

## Privacy Policy

*This Privacy Policy has been updated on **December 20, 2023***

'PHOENIX HACK' is a project, , conducting its activities in accordance with the laws of France and the European Union. (hereinafter - '**we**', '**us**', '**our**', '**PHOENIX**'). PHOENIX operates the <https://phoenix-hack.org/> (the '**Website**') and provides software for gamers, news, and entertainment related to modding games via our Website (the '**Service**').

We at PHOENIX have created a Privacy Policy that aims to inform You of our policies regarding the collection, use, and disclosure of data about a living individual who can be identified from those data (the '**Personal Data**') when You use our Service and the choices You have associated with that data.

We use Your data to provide and improve the Service. By using the Service, You agree to the collection and use of information in accordance with this policy. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our [Terms of Use](#).

Also our Website does not sell Your Personal Data to third parties. A 'sale' of Personal Data under the CCPA is defined broadly to include the 'selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means' the Personal Data of a consumer to another business or third party 'for monetary or other valuable consideration.' If we decide to sell our Website or our business, we will inform You about this, so You can forbid us to transfer Your Personal Data together with our business. If so, we will delete Your data from the databases prior to a business transfer.

For the purposes of this policy, we define the term '**User**' as an individual, using the Website and filling our application form. The term '**Visitor**' shall mean an individual, who uses the Website to browse the Services we offer, to view Users' discussions or otherwise use our Website.

We define the term '**You**' if the information relates to both the User and the Visitor.

We adhere to the following principles in order to protect Your privacy:

- principle of purposefulness - we process personal data fairly and in a transparent manner only for the achievement of determined and lawful objectives, and they shall not be processed in a manner not conforming to the objectives of data processing;

- principle of minimalism - we collect personal data only to the extent necessary for the achievement of determined purposes and do not keep personal data if it is no longer needed;
- principle of restricted use - we use personal data for other purposes only with the consent of the data subject or with the permission of a competent authority;
- principle of data quality - we update personal data shall be up-to-date, complete and necessary for the achievement of the purpose of data processing;
- principle of security - security measures shall be applied in order to protect personal data from unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical and organisational measures;
- principle of individual participation - the persons shall be notified of data collected concerning him or her, the persons shall be granted access to the data concerning him or her and the persons have the right to demand the correction of inaccurate or misleading data.

## 1. DATA WE COLLECT

### 1.1. Usage Data

**1.1.1.** We may collect, record and analyze information of the Visitors and Users of our Website.

**1.1.2. Visitors Data.** Where our Website is accessed purely to gain information, i.e. where the Visitor does not provide us information in any way, we only collect the Personal

Data provided by its browser to our server. Where the Visitors wants to view our Website, we collect the following data necessary for technical purposes to be able to demonstrate our Website to the Visitor and to ensure adequate access stability and security (therefore, the legal basis for is the legitimate interest of PHOENIX):

- IP address;
- Enquiry date and time;
- Time zone difference to Greenwich Mean Time (GMT);
- Enquiry content (the exact web page accessed);

- Access status/HTTP status code;
- Data volume transmitted in each case;
- Website generating the enquiry;
- Browser;
- OS and its interface;
- Browser language and version.

**1.1.3.** We use Usage Data in aggregate to assess the popularity of the web pages on our Website and how we perform in providing content to You. When combined with other

**1.1.4.** Processing of Usage Data relies on our legitimate interests. It is necessary for managing and running our business efficiently and effectively, providing quality services including website support, developing and improving products, determining who may be interested in them.

**1.1.5. Users Data.** We collect the Usage Data of our Users. Our Website allows You to register with PHOENIX by using the application form. To do so, the Visitor becomes our User. The User needs to provide its nickname, email address, and the chosen password.

**1.1.6.** We use the collected Personal Data only to communicate with the User, as it reasonably expects us to answer on its request, and we may also record the request and our reply in order to increase the efficiency of the organisation of our support service.

**1.1.7.** We collect email addresses and data of the Users profile in instant messaging applications (e.g. name, nickname, email) only when they want to contact us and write us on our email address that is available on the Website. We use the collected Personal Data only to communicate with the User, as it reasonably expects us to answer its request.

