
Gizer Mobile App Privacy Policy

Last Updated: March 24, 2020 (03/24/2020)

Introduction

Gizer Inc. ("**Company**", "**Gizer**", "**Us**" or "**We**") respect your privacy and are committed to protecting it through our compliance with this policy. This policy describes:

- The types of information we may collect or that you may provide when you purchase, download, install, register with, access, or use the GIZER APPLICATION (the "**Gizer App**"), and through our website accessed through <https://gizer.io/> (the "**Website**") (collectively referred to herein as the "**App**").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies only to information we collect in this App, in email, text, and other electronic communications sent through or in connection with this App, and affiliated websites accessed through the Website.

This policy DOES NOT apply to information that:

- We collect offline or on any other Company apps or websites, including websites you may access through this App.
- You provide to or is collected by any third party (see [Third-Party Information Collection](#)).

Our websites and apps, and these other third parties may have their own privacy policies, which we encourage you to read before providing information on or through them.

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, do not download, register with, or use this App. By downloading, registering with, or using this App, you agree to this privacy policy. This policy may change from time to time (see [Changes to Our Privacy Policy](#)). Your continued use of this App after we revise this policy means you accept those changes, so please check the policy periodically for updates.

Children Under the Age of 13

The App is not intended for children under 13 years of age, and we do not knowingly collect personal information from children under 13. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at privacy@gizer.io.

California residents under 16 years of age may have additional rights regarding the collection and sale of their personal information. Please see [[Your California Privacy Rights](#)] for more information.

Information We Collect and How We Collect It

We collect information from and about users of our App:

- Directly from you when you provide it to us.
 - Automatically when you use the App.
-

Information You Provide to Us

When you download, register with, or use this App, we may ask you provide information:

- By which you may be personally identified, such as name, postal address, email address, telephone number, social security number, date of birth, GPS location data, IP addresses, unique device ID information, user name on other software platforms (such as third-party video game platforms, payment processors, and social media platforms), billing information (including PayPal username), or any other identifier by which you may be contacted online or offline ("**personal information**").
- That is about you but individually does not identify you, such as user demographics.

This information includes:

- Information that you provide by filling in forms in the App. This includes information provided at the time of registering to use the App, and subscribing to our service, and posting material, and 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 the App.
- Records and copies of your correspondence (including email addresses and phone numbers), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Information related participating in certain gaming tournaments
- Details of transactions you carry out through the App and of the fulfillment of your orders. You may be required to provide financial information before placing an order through the App.
- Your search queries on the App.

You may also provide information for publication or display ("**Posted**") on public areas of the app or websites you access through the App (collectively, "**User Contributions**"). Your User Contributions are Posted and transmitted to others at your own risk. Additionally, we cannot control the actions of third parties 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.

Automatic Information Collection and Tracking

When you download, access, and use the App, it may use technology to automatically collect:

- **Usage Details.** When you access and use the App, we may automatically collect certain details of your access to and use of the App, including internet traffic data, location data, logs, screen views, and other communication data and the resources that you access and use on or through the App.
- **Device Information.** We may collect information about your mobile device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, mobile network information, and the device's telephone number.
- **Stored Information and Files.** The App also may access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.
- **Location Information.** This App collects real-time information about the location of your device. This data is used to help establish what features are permissible for the user to access given their most recently collected location. We may use third-parties to assist us in interpreting this data. We may determine location based on the location services of the applicable device operating system or browser and information on nearby Wi-Fi access points and cell towers. Location information is used to place you in your Gizer App community, enabling you to find and connect with local users and to enable them to find and connect you, and as explained below. You can revoke your consent by changing the settings or preferences on your device, and/or your computer, in your settings in the App, or by deleting the App from your device. If you do not want Gizer to use location information from your computer or device, you should also clear your browser history (where location information is stored). Be careful however, by clearing your browser history you might lose information. Please acknowledge that doing so is your own responsibility and Gizer will not be liable for any loss of data, including but not limited to website address and navigation information.
- If you turn these location features on, we may collect your device's geolocation data and save your device's coordinates to offer certain features to you. We may also use your device's geolocation information to personalize the App and make it easier for you to interact with other users. You can control your location information settings in your device's settings screen and switch them off at your election. Even if you have disabled location services, we may still determine your city, state, and country location based on your IP address (but not your exact location).

