as mergers or acquisitions; and
 - Understand and improve the Refereum Service.

You have choices on how we use your personal data. Where we process your data based on consent, you may limit or withdraw the consent that you have provided at any time by emailing us at legal@refereum.com. However, this will not affect the lawfulness of the personal data that we processed before we received notice of your withdrawal. If we process your data based on legitimate interests, you have the right to object.

We will take reasonable steps to ensure that personal data we collect and process is limited to only what is required and relevant to the purposes for which it was collected and that it is accurate, complete, and up-to-date.

Data Retention

We retain your personal data as long as it is necessary to fulfill the purposes for which it was collected or as required to comply with applicable laws or regulations. This includes data that you or third parties provide to us, data automatically collected, and data we collect in an aggregated, anonymized or pseudonymous form. Even if you do not use your Account, we may retain all such information about you.

Third Party Links

This Privacy Policy only applies to the Refereum Service. The Refereum Service may link to third party websites or services (the “**Third Party Services**”) that we do not operate or control. We do not endorse nor have reviewed the Third Party Services. This privacy policy does not govern the privacy policies or practices of the Third Party Services. We encourage you to read those privacy policies carefully.

Do Not Track

Do Not Track (“**DNT**”) is the proposed functionality that requests that a website disable either its tracking of an individual user. Regulatory agencies have encouraged the Internet industry to develop and implement a mechanism for allowing Internet users to control the tracking of their online activities across websites by using browser settings. To date, no industry standard has been adopted for DNT, therefore, Refereum does not respond to "do not track" signals.

Security

We take appropriate physical, technical and administrative safeguards to protect the security and confidentiality of the personal data you entrust to us against loss, misuse, unauthorized access, disclosure, alteration, or destruction. We use technical safeguards such as firewalls, two-factor authentication, and data encryption. We enforce physical access controls to our office and files, and we authorize access to personal data only for those employees who require it to fulfill their job responsibilities. However, no system of security is ever completely secure or error free. As such, we cannot guarantee the security of any data you transmit to Refereum and you do so at your own risk.

International Users & Privacy Shield

Refereum is based in the United States. Regardless of your location, you consent to the processing and transferring of your data in and to the United States and other countries. Please note that the laws of the United States and other countries governing data collection and use may not be as comprehensive or protective as the laws of the country where you live.

Refereum complies with the *EU-US Privacy Shield Framework* as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information transferred from the *European Union* to the United States. *Refereum* has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

Refereum is responsible for the processing of personal data it receives, under the Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf. Refereum complies with the Privacy Shield Principles for all onward transfers of personal data from the EU including the onward transfer liability provisions. The US Federal Trade Commission has investigatory and enforcement powers over Refereum's compliance with the Privacy Shield Framework.

In compliance with the Privacy Shield Principles, Refereum commits to resolve complaints about your privacy and our collection or use of your personal information. If you have inquiries or complaints regarding this Privacy Policy, you should first contact Refereum at legal@refereum.com. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, you have the right to submit your complaint with your local data protection authority in your country of residence. You can find the contact details of your country's data protection authority here: http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm. In certain circumstances, you may also have the right to pursue binding arbitration through the Privacy Shield Framework as described in [Annex I to the Privacy Shield Principles](http://www.privacyshield.gov/article?id=7-RECOURSE-ENFORCEMENT-AND-LIABILITY) available at www.privacyshield.gov/article?id=7-RECOURSE-ENFORCEMENT-AND-LIABILITY.

Children's Privacy

Our services are not directed to children, and you may not register for an Account or use our Services if you are under the age of 18.

Changes

We may modify this Privacy Policy and changes will apply to your use of the Refereum Service after the “**Effective Date.**” If you object to any of the changes, you may close your Account by going to the “**My Account**” page on the Refereum website, selecting “**Close Account**” and no longer visiting Refereum’s website.

If you continue to use the Refereum Service after such changes go into effect, you agree that the collection, use, and sharing of your personal data is subject to Refereum’s updated Privacy Policy.

Contact Us

If you have any questions about this Privacy Policy, please visit our “[Contact Us](http://www.refereum.com/legal/ContactUs)” page available at www.refereum.com/legal/ContactUs