



Privacy Policy

Brainsword LLC's Privacy Policy

Last modified: March 31, 2020 - This policy supersedes all prior privacy policies posted on or through www.brainsword.com.

1. Introduction

Brainsword LLC ("Brainsword" or "We" or "Us" or "Our"), respects your privacy and is committed to protecting it through our compliance with this policy. Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to access and/or use our Website and Services. By accessing or using our Website and Services, you agree and consent to this privacy policy. This privacy policy is incorporated into and subject to Brainsword's terms of service.

This policy may change from time to time. Your continued use of our Website and Services after we make changes is deemed to be acceptance of those changes, so please check this policy periodically for updates. The date our privacy policy was last modified is indicated at the top of this page.

This policy describes (1) the types of information we may collect from you or that you may provide when you visit the website at <https://www.brainsword.com> (included related webpages, our "Website"), communicate with us, or otherwise use the services we provide on the Website, applications, or other platforms, such as Facebook (collectively, our "Services"), and (2) our practices for collecting, using, maintaining, protecting, and disclosing that information.

Specifically, this policy applies to information we collect:

- When you interact or engage with our Services in any way, for example, when you navigate on or through our Website, create an account, login to the Website, opt-in to our daily email, purchase Brainsword Premium Account, if available, or play our games.
- In email, text, or other electronic messages between you and Brainsword, including direct messages either you or brainsword send each other via social networks and other platforms.

It does not apply to information collected by:

- Any third party, including through any application or content (including advertising) that may link to or be accessible from our Services.

2. Children Under the Age of 18

Our Services are not intended for, nor directed to, children under 18 years of age. We do not knowingly collect personal information from children under 18 that may access or navigate through our Website or otherwise use our Services. If you are under 18, do not use our Services or provide any information to us. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at privacy@brainsword.com.

3. Information We Collect About You and How We Collect It

We collect several types of information from and about users of our Services, including information:

- By which you may be personally identified, such as your name, user name or ID, email address, password, or any other identifier by which you may be contacted online or offline ("personal information");
- That concerns you but individually does not identify you, such as an IP address, device ID, advertising ID, or any other similar identifier, in addition to aggregated data derived, in part, from information about you;
- About how you and other individuals access and/or use our Services;
- About how you and other individuals interact with the electronic communications we send to you and others; and/or
- That can be used to serve you and others like you advertising through our Services or third-party ad networks.

We collect this information:

- Directly from you when you provide it to us.
- Automatically and passively as you navigate through the Website or otherwise use our Services. Information collected automatically or passively may include usage details, IP addresses, and other information collected through cookies and other tracking technologies utilized by brainsword and/or our third-party service providers and partners, as described in this Privacy Policy.
- Automatically and passively through web beacons, clear gifs, and other pixel tags used in electronic communications between you and Brainsword.

Note, however, that the third-party service providers and partners (identified below) we use to automatically and passively collect this information may collect more information about you than we have access to. Such information may include personally identifiable information beyond the personal information you provide to us directly, or that we otherwise collect or have access to.

Also, personal information once "de-identified" is not subject to this privacy policy and we may treat it as non-personal information and use it without obligation to you except as prohibited by applicable law.

Please see the linked privacy policies below for more information concerning the information these third parties may collect from you as you interact with our Services:

- 33Across, [click here](#).
- ActiveCampaign, [click here](#).
- CleanCreative, [click here](#).

- Amazon Publisher Services, [click here](#).
- AppNexus, [click here](#).
- bRealttime (EMX), [click here](#).
- Cloudflare, [click here](#).
- DistrictM, [click here](#)
- Facebook, [click here](#).
- Google, [click here](#)
- GumGum, [click here](#).
- HotJar, [click here](#).
- Index Exchange, [click here](#).
- Oath, [click here](#).
- Outbrain, [click here](#).
- OpenX Technologies, [click here](#).
- RTK.io (Aardvark), [click here](#).
- Rubicon Project, [click here](#).
- TripleLift, [click here](#).
- Sovrn, [click here](#).
- Snap Inc, [click here](#).
- Taboola, [click here](#).
- Twitter, [click here](#).

For more information on how you can control and/or limit the collection or use of your information by these third-party service providers and partners, see the section below called Choices About How We Use and Disclose Your Information.

