

PRIVACY NOTICE FOR EUROPEAN RESIDENTS

If you reside in a country in the European Economic Area, Switzerland, or, as applicable the United Kingdom (i.e., you are a “European Resident”), then information we collect from you may be subject to 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 (the “GDPR”), and the following additional information is provided for your benefit, and supplements the information contained in our Privacy Policy .

The controller of the personal data collected by Genies through the Services is:

Genies, Inc.
550 Rose Avenue
Venice, California 90291

Please note that each provider of a Connected Service that you integrate with the Genies Services is also a controller of any Personal Information that is collected by that Connected Service. You acknowledge and agree that Genies is not responsible for the data collection or use practices of any such Connected Service, and you should read each Connected Service’s privacy policy.

If you use the Services, you acknowledge that your Personal Information is being processed pursuant to the lawful bases described below, and you specifically consent to your Personal Information gathered through the Services being transferred, used, and stored in the United States.

(1) Your Rights

You have the following rights under the GDPR:

- You have the right to know why we collect your Personal Information, how and why it is processed by us, and what our legal bases for such processing are.
- Right of access: You have the right to access your Personal Information.
- Right to rectification and deletion: you have the right to supplement or correct the Personal Information we’ve collected about you, or to direct us to delete your Personal Information. Please note that if you ask for your Personal Information to be deleted, Genies may no longer be able to associate your digital goods or virtual currency with you, and you may lose all of your digital goods or virtual currency.
- If you give us your consent to process your Personal Information, you have the right to revoke that consent.
- Right to data portability: you have the right to request that we transfer all your Personal Information to another controller in a reasonably understandable format.
- Right to object: you may object to our processing of your Personal Information. We will make commercially reasonable efforts to comply with your objection, unless there are legally permissible reasons why we can or must continue to process your Personal Information.

Please note that all rights described above do not necessarily apply to each processing activity depending on the nature of the lawful basis for each processing activity, as described below.

(2) Lawful Bases for Processing

Under European law, companies must have a legal basis to process data. You have particular rights available to you depending on which legal basis we use, and, as explained above, certain rights may and may not be applicable depending on the nature of the lawful basis for each processing activity. You always have the right to request access to, rectification of, and erasure of your data under the GDPR. To exercise your rights, please email us at privacy@genies.com.

For all people who have legal capacity to enter into an enforceable contract, we process data as necessary to perform our contracts with you. We describe the contractual services for which this data processing is necessary throughout this Privacy Policy and in our Terms of Service (the "Terms"). The main uses of your data necessary to provide our contractual services are:

- To provide, improve, customize, and support our Services;
- To promote safety and security;
- To transfer to, transmit to, store in, or process in the United States and other countries; and
- To communicate with you, for example, on Services-related issues.

We'll use the data we have to provide the Services; if you choose not to provide certain data, the quality of your experience using the Services may be negatively impacted.

When we process data you provide to us as necessary to perform our contracts with you, you have the right to port it under the GDPR. To exercise your rights, please email us at privacy@genies.com.

The other legal bases we rely on in certain instances when processing your data are:

A. Your Consent:

- For processing information that you allow us to receive through the device-based settings when you enable them (such as access to your GPS location and camera roll), so we can provide the features and services described when you enable the settings (all where and as applicable).
- For disclosures of information to certain third-parties, including our Service Providers, Online Tool Providers, Connected Services, and third-party advertising partners, as described below in the "Disclosure of Your Information" section.

When we process data you provide to us based on your consent, you have the right under the GDPR to withdraw your consent at any time and to port that data you provide to us. To exercise your rights, please email us at privacy@genies.com.

B. Our legitimate interests or the legitimate interests of a third party, where not outweighed by your interests or fundamental rights and freedoms ("legitimate interests"):

- For processing to provide measurement, analytics, and other business services. The legitimate interests we rely on for this processing are:
 - To provide accurate and reliable reporting to businesses and other partners, to ensure accurate pricing and statistics on performance, and to demonstrate the value our partners realize using our Services; and
 - Helping business and other partners to understand their customers and improve their businesses.

