

## MILKY TEA LIMITED PRIVACY POLICY

Milky Tea Limited (collectively referred to as we, our, us) are committed to protecting and respecting your privacy.

### Scope of Policy

This Privacy Policy has been put together to respect the privacy rights of our customers and online visitors and recognize the importance of protecting the information collected about you.

This Privacy Policy provides you with information regarding how we or third parties collect, store and use the information you provide through:

- our web sites, including without limitation <http://www.coffindodgersgame.com>, <https://www.hyperbrawl.com>, <http://www.rollerrally.com>, <https://www.milkytea.com> and our pages on third party social networking services such as Facebook, Instagram or Twitter ("**Social Networks**"); and
- through our mobile applications available from online stores such as Google Play and the Apple App Store ("**Appstores**") and Social Networks which are used on devices (our "**Apps**"); and
- through other means such as our newsletters and our advertising directed at you,

(all of the above together the "Services" and the hardware you use to access the Services is the "**Device(s)**").

Milky Tea Ltd is the controller and responsible for your personal data.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

By using the Services, you signify your acceptance of this Privacy Policy. If you do not agree to this Privacy Policy, please do not use the Services.

### Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: Milky Tea Limited

Email address: [hello@milkytea.com](mailto:hello@milkytea.com)

Postal address: Milky Tea Limited, Baltic Creative Campus, Studio J, 49 Jamaica Street, Liverpool, L1 0AH, United Kingdom

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you and which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password (including Gaming Data such as a console ID, gaming service ID, game achievements, game scores and performance, or other information and statistics regarding your usage of the games), purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes [your preferences in receiving marketing from us and our third parties and your communication preferences].

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy. We may combine the information with your personal data and across other computers or devices that you may use to access our products and services.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this

case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions and submitted Information:** You may give us your Identity Data, Contact, Financial, Profile and Marketing and Communications Data by filling in forms in the App or otherwise made available via the Services, including the Device's telephone number or by corresponding with us by post, phone, email or otherwise This includes personal information you provide when you:
  - register, purchase or download the App or any of the Services;
  - subscribe to any of the Services or publications;
  - register for online services, products, contests, and special events;
  - apply for our products or services through our online stores;
  - create an account on our website (including when you post in or comment on our message boards, forums, news blogs, chat rooms, or other online services);
  - request marketing or our newsletter to be sent to you;
  - enter a competition, promotion or survey or participate in polls, surveys, and questionnaires;
  - give us feedback or contact us or request technical support; or
  - otherwise through use of our software, including console products, mobile products, and personal computer products, and through the use of our online products or online services where personal data is required for use and/or participation.
- **Automated technologies or interactions.**
  - **Device information:** we will automatically collect Technical Data about the Device or any computer you may use to download or stream a copy of the App onto your Device or access our Services, including, where available, the Device's or computer's unique Device identifiers, operating system, browser type and mobile network information as well as the Device's telephone number, for system administration and to report aggregate information to our advertisers. We may associate Device information with Submitted Information and will treat the combined information as personal data in accordance with this policy for as long as it is combined.
  - **IP address:** We may collect information about your Device, including where available your IP address, operating system and browser type, for system administration. This is statistical data, and does not identify any individual. We also use your IP address to help diagnose problems with our Services and administer the Services.
  - **Unique application numbers:** when you install or uninstall a Service on any console, Device or console containing a unique application number or when such a Service searches for automatic updates, that number and information about your installation, for example, the type of operating system, may be sent to us.

Should you sign into or access any of the Services via a Social Network or an Appstore, or interact with us via a Social Network you may be granting the Social Network and/or Appstore permission to share your e-mail address and any other personal information with us, including Identity Data, Contact Data, Profile Data,. When you access and use the Services through or on a Social Network or Appstore, we may collect Usage Data, as well as other personal information from your Social Network and Appstore profile in accordance with the Social Network or Appstore's terms of use.

We may also ask you for information when you enter a competition or promotion sponsored by Milky Tea Ltd, and when you report a problem with any of the Services.

### **When you use features of the Services to interact with us or others**

From time to time our Services may give you the opportunity to participate in interaction with either us or other users including via multiplayer functions. Should you choose to participate by leaving commentary, feedback or interaction on our Social Network page, any information you provide in such forums is public information, posted at your own risk, and there is no expectation of privacy or confidentiality there. Please do not post information that you do not wish others to collect, use or be viewed by other users.

Information you provide via the above channels is not subject to this Privacy Policy. You accept that we have no liability in respect of information you provide via the above channels and indemnify us in respect of any loss you may suffer.

Further, where you are interacting with other users you consent to us recording and storing these communications for the purpose of safe guarding and protecting other users. Any communication you make via a third party, such as a Social Network is subject to the third party or Social Network's Privacy Policy.

### **Children**

We do not knowingly solicit or collect personal data from or about children (aged 14 and under) without the consent of a parent or guardian. If we become aware that the person submitting personal data, through any part of the Services, is a child, we will use reasonable efforts to delete that personal data from our files as soon as possible.

We will also use reasonable efforts to ensure that this personal data is not used for any purpose, nor disclosed to any third party.

