

Privacy Policy

Last update – 2nd of January 2023

1. This policy (the „**Privacy Policy**” or „**Policy**”), prepared by Cherrypick Games Spółka Akcyjna, is addressed to users of our website („**Users**”) available at: cherrypickgames.com (the „**Website**”) and persons („**Players**”) playing our games („**Games**”). In this Policy we refer to the Website and Games together as „**Services**”.
2. We process your personal data in accordance with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC („**GDPR**”).
3. In order to use our Services, you must accept our Privacy Policy as well as the Terms of Service. Please read them carefully. By accepting this Policy, you signify your consent to the collection and other processing of your personal data in accordance with and for the purposes set out in this Policy. If you have any questions or concerns, please feel free to contact us at dpo@cherrypickgames.com.

I. Who is responsible for your personal data

1. The controller of your personal data is Cherrypick Games Spółka Akcyjna with its registered office in Poland, Warsaw, Izbicka 8A Street, 04-838 („**Controller**”, „**we**”, „**us**”, or „**our**”), i.e. the Polish company operating globally in the gaming sector, including mobile free-to-play games, which develops, produces and/or distributes products and similar services to players worldwide.
2. In order to protect your personal data as much as we can, we have decided to appoint a Data Protection Officer („**DPO**”), who is responsible for ensuring that we are legally and duly processing your personal data.
3. You can contact our DPO if you have any questions concerning our processing of your personal data:
 - a) via a dedicated e-mail address: dpo@cherrypickgames.com,
 - b) by sending a letter to 8A Izbicka Street, 04-838 Warsaw, Poland.

II. What is the scope of the data we collect and what are the sources of the data?

1. When playing our Games, we collect the following data directly from you:
 1. IP address;
 2. Device identifier (with information such as model, operating system);
 3. Information on the items Player purchased inside the Game (name, price, currency, number of items purchased);
 4. Player ID;
 5. Data on the Game, e.g. level, Game progress, number of entries;
 6. Location data;
 7. Data on viewed advertisements;
 8. Entry data (through what channel did you enter the Game);
 9. Content of the correspondence and other necessary data provided in case of using our support.
2. Moreover, the data may be obtained not directly from you, but also from our partners. These are the platforms through which you can use our Games (e.g. Facebook, Apple or Google) and which may send us certain data, on the basis of which you are able to use additional functionalities (e.g. relating to your friends playing the Games):
 1. Name or nickname of the Player;
 2. Profile photo;
 3. Facebook ID / Apple ID (idfa) / Google ID (gdid);
 4. URL profiles;
 5. Friends list;
 6. Email address.
3. If you access our Games through an external application, you should also read the terms and conditions of use of such an application and the third party's privacy policy.

III. On what basis and for what purposes do we process your personal data?

1. Your data may be used by us for the following purposes:
 1. Providing products or services (e.g. using our Website, playing our Games, enabling in-app purchases, processing payments);
 2. Improving and enhancing the gameplay of Games;
 3. Creating Player categories to customize Games features (“improving Game economy”);
 4. Presenting our offers, ensuring security, communicating changes in the Games (updates, legal notices), providing support in the Games
 5. Segmenting Players for the purpose of processing data for marketing and direct marketing purposes (“marketing analysis”);
 6. Displaying personalized advertisements.
2. Your data is processed on the following legal bases, which are derived from the GDPR:
 1. pursuant to Article 6(1)(b) of the GDPR (performance of the agreement) with regard to your personal data necessary for the purpose of performance of the agreement, i.e. provision of the Services (the use of the Website and Games);
 2. pursuant to Article 6(1)(c) of the GDPR (legal obligations) with regard to your personal data, to the extent that this is necessary to fulfil the legal obligations imposed on us in connection with the performance of the agreement (e.g. issuing and storing invoices, requests from law enforcement authorities or other state bodies, or handling complaints);
 3. pursuant to Article 6(1)(f) of the GDPR (legitimate interest), to the extent that your personal data is necessary for the purposes of improving and enhancing gameplay, improving Game economy, presenting our offers, ensuring security, communicating changes in the Games (updates, legal notices), providing support in the Games, we process it on the basis of our legitimate interest;
 4. pursuant to Article 6(1)(a) of the GDPR (consent), to the extent of your data is necessary for the purpose of displaying personalized advertisements, sending push notifications, using your location data and for our analytical purposes, including marketing analysis, we process it on the basis of your consent.

