

## Game Learning Privacy Policy

**Last Updated: 1/6/2020**

Game Learning, LLC ("**Game Learning**", "**we**", "**us**", and "**our**") is committed to respecting and protecting your privacy. We have prepared this Privacy Policy to describe how we collect, use, and share the Personal Information (as defined below) we collect from users of our websites, located at [www.gamelearning.co](http://www.gamelearning.co), our mobile applications, and our widgets (collectively, the "**Site**") and online services ("**Services**").

1. **Contact.** If you have any questions or concerns or complaints about our Privacy Policy or our data collection or processing practices, or if you want to report any security violations to us, please contact us at the following address or phone number:

Game Learning, LLC  
8306 Wilshire Blvd Suite 545

Beverly Hills, CA 90211

[info@gamelearning.co](mailto:info@gamelearning.co)

2. **User Consent.** By clicking "I Agree" in applicable box when accessing the Site or Services, you agree to the terms of this Privacy Policy and you expressly consent to the collection, use and disclosure of your Personal Information in accordance with this Privacy Policy. Use of the Site and Services is contingent on your agreeing to this Privacy Policy and the Terms of Service.
3. **A Note About Children.** : As required by applicable law and our Terms of Service , children under the age of 13 in the U.S. (and a higher age if required by the applicable law in another country) may only use our Services with the express prior consent of a parent or legal guardian. If you are a Teacher or Administrator, you must obtain all necessary parental consents before allowing students to create an account or use the Services. If we learn that Personal Information of a Child User has been collected on our Services without prior parental consent, then we will take appropriate steps to delete this information. If you are a parent or guardian ("Parent") and discover that your child under the age of 13 (or a higher age if required by applicable law) has a registered account with our Services without your consent, please contact your child's school and alert us at [info@gamelearning.co](mailto:info@gamelearning.co) and request that we delete that child's personal information from our systems. **A Note to Users Outside of the United States.** By visiting the Site and providing us with information, you acknowledge and agree that your Personal Information may be processed for the purposes identified in this Privacy Policy. Your Personal Information may be processed in the country in which it was collected and in other countries, including the United States, where laws regarding processing of Personal Information may be less

stringent than the laws in your country. By providing your data, you consent to such transfer.

4. **Types of Data We Collect.** “**Personal Information**” is data that allows someone to identify or contact you, for example, your name, address, telephone number, e-mail address, as well as any other non-public information about you that is associated with or linked to any of the foregoing data. “**Deidentified Data**” means data that is not associated with or linked to your Personal Information and does not, by itself, permit the identification of individuals. We collect Personal Information and **Deidentified Data**, as described below.

(a) **Information You Provide to Us.**

- We collect your first and last name, e-mail address, password, credit card and billing information when you create an account to log in to our network (“**Account**”). You may also supply additional contact information, such as your mailing address, and if you are an educator, your job title and school name.
- We collect information, including Personal Information, from any assessments we provide.
- If you use our Services on your mobile device, including through our Applications, we may collect your phone number and the unique device id number.
- Our mobile homepage lets you store preferences like your location, safe search settings, and favorite widgets. We may associate these choices with your ID or the mobile device, and you can edit these preferences at any time on our mobile homepage.
- When connecting to our Services via a service provider that uniquely identifies your mobile device, we may receive this identification and use it to offer extended services and/or functionality.
- Certain Services may require our collection of your phone number. We may associate that phone number to your mobile device identification information.
- We retain information on your behalf, such as files and messages that you store using your Account.
- If you provide us feedback or contact us via e-mail, we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply. This information may be shared with third parties who help process and fulfill your purchases. When you submit credit card numbers, we encrypt that information using industry standard technology.
- When you post content (text, images, photographs, messages, comments or any other kind of content that is not your e-mail address) on our Services, the information contained in your posting will be stored in our servers (“**Profile**”). The information that you provide in your Profile will be not be visible to other users of the Services.
- When you participate in one of our surveys, we may collect additional profile information.
- We also collect other types of Personal Information that you provide to us voluntarily, such as your operating system and version, and other requested information if you contact us via e-mail regarding support for the Services.