**1.1.8.** While processing Personal Data of our Users, we rely on its consent to the processing of the Personal Data for the purpose of communicating with it. We use such Personal Data in ways You would reasonably expect and which have a minimal privacy impact. The User can withdraw its consent at any time by contacting us via **online chat widget** with the withdrawal request. The Personal Data will be deleted within **seventy-two (72)** hours.

**1.1.9.** Wherever possible, we aim to obtain Your explicit consent to process Your Personal Data, for example, by asking You to agree to use Cookies.

**1.1.10.** You can control the use of Cookies at the individual browser level. If You reject Cookies, You may still use our Website, but Your ability to use some features or areas of our website may be limited.

## **1.2. Personal Data**

**1.2.1.** In order to provide Services to our Users we collect its personally identifiable information.

**1.2.2.** When the User uses our Services by submitting an online order on the Website, a contract is formed between the User and us. In order to carry out our obligations under that contract we must process the information that the User gives to us.

**1.2.3.** During the submission of an online order on the Website, the User provides us with its:

- Email address.
- Cookies and Usage Data.

**1.2.4.** This information is used by us to identify You, to personalize the User and to provide the User the needed Service in full.

**1.2.5.** We **may not** obtain Users' Personal Data from third parties such as payment service providers, whose services we use.

**1.2.6.** We process this information on the basis there is a contract between us and the User, we use the information before we enter into a legal contract.

## **1.3. Communication Data**

**1.3.1.** We collect any data that You share with us whether that be through the application form on our Website, through email, text, social media messaging, social media posting or any other communication that You send us. We process this data for the purposes of communicating with You, for record keeping and for the establishment, pursuance or defence of legal claims. Our lawful ground for this processing is our legitimate interests which in this case are to reply to communications sent to us, to keep records and to establish, pursue or defend legal claims.

## **1.4. Additional terms of processing**

**1.4.1.** We do not collect any sensitive data about You. Sensitive data refers to data that 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. We do not collect any information about criminal convictions and offences.

**1.4.2.** Where we are required to collect Personal Data by law, which You do not provide us with, we may not be able to perform the contract (for example, to deliver Services to You). If You don't provide us with the requested data, we may have to cancel a product or Service You have ordered but if we do, we will notify You at the time. We will only use Your Personal Data for a purpose it was collected for or a reasonably compatible purpose if necessary. For more information on this please contact us via online chat widget (form).

**1.4.3.** In case we need to use Your details for an unrelated new purpose we will let You know and explain the legal grounds for processing. We may process Your Personal Data without Your knowledge or consent where this is required or permitted by law.

**1.4.4.** We do not carry out automated decision making or any type of automated profiling.

## **2. COMPLIANS WITH THE APPLICABLE LAW**

**2.1.** For the Users and Visitors located in the European Economic Area (EEA) privacy rights are granted and all processing of Personal Data is performed in accordance with regulations and rules following 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, known as the General Data Protection Regulation \(GDPR\)](#).

**2.2.** For the Users and Visitors located in California all processing of Personal Data is performed in accordance with regulations and rules following the [California Consumer Privacy Act](#), Cal. Civ. Code § 1798.100 *et seq.* ('CCPA')

**2.3.** For the Users and Visitors located in the United Kingdom all processing of Personal Data is performed in accordance with regulations and rules following the [Data Protection Act 2018](#).

**2.4.** For the Users and Visitors located in Brazil, all processing of Personal Data is performed in accordance with regulations and rules following the [Lei Geral de Proteção de Dados](#) ('LGPD').

**2.5.** We process Personal Data both as a Processor and as a Controller, as defined in the GDPR.

**2.6.** We may need to share Your Personal Data with the third parties that provide the Services.

Where Your Personal Data are transferred outside of the European Economic Area ('EEA'), we require that appropriate safeguards are in place.

**2.7.** We guarantee that we have Data Processing Agreements in place with our service providers, ensuring compliance with the GDPR and our contracts with them, requiring us to maintain the confidentiality of Personal Data. All data transfers inside and outside of the EEA are being done in accordance with these Data Processing Agreements. All data transfers are performed in accordance with the strictest security regulations.

**2.8.** For more detailed information about the international information transfers to our business partners, service providers and developers outside of the EU/EEA, please contact us using the details given in the 'Contact us' section below.