IV. How do we use cookies on the Website?

1. In addition to the data collected in connection with the Games, we use the necessary cookies to make our Website work, for example, concerning the chosen language.
2. (cookie) Language selection / (cookie name) PLL_language / (purpose) This cookie is used to remember any selection a user has made about language on Website, using the language selector, so that the site will be shown in their chosen language when returning to the site.
3. (cookie) Universal Analytics (Google) / (cookie name) _ga, _gali, _gat, _gid / (purpose) These cookies are used to collect information about how you use our Website. We use the information to compile reports and to help us improve the website. The cookies collect information in a way that does not directly identify anyone, including the number of visitors to the website and blog, where visitors have come to the website from and the pages they visited. Read Google's overview of privacy and safeguarding data.

V. Do we send the push notifications?

1. In our Games you can give us consent to send push notifications. You can withdraw your consent at any time by changing the Game settings.

VI. What rights do you have with regard to your personal data?

1. On the basis of the GDPR you have numerous rights with regard to your personal data, such as:
 1. Access to personal data. You are entitled to obtain information from us on how we handle your personal data and to see copies of all personal data held by us.
 2. Rectification and completion of data. You have the right to request an immediate rectification of your personal data that is incorrect, as well as to request the completion of incomplete personal data from us.
 3. Right to erasure. You have the right to demand that we delete your personal data immediately in the cases indicated in GDPR.
 4. Right to restrict data processing. You have the right to demand that we restrict the processing of your data in the cases indicated in GDPR.

5. Right to object. When we rely on the lawful bases of legitimate interests for processing, you have a right to object to such processing. We will cease processing unless we will have compelling legitimate grounds for processing which in this particular case override your interests, rights and freedoms or the processing is necessary in connection with legal obligations.
 6. Right of withdrawal of consent. To the extent that the processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. Withdrawal of consent shall not affect the lawfulness of the processing of your consent prior to its withdrawal.
 7. Right to data portability. To the extent that your data is processed for the purpose of concluding and performing an agreement or is processed on the basis of your consent, and the processing of your data is carried out by automated means, you have the right to receive from us in a structured, commonly used machine-readable format your personal data that you have provided before or during the course of your contractual relationship. You also have the right to send this personal data to another controller.
 8. Right of complaint. You have the right to file a complaint about the processing of your personal data by us to the supervisory authority which is competent for you directly. In Poland the competent supervisory authority is the President of the Personal Data Protection Office (Prezes Urzędu Ochrony Danych Osobowych).
2. The rights referred to in points (1) to (7) above can be exercised by contacting our DPO:
 1. via a dedicated e-mail address: dpo@cherrypickgames.com,
 2. by sending a letter to 8A Izbicka Street, 04-838 Warsaw, Poland.

VII. How our profiling and automated decision making works?

1. In order for us to provide our Services, to continuously improve and enhance the gameplay of our Games and improve Game economy, we collect data on how Players use our Games, what actions they take in them, etc., and on this basis we automatically profile and segment Players. Based on this profiling, we can also decide what offer or benefit to make available to the Players. The legal basis for this kind of profiling and automated decisions is the agreement concluded with the Players or our legitimate interest.

2. Upon your consent, your data can also be profiled for the purposes of direct marketing and the display of personalized advertisements. In such situations, you may withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

VIII. With whom do we share your personal data?

1. We use adverts to make it possible to offer our Games for free. Such adverts may include, without limitation, in-Game advertising banners displayed as full-screen adverts between movements or Games, which are offered by advertisers in order to provide Players with additional options in the Game in exchange for watching adverts or completing tasks in the Game. The offers are hosted by external entities and are made available by external advertisers or by us (if our adverts are displayed).
2. We may share your personal data with the following recipients or categories of recipients:
 1. our partners to which your data is shared with for the purposes of direct marketing and displaying personalized advertisements within our Games;
 2. our partners with whom we cooperate in the scope of distribution of our Games;
 3. our processors, i.e. partners processing your personal data on our behalf, primarily to enable us to provide Services, including entities who provide customer service (IT services, technical assistance) and entities who provide us assistance with data analysis by supplying technical tools (e.g. DeltaDNA);
 4. if such an obligation results from mandatory legal provisions, to the extent necessary, also to other third parties, in particular authorised public authorities.
3. Below is a list of more specified categories and Partners with whom your data may be shared:
 1. Partners who help us to deliver the relevant advertising to you:
 1. ironSource;
 2. AdMob;
 3. Applovin;
 4. Adcolony;