### **Cookies**

Our Services use cookies to distinguish you from other users of the Services. This helps us to provide you with a good experience when you use any of the Services and also allows us to improve the Services.

When someone visits the site, a cookie is placed on the customer's machine (if the customer accepts cookies) or is read if the customer has visited the site previously. One use of cookies is to assist in the collection of the site visitation statistics described above. We also use cookies to collect information on which newsletter links are clicked by customers. This information is used to ensure we are sending information customers want to read. It is collected in aggregate form and never linked with your personal information. If you choose to not have your browser accept cookies from any of our Web sites, you will be able to view the text on the screens, however you will not experience a personalised visit nor will you be able to subscribe to the service offerings on the site.

## How we use your personal data

We will only use your personal information when the law allows us to. Most commonly, we will use your personal data in the following ways:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Please view the glossary below to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

## Purposes for which we will use your personal data

We have set out below, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out below.

To register you as a new customer we will obtain (a) Identity and (b) Contact Date. The lawful basis for processing will be performance of a contract with you.

To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us we will obtain (a) Identity, (b) Contact and (c) Financial. The lawful basis for processing will be (a) Performance of a contract with you and (b) Necessary for our legitimate interests (to recover debts due to us).

To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey we will obtain (a) Identity, (b) Contact, (c) Profile and (d) Marketing and Communications. The lawful basis for processing will be (a) Performance of a contract with you, (b) Necessary to comply with a legal obligation and (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services).

To enable you to partake in a prize draw, competition or complete a survey we will obtain (a) Identity, (b) Contact, (c) Profile, (d) Usage and (e) Marketing and Communications. The lawful basis for processing will be (a) Performance of a contract with you and (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data) we will obtain (a) Identity, (b)

Contact and (c) Technical. The lawful basis for processing will be (a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) and (b) Necessary to comply with a legal obligation.

To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you we will obtain (a) Identity, (b) Contact, (c) Profile, (d) Usage, (e) Marketing and Communications and (f) Technical. The lawful basis for processing will be necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy).

To use data analytics to improve our website, products/services, marketing, customer relationships and experiences we will obtain (a) Technical and (b) Usage. The lawful basis for processing will be necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy).

To make suggestions and recommendations to you about goods or services that may be of interest to you (a) Identity, (b) Contact, (c) Technical, (d) Usage, (e) Profile and (f) Marketing and Communications. The lawful basis for processing will be necessary for our legitimate interests (to develop our products/services and grow our business).

To deliver rewards to you we will obtain (a) Identity and (b) Contact. The lawful basis for processing will be (a) Performance of a contract with you and (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business).

## **Marketing**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

### **Promotional offers from us**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

### **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

We may also use your data, or permit selected third parties to use your data, to provide you with information about goods and services that may be of interest to you. We or they may contact you about these.

If you are an existing user of the Services, we will only contact you by electronic means (e-mail or SMS) with information about goods and services similar to those that were the subject of a previous sale to you.

If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have consented to this.

### **Opting out**

If you do not want us to use your data in this way, or to pass your details on to third parties for marketing purposes, you can ask us or third parties to stop sending you marketing messages at any time by checking or unchecking relevant boxes situated on the form on which we collect your data to adjust your marketing preferences or by following the 'unsubscribe' links in any marketing message sent to you.

We do not disclose information about identifiable individuals to our advertisers, but we may provide them with aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Disclosure of your personal information**

We may share your personal information with the parties set out below for the purposes set out above .

- Internal Third parties as set out in the Glossary.
- External Third Parties as set out in the Glossary.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Where we store your Personal Data**

The personal data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (EEA). You consent to this transfer of data. Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For further details, see European Commission: EU-US Privacy Shield.
- Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## **Passwords**

Where we have given you (or where you have chosen) a password that enables you to access certain parts of our Services, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

We may collect and store personal data on your Device using application data caches and browser web storage (including HTML 5).

## **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

## **Internet**

Unfortunately, the transmission of information via the internet is not completely secure. Although we will use our reasonable endeavours to protect your personal data, we cannot guarantee the security of your data transmitted to or via the Services; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **Data retention**

**How long will you use my personal data for?**



We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see your legal rights below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please see the Glossary below to find out more about these rights:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us.

## **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security

measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **GLOSSARY**

### **LAWFUL BASIS**

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### **THIRD PARTIES**

#### **Internal Third Parties**

Other companies in the Milky Tea Limited Group acting as joint controllers or processors.

#### **External Third Parties**

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

## **YOUR LEGAL RIGHTS**

**You have the right to:**

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

### **Changes to Privacy Policy and your duty to inform us of changes**

Any changes we may make to our Privacy Policy in the future will be posted on this page and, where appropriate, notified to you by notifying you of a change when you next start the App or log onto one of the Services. The new terms may be displayed on-screen and you may be required to read and accept them to continue your use of the Services.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third-party links**

This website may include links to third-party websites, plug-ins and applications (including, but not limited to, those of console and other platform providers, Appstores, Social Networks or websites on which the Services are advertised). Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.