4. Information You Provide to Us Directly

The information we collect on, through, or in connection with our Services may include:

- Information that you provide by filling in forms in connection with our Services. This includes information provided at the time of registering to use our Services, logging in with your Facebook, Google, or email credentials, commenting or interacting with games, purchasing a Premium Brainsword Subscription, if available, or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our Services.
- Records and copies of your correspondence (including email addresses), if you contact us. Information you provide when interacting with games and other surveys, including your game responses.
- Information you provide when commenting, rating, or otherwise providing feedback on a game or game question.
- Any other information you provide directly on or through our Services.

Much of the information you provide directly to us will be published or displayed (hereinafter, "posted") on public areas of the Services, or transmitted to other users of our Services or third parties (collectively, "User Contributions"), such as when you comment on games and game results, or other user comments. Your User Contributions are posted on and transmitted to others at your own risk. We cannot control the actions of other users of our Services with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

5. Information We Collect Through Automatic or Passive Data Collection Technologies

As you navigate through our Website and interact with our Services, we may use automatic or passive data collection technologies or third-party services (which in turn use certain automatic or passive data collection technologies) to collect certain information about you and other users of our Services, including information about your equipment, browsing actions, and patterns.

The information we collect from you automatically or passively is anonymous or is aggregated with information collected from other users of our Services and cannot be used by us to specifically identify you, except as expressly set forth in this policy. However, we may tie some of this information with personal information about you that we collect from other sources or you provide to us. The aggregated and/or anonymized data we obtain automatically and passively, and have access to consists of:

- Details of users' visits to our Website and use of our Services, including traffic data, logs, referring website addresses, data/time of visits, page views, domain names, location data, conversion rates, active users, time spent on the Website, and other similar data about how and when you and others access and use our Services.
- Information about your computer, mobile device, and Internet connection, including your IP address, operating system, device identifiers, browser type, and what Internet Service Provider (ISP) you use.
- Information about whether you or others clicked on an advertisement served on or through our Services, and whether you or others purchased the goods or services being advertised, including data revealing a previous interest in a product or website.
- Details about how and what users engage with our games and other features of our Services.
- Information about your online activities over time and across third-party websites or other online services (e., behavioral or interest-based tracking).

This information helps us to improve our Services and to deliver a better and more enjoyable service, including by enabling us to:

- Estimate our audience size and users' usage patterns.
- Store information about your preferences, allowing us to customize our Services according to your individual interests.
- Recognize you when you return to our Services.
- Remember your game progress and the achievements you have completed.
- Analyze performance metrics.
- Understand how to make our Services better.
- Provide you with marketing materials that are of interest to you.

We may use the aggregated data we receive from our third-party service providers and partners to serve interest-based advertisements related to our Services on or through various platforms, such as Facebook and Google.

The technologies we use for this automatic and/or passive data collection may include:

- **Cookies.** A cookie is a small file placed on the hard drive of your computer or mobile device. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website or otherwise use our Services. You accept our use of cookies, as described further in our Cookie Policy, by accessing or using our Services.
- **Web Beacons, Pixel Tags, and Similar Tracking Technologies.** Our Services may contain and use small electronic files known as web beacons (also referred to as clear gifs, SDKs, pixel tags, and single-pixel gifs) that permit Brainsword, for example, to count users who have visited pages of our Website or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity). To the extent we use Facebook ad services (eg., the Facebook Audience Network), Facebook may use tracking technologies, such as SDKs and pixel tags, to collect or receive information from users of our Services and may use any such information collected to provide us with measurement services or the ability to target advertisements to users within Facebook's ad network.

The third-party services that we use in connection with our Services include:

- 33Across. We use this service to provide you with relevant ads that match your interests and needs.
- ActiveCampaign. We use this service to provide you with emails and other direct marketing materials.
- AdLightning. A service that monitors for and blocks malicious ads from being served to our users.
- Amazon Publisher Services. We use this service to provide you with relevant ads that match your interests and needs.
- AppNexus. We use AppNexus advertising technology to help serve advertising on or through our Services or third-party ad networks. This technology allows us to efficiently and effectively serve ads that are relevant to your interests, instead of ads that are not. It also helps us prevent malware and other negative activity.
- bRealtime (EMX). We use this service to provide you with relevant ads that match your interests and needs.
- Cloudflare. This service provides DNS (Domain Name Services) and is a CDN (Content Delivery Network) that caches and distributes our content to servers around the globe to speed up game and content serving.
- DistrictM. We use this service to provide you with relevant ads that match your interests and needs.
- Disqus. A service that allows you to engage in game-related discussions with other users through real-time comments. It also helps us stop spam and other unwanted activity from hindering user communication and disrupting the brainsword experience.
- Facebook Analytics. An information dashboard we use that translates the information collected by Facebook SDKs, APIs, and the Facebook Pixel into aggregated and anonymous data that provides insight into how effective our Services are and how we can make them better.

- Facebook Audience Network. We may use Facebook SDKs, APIs, and the Facebook Pixel on or through our Services in order to collect aggregated and anonymous data that can then be used to serve interest-based advertisements on the Facebook platform.
- Facebook Login Functionality. An easy and seamless way for you to login to our Services with your existing Facebook login. If you login to our Services using Facebook login, you will be asked to provide us with certain information, called permissions. This information may include your Facebook username, name, email address, gender, age, and other basic profile information such as your profile picture. We do not disclose or share this information with third parties, except as described in this privacy policy. We may use the email address we receive through Facebook to send you information related to our Services, unless you opt-out of receiving such information as set forth in this privacy policy.
- Google Ad Manager. We use Google Ad Manager to streamline, centralize, and manage our ad campaigns for delivery on or through our Services and various ad platforms and networks. Google AdSense. Google AdSense allows us to serve text, image, video, and interactive media ads to you based on your interests and how you interact with our Services.
- Google Analytics. Google Analytics allows us to see how users are interacting with our Website and Services. Specifically, it provides us with aggregated data, such as how many users visit our Website over time, how long users stay on our Website, and what type of users visit our Website.
- Google Tag Manager. Google Tag Manager makes it easy to add and update website tags -- including conversion tracking, site analytics, remarketing, and more -- with just a few clicks, and without needing to edit your website code.
- GumGum. We use this service to provide you with relevant ads that match your interests and needs.
Index Exchange. We use this service to provide you with relevant ads that match your interests and needs.
- Oath Analytics. We use this service to provide you with relevant ads that match your interests and needs.
OpenX Ad Exchange. We use this service to manage our ad campaigns on or through our Services and across multiple platforms.
- RTK.io (Aardvark). We use this service to provide you with relevant ads that match your interests and needs.
- Rubicon Project. We use this service to provide you with relevant ads that match your interests and needs.
- Sovrn. We use this service to provide you with relevant ads that match your interests and needs.
- Taboola. A service that allows us to deliver useful and relevant ads to our users.
- Twitter Ad Conversation Tracking. This service allows us to better understand the effectiveness and efficiency of the ads we serve on Twitter.

By accessing and using our Services, you consent to the collection and processing of your data by these third-party services as set out in this privacy policy and in each respective third-party privacy policy.

For more information on how you can control the collection or use of your information with respect to these third-party service providers, see the section below called Choices About How We Use and Disclose Your Information.

6. How We Use Your Information.

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Services and their contents to you.
- To provide you with information, products, or services that you request from us.
To provide you with Swords, other prizes, and any other information relating to your game engagement.
- To fulfill any other purpose for which you provide it.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including any license agreements or terms of service.
- To notify you about changes to our Services.
- To optimize and enhance your experience with our Services.
- To serve interest-based advertising to you and others on or through our Services or third-party ad networks.
- In any other way we may describe when you provide the information.
- We may also use your email address to provide you with marketing related electronic messages, including news, events, updates, and promotional emails. If you do not want us to use your information in this way, please email us at privacy@brainsword.com, and we will remove you from our mailing list.

For more information on how you can control the collection or use of your information, see the section below called Choices About How We Use and Disclose Your Information.

7. Disclosure of Your Information.

We may share or disclose aggregated, anonymized, or generalized information about our users, including all non-personal information, without restriction.

We do not share or disclose your personal information with third parties, except we may disclose personal information that we collect, or you provide as described in this privacy policy as follows:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business, including companies that help manage our advertising activities, and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Brainsword LLC or one of its subsidiaries or affiliates' assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information is among the assets transferred.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent, to the extent your consent is required under applicable law.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Brainsword LLC, or our owners, employees, users, or others.