If you do not want us to collect this information do not download the App or delete it from your device. Note, however, that opting out of the App's collection of location information will disable its location-based features.

We also may use these technologies to collect information about your activities over time and across third-party websites, apps, or other online services (behavioral tracking). Email privacy@gizer.io for information on how you can opt out of behavioral tracking on or through this app and how we respond to browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking.

Information Collection and Tracking Technologies

The technologies we use for automatic information collection may include:

- **Cookies (or mobile cookies).** A cookie is a small file placed on your smartphone. It may be possible to refuse to accept mobile cookies by activating the appropriate setting on your smartphone. However, if you select this setting you may be unable to access certain parts of our App.

- **Web Beacons.** Pages of the App and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related app statistics (for example, recording the popularity of certain app content and verifying system and server integrity).
- **Device Fingerprinting.** Unique identifiers of your device may be collected to assist the Company in supplying services through the App.
- **Blockchain Information.** A blockchain wallet may be created through use of the App. Such wallets contain an encrypted public key and private key pair, which are automatically generated and stored via our App and associated products. When you enable notifications through your account settings, we will collect the unencrypted wallet public key in order to send such notifications. Under no circumstances will we collect an unencrypted private key from you.

Third-Party Information Collection

When you use the App or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.
- Video game developers, publishers, distribution platforms and related companies.
- Payment processing and billing companies.
- Geolocation and identity verification companies.

These third parties may use tracking technologies to collect information about you when you use this app. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see [Your Choices About Our Collection, Use, and Disclosure of Your Information](#).

How We Use Your Information

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

- Provide you with the App and its contents, and any other information, products or services that you request from us.
- Fulfill any other purpose for which you provide it.
- Give you notices about your account, including expiration and renewal notices.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Notify you when App updates are available, and of changes to any products or services we offer or provide through it.
- Give you notices about any tournaments and or competitions you may have entered.
- Determine what features of the App are legally permissible for you to access (including, but not limited to, age and location restrictions).

The usage information we collect helps us to improve our App and to deliver a better and more personalized experience by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our App according to your individual interests.
- Speed up your searches.
- Recognize you when you use the App.

We use location information we collect to establish that users are in permitted jurisdictions and locations to use particular portions of the App and to provide users with a custom App experience.

We may also use your information to contact you about our own and third parties' goods and services that may be of interest to you. If you do not want us to use your information in this way, please inform us at privacy@gizer.io. For more information, see [Your Choices About Our Collection, Use, and Disclosure of Your Information](#).

We may use the information we collect to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual or device, without restriction.

In addition, we may disclose personal information that we collect or you provide:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business.

- 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 Gizer Inc.'s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Gizer Inc. about our App users is among the assets transferred.
- To third parties to market their products or services to you if you have not opted out of these disclosures.
- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the "email a friend" or "refer a friend" feature of our Website or App, we will transmit the contents of that email and your email address to the recipients.
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce our rights arising from any contracts entered into between you and us, including the App EULA, App Terms and Conditions, and for billing and collection.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Gizer Inc., our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

Your Choices About Our Collection, Use, and Disclosure of Your Information

We strive to provide you with choices regarding the personal information you provide to us. This section describes mechanisms we provide for you to control certain uses and disclosures of over your information.