### **3. LEGAL RIGHTS OF THE USER**

**3.1.** The User can review, correct, update, delete or transfer their personally identifiable information. For that, contact us directly via online chat widget (contact form). We will acknowledge Your request within **seventy-two (72) hours** and handle it promptly and as required by law.

**3.2. Right to access.** Any User may contact us to get confirmation as to whether or not we are processing its Personal Data. Where we process Users' Personal Data, we will inform the User of what categories of Personal Data we process regarding him/her, the processing purposes, the categories of recipients to whom Personal Data have been or will be disclosed and the envisaged storage period or criteria to determine that period.

**3.3. Right to withdraw consent.** In case our processing is based on a consent granted by the User, the User may withdraw the consent at any time by contacting us or by using the functionalities of our Services. You can withdraw Your consents at any time by replying to the email with Your withdrawal and Your Personal Data will be deleted in **seventy two**

**3.4. Right to object.** In case our processing is based on our legitimate interest to run, maintain and develop our business, any User has the right to object at any time to our processing. We shall then no longer process User's Personal Data unless for the provision of our Services or if we demonstrate other compelling legitimate grounds for our processing that override User's interests, rights and freedoms or for legal claims.

**3.5. Right to restriction of processing.** Any User has the right to obtain from us restriction of processing of its Personal Data, as foreseen by applicable data protection law, e.g. to allow our verification of accuracy of Personal Data after User's contesting of accuracy or to prevent us from erasing Personal Data when Personal Data is no longer necessary for the purposes but still is required for User's legal claims or when our processing is unlawful. Restriction of processing may lead to fewer possibilities to use our Services.

**3.6. Right to data portability.** Any User has the right to receive its Personal Data from us in a structured, commonly used and machine-readable format and to independently transmit that data to a third party, in case our processing is based on User's consent and carried out by automated means.

**3.7.** To exercise any of the above mentioned rights, the User should primarily use the functions offered by our Services. If such functions are however not sufficient for exercising such rights, User shall send us a letter or email to the address set out below under Contact, including the following information: name, address, phone number, email address and a copy of a valid proof of identity. We may request additional information necessary to confirm User's identity. We may reject requests that are unreasonably repetitive, excessive or manifestly unfounded.

**3.8.** If You are from California and dissatisfied with how we have used Your Personal Data, You can complain to the California Department of Justice. Also You have the right to lodge a complaint with a supervisory authority if You think that we violate Your rights. You could contact The California Department of Justice (Department) via their website (<https://www.oag.ca.gov/privacy/caloppa/complaint-form/privacy-notice>).

**3.9.** If You are from the United Kingdom and You object to Your data processing, You can complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).

**3.10.** If You are from Brazil, You can also file a complaint with Brazil's National Data Protection Authority (ANPD) through its official channels.

## **4. DATA RETENTION**

**4.1.** We will retain Personal Data for as long as You use our Service, or continue to communicate with our support team. Your information will be deleted if You did not communicate with the support team for more than twelve (12) months.

- 4.2.** When deciding what the correct time is to keep the data for we look at its amount, nature and sensitivity, potential risk of harm from unauthorised use or disclosure, the processing purposes, if these can be achieved by other means and legal requirements.
- 4.3.** For tax purposes the law requires us to keep basic information about our Users (including contact, email, financial and transaction data) for **twelve (12)** months after they stop being Users.
- 4.4.** In some circumstances we may anonymise Your Personal Data for research or statistical purposes in which case we may use this information indefinitely without further notice to You.
- 4.5.** Any data collected for the purpose of analytics will be deleted in **twelve (12)** months after being collected.

## **5. INFORMATION SECURITY**

- 5.1.** We care to ensure the security of Personal Data. We follow generally accepted industry standards to protect the information submitted to us, both during transmission and once we receive it. We maintain technical, physical, and administrative security measures to provide reasonable protection for Your Personal Data. When we or our Service Providers process Your information, we also make sure that Your information is protected from unauthorized access, loss, manipulation, falsification, destruction or unauthorized disclosure. This is done through appropriate administrative, technical and physical measures.
- 5.2.** We always use pseudonymisation as a method of securing the Personal Data we process as the Processor.
- 5.3.** There is no 100% secure method of transmission over the Internet or method of electronic storage. Therefore, we cannot guarantee its absolute security. But we make our best efforts to make the transmission as secure as possible.
- 5.4.** We never process any kind of sensitive data and criminal offence data not as a Controller nor as a Processor. Also we never undertake profiling of personal data.