5. Vungle;
 6. Mopub;
 7. Facebook Audience Network.
2. Partners with whom we cooperate in the scope of distribution of our Games:
 1. HUUUGE Global Ltd.;
 2. YODO1.
3. Partners who provide us with analytical tools:
 1. Firebase;
 2. DeltaDNA;
 3. Unity;
 4. Playfab;
 5. Tenjin;
 6. AppsFlyer;
 7. Google Cloud Platform.
4. Partners who provide tools for technical support of Game operation (including Game servers), hosting and communication tools:
 1. Amazon Web Services;
 2. Google Cloud Platform;
 3. Playfab;
 4. Helpshift;
 5. Home.pl;
 6. Slack.
4. We require the compliance with applicable data protection regulations from our processors, including sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of GDPR and ensure the protection of the rights of the data subject.

IX. Do we transfer your personal data to third countries (outside European Economic Area)?

1. Your personal data may be partly transferred, stored or otherwise processed outside the European Economic Area (EEA) or Switzerland, e.g. to the USA and Hong Kong. Outside the EEA, other data protection regulations may apply. In the case of processing in third countries, we take steps to ensure a similar level of data protection to that provided in the EEA, on the basis of standard contractual clauses approved by the European Commission and, if necessary, by applying complementary measures to ensure the security of data processing.

X. Is your personal data safe?

1. We apply appropriate organisational, technical and physical security measures to protect your personal data. The measures taken are appropriate to the risks of data processing and are designed to protect your data against unauthorised or unlawful processing and against accidental loss, destruction or damage. Third parties processing personal data on our behalf may only process such data if they commit themselves in a contract to the required security measures and confidentiality.

XI. Is it necessary to provide us with personal data?

1. Provision of personal data is a contractual requirement. Submitting your IP address, device identifier (with information such as model, operating system), Player ID, data on the Game (e.g. level, Game progress, number of entries), location data, data on viewed advertisements, and entry data (through what channel did you enter the Game) is necessary to use our Games. We will not be able to provide you with our Games without them. If you register with a third party platform, you might need to provide us also with the data on profile photo, Facebook ID / Apple ID (idfa) / Google ID (gdid), URL profiles, friends list and email address.
2. Other data might be necessary for example to serve you advertising more tailored to your interests, send you push notifications or to make and process your payments.

XII. How long do we keep your personal data?

1. We will store your personal data relating to Services you use as long as you remain an active User or Player, however, not longer than for 12 months from the last launch of the Game on your mobile device.
2. We will take appropriate steps to ensure that after that period has passed your personal data are immediately removed from our systems or anonymized, i.e. relevant records of personal data are erased in such a manner that it disables your later identification.
3. We may keep certain information after the abovementioned period in order to be able to fulfil our legal obligations or in order to execute, defend or establish our rights. In such cases, we may store your personal data for the period necessary to comply with the generally applicable legal provisions in force or periods of statute of limitation for particular legal claims.

XIII. Are children allowed to use our Games?

1. We direct our Games to a general audience and we do not knowingly collect personal information from children under 13 years old. We may direct certain Games to an audience of all ages—including children. For these Games, we may restrict the collection of personal information from anyone or apply an age gate allowing children to use our Games while restricting the collection of personal information from children. If we become aware that a child has provided personal information without a parent's permission, we will take reasonable steps to immediately remove such personal data from our systems. We encourage parents to instruct their children to never give out their real names, addresses, or phone numbers, without permission, when using the Internet.

XIV. Changes to the Privacy Policy

1. This Privacy Policy may be amended in particular if the need or obligation to make such amendments arises from a change in the relevant legislation. We will notify of any changes to this Privacy Policy at least two weeks in advance.
2. If you continue using our Services after the changes to this Privacy Policy came into force, it means that you accepted the changes.