- **Tracking Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. You can choose whether or not to allow the App to collect information through other tracking technologies by disabling such cookie use and tracking through your device setting. If you disable or refuse cookies or block the use of other tracking technologies, some parts of the App may then be inaccessible or not function properly.
- **Location Information.** You can choose whether or not to allow the App to collect and use real-time information about your device's location through your device settings. If you block the use of location information, some parts of the App may become inaccessible or not function properly.
- **Promotion by the Company.** If you do not want us to use your email address to promote our own or third parties' products or services, you can also always opt-out by sending us an email stating your request to privacy@gizer.io.
- **Targeted Advertising by the Company.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can always opt-out by sending us an email stating your request to privacy@gizer.io.
- **Disclosure of Your Information for Third-Party Advertising and Marketing.** If you do not want us to share your

personal information with unaffiliated or non-agent third parties for advertising and marketing purposes, you always opt-out by stating your request to privacy@gizer.io.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#). California residents may have additional personal information rights and choices. Please see [\[Your California Privacy Rights\]](#) for more information.

Accessing and Correcting Your Personal Information

You can review and change your personal information by logging into the App and visiting your account profile page. You may also send us an email at privacy@gizer.io to request access to, correct, or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Contributions from the App, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other App users. Proper access and use of information provided on the App, including User Contributions, is governed by our Terms and Conditions [\[Click here to view Terms and Conditions\]\(https://gizer.io/terms\).](#)

California residents may have additional personal information rights and choices. Please see [Your California Privacy Rights\]](#) for more information.

Your California Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information.

California Civil Code Section 1798.83 permits visitors to the App who are California residents to request certain information regarding our disclosure of personally identifiable information to third parties for their direct marketing purposes. To make such a request, please contact us privacy@gizer.io and put "Shine the Light" in the subject line of your request.

From January 1, 2020, California consumers have the following rights. To the extent that these rights apply to you, the following rights are provided:

- Right to know

You have the right to know and request information about the categories and specific pieces of we have collected about you, as well as the categories of sources from which such information is collected, the purpose for collecting such information, and the categories of third parties with whom we share such information. You also have the right to know if we have sold or disclosed your personally identifiable information. You may also request a copy of the personally identifiable information we have collected and, upon request, we will provide this information to you in electronic form.

- Right to delete

You have the right to request the deletion of your personally identifiable information, subject to certain exceptions and our record retention policy.

- Right to opt-out of sale

You have the right to opt-out of the sale of your personally identifiable information to third parties. However, we do not sell your data at this time.

- Right to non-discrimination

You have the right to not be discriminated against for exercising any of these rights.

If you would like to exercise one or more of the rights above, please contact us at privacy@gizer.io. You may designate an authorized agent to make a request on your behalf. Such authorized agent must be registered to conduct business in California with the California Secretary of State. We will deny a request from an agent that does not submit proof that they have been authorized by you to act on your behalf.

We may need to confirm your verifiable consumer request before completing your request, and, for example, may ask for you to confirm data points we already have about you. We will only use personally identifiable information provided in a consumer request to verify the requestor's identity or authority to make the request.

Users Outside the United States

If you are accessing our App from outside the United States, please be aware that you are sending information to the United States (where our company and primary servers are located). That information may then be transferred within the United States or back out of the United States to other countries outside of your country of residence, depending on the type of information and how it is stored by us. These countries (including the United States) may not necessarily have data protection laws as comprehensive or protective as those in your country of residence; however, our collection, storage and use of your personal data will at all times continue to be governed by this Privacy Policy. You may not be able to access certain elements of the App from outside of the United States.

Your Individual Rights in the European Union, the European Economic Area, the United Kingdom, and Switzerland

For residents of the European Union, the European Economic Area, the United Kingdom, and Switzerland, you may be entitled to ask us for a copy of your information, to correct it, erase or restrict its processing, or ask us to transfer some of this information to other organizations. You may also have the right to object to some processing activities and, where we have asked for your consent to process your information, to withdraw this consent. These rights may be limited in some situations, for example, where we can demonstrate that we have a legal requirement to process your information. In some instances, this may mean that we are able to retain your information even if you withdraw your consent.