- To validate our pricing models, and evaluate the effectiveness and distribution of their services and messages, and understand how people interact with them on our Services.
- For processing to share information with others including law enforcement and to respond to legal requests. The legitimate interests we rely on for this processing are:
 - To prevent and address fraud, unauthorized use of the Services, violations of our terms and policies, or other harmful or illegal activity; to protect ourselves (including our rights, property or products), our users or others, including as part of investigations or regulatory inquiries; or to prevent death or imminent bodily harm.
- For processing to share information with Genies' business partners and prospective business partners. The legitimate interests we rely on for this processing are:
 - Genies' operation of its day-to-day business, and ability to plan and execute strategic corporate transactions, including mergers

You have the right to object to, and seek restriction of, such processing; to exercise your rights, please email us at privacy@genies.com.

We will consider several factors when assessing an objection to our processing in furtherance of Genies' legitimate interests, including: our users' reasonable expectations; the benefits and risks to you, us, other users, or third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportional effort. Your objection will be upheld, and we will cease processing your information, unless the processing is based on compelling legitimate grounds or is needed for legal reasons.

C. Compliance with a legal obligation:

- We need to process your Personal Information when applicable law requires it, including, for example, if there is a valid legal request for certain data.

(3) Disclosures of Your Information

We may disclose your Personal Information, (as well as non-Personal Information, without the same restrictions that apply to your Personal Information) to our Service Providers and Online Tool Providers who we engage to perform certain functions on our behalf (such as processing of payments, provision of data storage, hosting of our website, marketing of our products and services, conducting audits, and performing web analytics) as well as on the their own behalf and on behalf of third parties who may be affiliated with our Processors, advertising partners, and the providers of Connected Services (collectively, the "Processors"). A list of our Processors and a description of the services that they perform for us follows. We establish data processing agreements that govern our Processors' use of your Personal Information, but our Processors' use of your Personal Information may also be subject to the Processors' own privacy policies. See links to our Processors' privacy policies below.

Service Providers and Online Tool Providers:

- Google Analytics: tracks user activity on our Services (page views, clicks, etc.) that allows Genies to understand traffic, identify unique users and measure the performance of the Services. See <https://policies.google.com/privacy>.
- Amazon

- Amazon Web Services: for storage and management of our Services, and our files, databases, and other information.
- Amazon Cognito: for user authentication.
- See <https://aws.amazon.com/privacy/>.
- OpenID: for integration with Connected Services. See https://openid.net/wordpress-content/uploads/2020/06/OIDF_Privacy-Policy_Final_2020-06-30.pdf.

Connected Services:

Additionally, as described above, when you integrate a Connected Service to our Services, we may also share your Personal Information with that Connected Service as described in the connection process.

We may also disclose your Personal Information to third parties when we believe, in good faith and in our sole discretion, that such disclosure is reasonably necessary to (a) enforce or apply the terms and conditions of the Services, including investigation of potential violations thereof, (b) comply with legal or regulatory requirements or an enforceable governmental request, (c) protect the rights, property or safety of us, our users or other third parties, (d) prevent a crime or protect national security, or (e) detect, prevent or otherwise address fraud, security or technical issues.

Finally, we reserve the right to transfer information (including your Personal Information) to a third party in the event of a sale, merger, or transfer of all or substantially all of the assets of our company relating to the Services, or in the unlikely event of a bankruptcy, liquidation, or receivership of our business. We will use commercially reasonable efforts to notify you of such transfer, for example via email or by posting notice on our website.

(4) Questions and Complaints

If you have any questions or complaints regarding our use of your Personal Information, please contact us at privacy@genies.com. You also have the right to submit a complaint to your applicable Data Protection Authority.