8. Choices About How We Use and Disclose Your Information.

We strive to provide you with choices regarding the information you provide to us. Below are the tools available that allow you to control all or part of the information collected from you as you interact with our Services:

- **33Across.** [Click here](#) to opt-out of 33Across tracking through the Network Advertising Initiative (NAI) opt-out page.
- **Amazon Publisher Services.** [Click here](#) to learn how to opt-out of Amazon advertising.
- **AppNexus.** [Click here](#) to learn how to opt-out out of AppNexus tracking.
- **bRealtime (EMX).** [Click here](#) to opt-out of EMX tracking through the Digital Advertising Alliance (DAA) opt-out page.
- **Cloudflare.** [Click here](#) to opt-out of Cloudflare tracking through the Network Advertising Initiative (NAI) opt-out page.
- **Cookies.** Generally speaking, you can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. Please visit your browser's website for more information. If you disable or refuse cookies, please note that some parts of our Services may then be inaccessible or will not function properly, or your opt-out choices will not work.
- **DistrictM.** [Click here](#) to opt-out of DistrictM tracking.
- **Electronic Messages Opt-Out.** If you no longer want us to send you electronic messages related to our business or Services, you can opt-out by clicking the unsubscribe link found at the bottom of each electronic message we send to you. You can also email us at privacy@grizly.com and we will remove you from our electronic message mailing list. Your opt-out request will be processed within a commercially reasonable period of time.
- **Facebook** – If you do not want Facebook to collect your data or to share your data with us, there are several things you can do to control and/or limit what data is collected:
 - do not login to our Services with your Facebook login,
 - [click here](#), and then set your “Ad settings” to “Not allowed,”
 - go to the “Apps and Websites” setting within your Facebook account and remove our Services from your list of “Active Apps and Websites” and/or limit the information we can receive,
 - [click here](#) and opt-out of Facebook tracking,
 - if you are in the European Economic Area or United Kingdom, [click here](#), select your location, and opt-out of Facebook tracking,
 - on your Apple device, go to “Settings,” then “Privacy,” then “Advertising,” and select “Limit Ad Tracking,” or
 - on your Android device, go to the “Settings” menu, then select the “Google” option, from there select “Ads”, then enable the toggle switch next to “Opt out of Ads Personalization.”
- **Google Advertising.** To control Google’s ad personalization, [click here](#).

- **Google Analytics.** If you want to control the data collected by Google Analytics you can get the Google Analytics Opt-out Browser Add-On [here](#). It is available for Microsoft Internet Explorer 11, Google Chrome, Mozilla Firefox, Apple Safari, and Opera.
- **GumGum.** [Click here](#) to learn how to opt-out of GumGum's targeted ad program.
- **Index Exchange.** [Click here](#) to opt-out of Index Exchange tracking through the Network Advertising Initiative (NAI) opt-out page.
- **Oath Analytics.** To opt-out of Oath interest-based advertising tracking, [click here](#) to opt-out through Digital Advertising Alliance (DAA) or [here](#) to opt-out through Network Advertising Initiative (NAI).
- **OpenX Ad Exchange.** To opt-out of OpenX Ad Exchange interest-based advertising tracking, non-European Economic Area users, [click here](#), and European Economic Area and UK users, [click here](#) and select your location.
- **Rubicon Project.** To opt-out of Rubicon Project tracking, [click here](#), and update your preferences at the bottom of that page.
- **Sovrn.** [Click here](#) to opt-out of Sovrn tracking through the Digital Advertising Alliance (DAA) opt-out page.
- **Taboola.** To learn more about opting-out of Taboola tracking, [click here](#) and search for "opting out," or [click here](#) to opt-out of Taboola tracking through the Network Advertising Initiative (NAI) opt-out page.
- **Twitter Ad Conversation Tracking.** To opt-out of Twitter interest-based advertising tracking, [click here](#).

Please note that in order for your opt-out choices to be effective using these tools, you must ensure that your browser is set to accept third-party cookies such as the OpenX opt-out cookie. Some browsers block third-party cookies by default, so you may need to change your browser settings to accept third-party cookies before opting out.

If you have any questions or concerns about opt-out, please contact us at privacy@brainsword.com.