(b) **Information Collected via Technology.**

- Information Collected by Our Servers. To make our Site and Services more useful to you, our servers (which may be hosted by a third party service provider) collect information from you, including your browser type, operating system, Internet Protocol (“IP”) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, and/or a date/time stamp for your visit.
- Log Files. As is true of most websites, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type, Internet service provider (“ISP”), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyze trends, administer the Site, track users’ movements around the Site, gather demographic information about our user base as a whole, and better tailor our Services to our users’ needs. For example, some of the information may be collected so that when you visit the Site or the Services again, it will recognize you and the information could then be used to serve advertisements and other information appropriate to your interests. Except as noted in this Privacy Policy, we do not link this automatically-collected data to Personal Information.
- Cookies. Like many online services, we use cookies to collect information. “**Cookies**” are small pieces of information that a website sends to your computer’s hard drive while you are viewing the website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Site. This type of information is collected to make the Site more useful to you and to tailor the experience with us to meet your special interests and needs.
- Pixel Tag In addition, we use “**Pixel Tags**” (also referred to as clear Gifs, Web beacons, or Web bugs). Pixel Tags are tiny graphic images with a unique identifier, similar in function to Cookies, that are used to track online movements of Web users. In contrast to Cookies, which are stored on a user’s computer hard drive, Pixel Tags are embedded invisibly in Web pages. Pixel Tags also allow us to send e-mail messages in a format users can read, and they tell us whether e-mails have been opened to ensure that we are sending only messages that are of interest to our users. We may use this information to reduce or eliminate messages sent to a user. We do not tie the information gathered by Pixel Tags to our users’ Personal Information.
- Do Not Track. We do not currently respond to “do not track” signals from web browsers.
- Mobile Services. We may also collect non-personal information from your mobile device if you have downloaded our mobile applications (“**Applications**”). This information is generally used to help us deliver the most relevant information to you. Examples of information that may be collected and used include your geographic location, how you use the Applications, and information about the type of device you use. In addition, in the event our Applications crash on your mobile device, we will receive information about your mobile device model software version and device carrier, which allows us to identify and fix bugs and otherwise improve the performance of our Applications. This information is sent

to us as aggregated information and is not traceable to any individual and cannot be used to identify an individual.

- **Google Analytics.** We use Google Analytics to help analyze how users use the Site. Google Analytics uses Cookies to collect information such as how often users visit the Site, what pages they visit, and what other sites they used prior to coming to the Site. We use the information we get from Google Analytics only to improve our Site and Services. Google Analytics collects only the IP address assigned to you on the date you visit the Site, rather than your name or other personally identifying information. We do not combine the information generated through the use of Google Analytics with your Personal Information. Although Google Analytics plants a persistent Cookie on your web browser to identify you as a unique user the next time you visit the Site, the Cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to the Site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

**(e) Information Collected from Third Party Companies.** We may receive Personal Information and/or Deidentified Data about you from companies that provide our Services by way of a co-branded or private-labeled website or companies that offer their products and/or services on our Site. These third party companies may supply us with Personal Information. Please note that this Privacy Policy does not apply to third party use of your Personal Information collected by the third party. Please review the applicable privacy policy of any such third party.

## 6. Use of Your Personal Information

**(a) Generally.** In general, Personal Information you submit to us is used either to respond to requests that you make, or to aid us in serving you better. We also use your Personal Information to:

- facilitate the creation of and secure your Account on our network;
- identify you as a user in our system;
- provide improved administration of our Site and Services;
- provide the Services you request;
- improve the quality of experience when you interact with our Site and Services;
- send you a welcome e-mail to verify ownership of the e-mail address provided when your Account was created;
- send you administrative e-mail notifications, such as security or support and maintenance advisories;
- respond to your inquiries related to employment opportunities or other requests; and
- send newsletters, surveys, and other materials related to our Services.

**(b) User Testimonials and Feedback.** We often receive, and occasionally publish, testimonials and comments from users who have had positive experiences with our Services. When we publish this content, we may identify adult users by first and last

name, job title, company, country, or other information provided for the testimonial. We obtain user consent prior to posting his or her name along with the testimonial. We may post user feedback on the Site from time to time. We will share your feedback with your first name and last initial only. If we choose to post your first and last name along with your feedback, we will obtain your consent prior to posting your name with your feedback. If you make any comments on a blog or forum associated with your Site, you should be aware that any Personal Information you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages. We are not responsible for the Personal Information you choose to submit in these blogs and forums.