We hope we can satisfy any queries you may have about the way we process your data. If you have any concerns about how we process your data, or would like to opt-out of receiving marketing communications, please contact us at privacy@gizer.io.

For residents of the European Union, the European Economic Area, the United Kingdom, and Switzerland in the event you have unresolved concerns, you also have the right to complain to a data protection authority.

Data Security, Processing and Retention

No data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, We cannot ensure or warrant the security of any information you transmit to us and you understand that any information that you transfer to Us is done at your own risk. We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on secure servers behind

firewalls. These servers may be provided by third parties and may be located throughout the world or in space, and accessed remotely.

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 App, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the App like message boards. The information you share in public areas may be viewed by any user of the App. Unfortunately, the transmission of information via the internet and mobile platforms is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted through our App. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide.

We may process your information in the United States and other countries. No matter where you are located, you consent to the processing and transferring of your information in and to the United States, and other countries. The laws of the United States and other countries governing data collection and use may not be as comprehensive or protective as the laws of the country where you live. Your information may be made available to government or law enforcement requests.

We will keep your personally identifiable information for as long as necessary to perform the purposes set out in this Privacy Policy. Laws may require us to hold certain information for specific periods.

Changes to Our Privacy Policy

Gizer reserves the right to change this Privacy Policy from time to time. When we do, we will also revise the “Last Modified” date at the beginning of this Privacy Policy. For changes to this Privacy Policy that may be materially less restrictive on our use or disclosure of personally identifiable information that you have provided to us, we send a notice to the primary email address that was provided to us by you and place a prominent notice on our App. You are responsible for ensuring we have an up-to-date active and deliverable email address for you and for periodically visiting this Privacy Policy to check for any changes.

Dispute Resolution

By using the App, you and Gizer agree that, if there is any controversy, claim, action, or dispute arising out of or related to your use of the App, or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part thereof (“**Dispute**”), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and allowing the receiving party 30 days in which to respond to or settle the Dispute. Notice shall be sent to Gizer Inc. at 38 Carmine Street, STE 4W, New York, New York, 10014. Notice to you shall be provided at the address we have on file for you.

Both you and Gizer agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party.

IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY. Other rights that you and we would have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. All such Disputes shall be exclusively submitted to JAMS (www.jamsadr.com) for binding arbitration under its rules then in effect in the New York City, NY metropolitan area before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

Choice of Law and Forum

You agree that the laws of the state of New York govern the Privacy Policy and any claim or dispute that you may have against us, without regard to New York's conflict of laws rules. The parties acknowledge that this Privacy Policy evidences a transaction involving interstate commerce. Notwithstanding the foregoing with respect to applicable substantive law, any arbitration conducted pursuant to the terms of this Privacy Policy shall be governed by the Federal Arbitration Act (9 U.S.C., Secs. 1-16).

You further agree that any disputes or claims not subject to the arbitration provision discussed above shall be resolved by a court located in the state of New York and you agree and submit to the exercise of personal jurisdiction of such courts for the purpose of litigating any such claim or action. PLEASE NOTE THAT BY AGREEING TO THIS PRIVACY POLICY, YOU ARE: (1) WAIVING CLAIMS THAT YOU MIGHT OTHERWISE HAVE AGAINST US BASED ON THE LAWS OF OTHER JURISDICTIONS, INCLUDING YOUR OWN; (2) IRREVOCABLY CONSENTING TO THE EXCLUSIVE JURISDICTION OF, AND VENUE IN, STATE OR FEDERAL COURTS IN THE STATE OF NEW YORK FOR ANY DISPUTES OR CLAIMS BROUGHT UNDER THIS PROVISION; AND (3) SUBMITTING YOURSELF TO THE PERSONAL JURISDICTION OF COURTS LOCATED IN THE STATE OF NEW YORK FOR THE PURPOSE OF RESOLVING ANY SUCH DISPUTES OR CLAIMS.

Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:
privacy@gizer.io