How We Respond to Do Not Track Signals

We currently do not respond to do not track signals.

Access to Third Party Websites

You will be able to access third party websites directly from our Services. This privacy policy does not apply when you access third party websites. We cannot control how third parties may use personal information you disclose to them, so you should carefully review the privacy policy of any third-party website you visit, such as the third-party privacy policies we link to, before interacting with such third-party websites or disclosing your personal information to its provider.

Lawful Basis for Processing Personal Information

If you are in the European Economic Area or the United Kingdom, we process any personal information we collect in order to: (1) carry out our contractual obligations with you; (2) comply with our legal obligations; and (3) engage in activities that are in our legitimate interest, such as sending you direct marketing materials you request, providing you with an enjoyable experience, and to provide you with information related to our Services.

To the extent the processing of your personal information requires your consent, we will obtain such consent at the time we collect such information. This consent can be withdrawn at any time; provided, however, withdrawing your consent will not affect the lawfulness of any

processing we conducted prior to your withdrawal, nor will it affect processing of your information conducted in reliance on lawful processing grounds other than consent. You can withdraw your consent by emailing us privacy@brainsword.com.

9. Your Rights

Under the GDPR, individuals have a number of important rights free of charge. In summary, these include rights to:

- Access the personal information we have that concerns you;
- Require us to correct any mistakes in the personal information we have that concerns you;
- Require, in certain situations, the erasure of personal information we have that concerns you;
- Receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit such data to a third party in certain situations;
- Object at any time to the processing of personal information concerning you for direct marketing;
Object in certain other situations to our continued processing of your personal information; and
- Otherwise restrict our processing of your personal information in certain circumstances.
- For more information on each of these rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals rights under the GDPR.

If you would like to exercise any of these rights, please:

- Email us at privacy@brainsword.com;
- Let us have enough information to identify you; and
- Let us know the information to which your request relates.
- If we cannot verify your identity, we may request proof of your identity, such as a copy of your driver's license or passport.

We hope that we can resolve any query or concern you raise about our use of your information; however, the GDPR also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws occurred.

10. Your Nevada Privacy Rights.

Nevada Civil Code Section § 1798.83 permits users of our Services that are Nevada residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@brainsword.com.

11. California Privacy Rights. Under California Civil Code Section 1798.83, California customers are entitled to request information relating to whether a business has disclosed

Personal Information to any third parties for the third parties' direct marketing purposes. California customers who wish to request further information about our compliance with this statute or who have questions more generally about our Privacy Policy and our privacy commitments to our customers, website visitors, should not hesitate to contact us at privacy@brainsword.com.

12. International Processing.

Our head office is located in the United States. We store and process your personal information on our computers and servers in the United States and, at times, depending on the cloud services we utilize, in various other countries. As such, that means that your personal information may need to be processed in countries where data protection and privacy laws and regulations may differ from those in your home country. In order to ensure your personal information is treated with the same level of care required in your home country, we require all authorized third parties, affiliates, and partners to take appropriate measures to keep your information confidential, safe, and secure in accordance with applicable data protection laws.

13. Data Retention.

We will store your personal information only for as long as necessary to provide you with the services or information you require or request, or for as long as we are legally obligated to do so. We will also store certain personal information, such as email addresses, for archival purposes that are required for the continued operation of our business. For more information on where and how long your personal data is stored, and for more information on your rights of erasure and portability, please contact us at privacy@brainsword.com.

14. Data Security.

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information we collect from you is stored in the cloud, which is encrypted by third-party systems. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to or through our Services. Any transmission of personal information is at your own risk.

15. Changes to Our Privacy Policy.

It is our policy to post any changes we make to our privacy policy here. We reserve the right to amend our privacy policy at any time, for any reason, without notice to you. However, if we make material changes to how we treat our users' personal information, we will post a notice on our Website, and may in our sole discretion, notify you by email. The date the privacy policy was last revised is identified at the top of the page. If you provide us with an email address, you are responsible for ensuring we have an up-to-date active and deliverable email address for you. You are also responsible for periodically visiting our Website and this privacy policy to check for any changes.

Contact Information

To ask questions or to comment about this privacy policy and our privacy practices, contact us at: privacy@brainword.com. Thank you.