**(c) Creation of Deidentified or Aggregate Data.** We may create deidentified or aggregate Data records from Personal Information by excluding information (such as your name) that makes the data personally identifiable to you. We use this data to gain better insight into how our Services are working and to conduct research about global trends to advance the understanding of emotions, emotional intelligence, and positive change. We also use this data to analyze request and usage patterns so that we may enhance the content of our Services and improve Site navigation. We reserve the right to use or disclose Deidentified or Aggregate for any lawful purpose consistent with our Terms of Service and applicable agreements.

**7. Disclosure of Your Personal Information.** We disclose your Personal Information as described below and as described elsewhere in this Privacy Policy.

**(a) Third Party Service Providers.** We may share your Personal Information with third party service providers to: provide you with the Services; to conduct quality assurance testing; to facilitate creation of accounts; and to provide technical support. We will only share such information as appropriate to provide you with the Services and in consultation with the school or other subscribing entity.

**(b) Affiliates.** We may share some or all of your Personal Information with our parent company, subsidiaries, joint ventures, or other companies under a common control ("**Affiliates**"), in which case we will require our Affiliates to honor this Privacy Policy.

**(c) Corporate Restructuring.** We may share some or all of your Personal Information in connection with or during negotiation of any merger, financing, acquisition or dissolution transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, Personal Information may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the Personal Information collected by us and will assume the rights and obligations regarding your Personal Information as described in this Privacy Policy.

**(d) Disclosure to Third Party Companies.** We may enter into agreements with companies that provide our Services by way of a co-branded or private-labeled website or companies that offer their products and/or services on our website ("**Third Party**

**Companies**”). A Third Party Company may want access to Personal Information that we collect from its customers. As a result, we may disclose your Personal Information to a Third Party Company related to the provision of the Services. The privacy policies of these Third Party Companies may apply to the use and disclosure of your Personal Information that we collect and disclose to such Third Party Companies. Because we do not control the privacy practices of Third Party Companies, you should read and understand their privacy policies.

**(f) Other Disclosures.** Regardless of any choices you make regarding your Personal Information (as described below), we may disclose Personal Information if we believe in good faith that such disclosure is necessary (a) in connection with any legal investigation; (b) to comply with relevant laws or to respond to subpoenas or warrants served on Game Learning; (c) to protect or defend the rights or property of Game Learning or users of the Site or Services; and/or (d) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or our Terms of Use.

8. **No Third Party Advertising.** We will never use any Personal Information to advertise or market to students or their parents. We will not mine Personal Information for any purposes other than those agreed to by the parties. Data mining or scanning of user content for the purpose of advertising or marketing to students or their parents is prohibited.
9. **Third Party Websites.** Our Site may contain links to third party websites. When you click on a link to any other website or location, you will leave our Site and go to another site, and another entity may collect Personal Information or Deidentified Data from you. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. As such, terms of this Privacy Policy do not apply to these outside websites or content. We encourage you to read the privacy policies of every website you visit. The links to third party websites or locations are for your convenience and do not signify our endorsement of such third parties or their products, content or websites.
10. **Your Choices.** You have several choices regarding the use of information on our Service:

**(a) Email Communications.** We will periodically send you newsletters and e-mails that directly promote the use of our Site or Services. You may indicate a preference to stop receiving further communications from us and you will have the opportunity to “opt-out” by following the unsubscribe instructions provided in the e-mail you receive or by contacting us directly. Please note that even if you opt out, we may send you required service-related communications, including notices of any updates to our Terms of Use or Privacy Policy.

**(b) Cookies.** If you decide at any time that you no longer wish to accept Cookies from our Services for any of the purposes described above, then you can instruct your browser, by changing its settings, to stop accepting Cookies or to prompt you before accepting a Cookie from the websites you visit. If you do not accept Cookies, however, you may not be able to use all portions of the Services or all functionality of the Services.

**(c) De-Linking SNS.** If you decide at any time that you no longer wish to have your SNS account (e.g., Google) linked to your Account, then you may request to your admin to de-link the SNS account. You may also manage the sharing of certain Personal Information with us when you connect with us through an SNS, such as through Google Connect. Please refer to the privacy settings of the SNS to determine how you may adjust our permissions and manage the interactivity between the Services and your account or mobile device.