## 6. SERVICE PROVIDERS

**6.1.** We may employ third party companies and individuals to facilitate our Service (**'Service Providers'**), to provide the Service on our behalf, to perform Service-related services or to assist us in analyzing how our Service is used.

**6.2.** These third parties have access to Your Personal Data only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

**6.3. Analytics.** We may use third-party Service Providers to monitor and analyze the use of our Service.

**6.3.1. Google Analytics.** Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. You can opt-out of having made Your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents Google Analytics JavaScript (ga.js, analytics.js, and dc.js) from sharing information with Google Analytics about visits activity. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy?hl=en>. Your data will be stored in Google's network of data centers. Google maintains a number of [geographically distributed data centers](#).

**6.3.2. Yandex Metrika.** Yandex Metrika is a web analytics service provided by Yandex LLC ('Yandex'). Yandex uses the collected data to track and study the use of our Website, to prepare reports on its activities and transfer them to other Yandex services. Yandex may use the collected Personal Data to conceptualize and personalize advertisements in its own advertising network. For more information on the privacy practices of Yandex Metrika, please visit the Privacy Policy: <https://yandex.ru/legal/confidential/11042018/index.html>. Your data will be stored in Yandex network of data centers in Russia.

## 6.4. Hosting providers

**6.4.1. Beget.** Beget is a hosting provider. It also provides server rental and related services. For more information on the privacy practices of Beget, please visit the Beget Privacy web page: <https://beget.com/docs/personal-data.pdf>. Your data will be stored in Beget's network of data centers in Russia.

**6.5. Payments.** We may provide paid products and/or services within the Service. In that case, we use third-party services for payment processing (e.g. payment processors). We will not store or collect Your payment card details. That information is provided directly to our third-party payment processors whose use of Your Personal Data is governed by their Privacy Policy. These payment processors adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, Mastercard, American Express and Discover. PCI-DSS requirements help ensure the secure handling of payment information.

**6.6.** The payment processors we work with are:

**6.6.1. PayMaster.** To learn more about them You can here: <https://info.paymaster.ru/>.

**6.6.2. Stripe.** To learn more about them You can here: <https://stripe.com/>.

**6.7.** For a complete list of Service Providers - contact us.

## **7. CHILDREN'S PRIVACY**

**7.1.** We do not provide Services to children. The Users declare themselves to be adults according to their applicable legislation.

**7.2.** Our Website and Services are not directed to persons under the age of 13. Minors may use our Website only with the assistance of a parent or guardian. Under no circumstances persons under the age of 13 may use the Website.

**7.3.** We do not knowingly process data of EU residents under the age of 16 without parental consent. If we become aware that we have collected data from an EU resident under the age of 16 without parental consent, we will take reasonable steps to delete it as quickly as possible.

**7.4.** We collect data about all Users without verification of their age. We do not anticipate that some of those Users will be children.

**7.5.** The Users shall not provide us with any Personal Data of children.

## **8. APPLICABILITY**

**8.1.** This Privacy Policy is applicable to our Website. Our website contains links to other websites. Once redirected to another website, this Policy is no longer applicable.

## **9. ACCEPTANCE OF THE TERMS**

- 9.1.** We assume that You have carefully read this document and agree to its content. If You do not agree with this Privacy Policy, they should refrain from using our Website.

## **10. PERMITTED DISCLOSURE**

- 10.1.** We may have to share Users' Personal Data with the parties set out below:

- Service Providers who provide IT and system administration services.
- Government bodies that require us to report processing activities.
- Third parties to whom we sell, transfer, or merge parts of our business or our assets.

- 10.2.** We require all third parties to whom we transfer Your data to respect the security of Your personal data and to treat it in accordance with the law. We only allow such third parties to process Your personal data for specified purposes and in accordance with our instructions.

## **11. CHANGES**

- 11.1.** From time to time, we may update this Privacy Policy. We encourage You to periodically check back and review this Policy so that You always will know what information we collect, how we use it, and with whom we share it.

## **12. CONTACT US!**

- 12.1.** If You have any questions, the practices of this Site, or Your dealings with this website, please contact us via contact form (widget).

**Phoenix Project**

**Business address:** 103 Rue d'Auvergne, 02100 Saint-Quentin, France