**(d) Changing or Deleting Your Personal Information.** You may change any of your Personal Information in your Account by editing your profile within your Account. We will use commercially reasonable efforts to honor your request, but please note that we may be required to keep such information and not delete it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). When we delete any information, it will be deleted from the active database, but may remain in our archives. We may also retain your information for fraud or similar purposes.

**(e) Applications.** You can stop all collection of information by the Applications by uninstalling them, either through the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network.

For online payments, we use the payment services of Stripe (<https://stripe.com>). We do not process, record or maintain credit card or bank account information. For more information on how payments are handled by Stripe, or to understand the data security and privacy afforded such information, please refer to <https://stripe.com/privacy>.

Game Learning is committed to protecting the security of your Personal Information. We use a variety of industry-standard security technologies and procedures designed to help protect your Personal Information from unauthorized access, use, or disclosure. We also require you to enter a password to access your Account information. Please do not disclose your Account password to unauthorized people. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while Game Learning uses reasonable efforts to protect your Personal Information, Game Learning cannot guarantee its absolute security. Measures taken to protect your data include:

- We continually test our security practices for vulnerabilities
- We periodically review our information collection, storage and processing practices, including physical security measures, to guard against unauthorized access to systems
- We continually develop and implement features to keep your personal information safe - for example, all personal information to and from our application uses encrypted protocols.
- We ensure passwords are stored securely using encryption and salted one-way hashing
- Employees participates in training on the importance of and methods for protecting Personal Information. Training consists of how to remain compliant with federal and state

regulations (e.g . FERPA, COPPA, and SOPIPA), our policies, and general security posturing to protect student.

- Our employees are trained in security practices and procedures designed to keep Your Data under strict internal controls.
- Administrators are knowledgeable of security practices and harden the infrastructure with necessary patches, monitor security resources for advisories and vulnerabilities, and scan the environment and application to ensure that student information remains secure.

11. This Privacy Policy may be updated from time to time for any reason. We will notify you of any changes to our Privacy Policy by posting the new Privacy Policy at [www.gamelearning.co](http://www.gamelearning.co) and we will change the “Last Updated” date above. You should consult this Privacy Policy regularly for any changes.

### **Exhibit – AB 1584 Compliance**

This Exhibit sets forth Game Learning’s obligations under Cal. Educ. Code § 49073.1 (AB 1584). Notwithstanding any other provisions of this Agreement, if, after written notice by Subscriber and a reasonable opportunity to cure, fails to come into compliance with the requirements of this Exhibit, Subscriber may terminate this Agreement and Game Learning shall return all Pupil Records (defined below) in its possession to Subscriber.

Game Learning agrees to comply with the following term:

1. Pupil Records shall continue to be the property of Subscriber and under the control of Subscriber. The term “Pupil Records” shall have the meaning set forth in Cal. Educ. Code § 49073.1(d)(5).
2. A pupil may retain possession and control their own pupil-generated content by sending a request by email to [info@gamelearning.co](mailto:info@gamelearning.co)
3. Third parties are prohibited against using any information in Pupil Records for any purpose other than those required or specifically permitted by this Agreement.
4. Eligible pupils, or eligible parents/legal guardians may review personally identifiable information in the Pupil’s Records and request to correct erroneous information by sending a request by email to [info@gamelearning.co](mailto:info@gamelearning.co)
5. Game Learning takes commercially reasonable technical, physical, and administrative security measures designed to protect the Personal Information submitted to Game Learning, both during transmission and once Game Learning receives it. Such measures vary depending on the sensitivity of the information at issue.



6. In the event that Game Learning has determined that an unauthorized disclosure of a Pupil Record has occurred, it shall, in coordination with Subscriber, notify (as applicable) the affected pupil(s) or their parents or legal guardian as required by applicable law.
7. Game Learning certifies that Pupil Records shall not be retained by or available to it after the completion or termination of this Agreement. Such certification shall be enforced as set forth in Section 8.5 of this Agreement. For the avoidance of doubt, this requirement shall not apply to de-identified or aggregated data or to pupil-generated content if the pupil chooses to establish or maintain an account with Game Learning for the purpose of storing that pupil-generated content.
8. Game Learning complies with the applicable requirements of FERPA as set forth in FERPA Policy.
9. Game Learning shall not use personally identifiable information in Pupil Records to engage in targeted advertising.