

Perform Media - Privacy Notice

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1. Introduction

Perform Media ("**we**", "**us**" or "**Perform Media**") is a business division of the Perform Group, headquartered in the UK. Perform Media is a group of companies within the Perform Group which own, operate (either for ourselves or on behalf of third-parties) or represent a number of free-to-use digital sports media properties, which are either websites or mobile applications. We also operate a video-content streaming service called ePlayer, which allows third-party digital publishers to stream sports video content on their own digital platforms. In this notice, each of the properties and ePlayer platforms is referred to as a "**platform**". When we refer to the "**Service**" in this Privacy Notice, this means the provision of the content on the platforms to the user.

This notice explains why Perform Media collects information concerning the users of the platforms (each a "**user**", "**you**" or "**your**"), what type of information we collect and how we use that information. This Privacy Notice applies to any such information collected via any platform which displays it (or a link to it).

Additional information for users located in the European Economic Area ("**EEA**"), Switzerland and the UK about their rights and other information can be found in the Annex to this Privacy Notice.

This notice has been last updated on 25 May 2018.

2. What data we collect

When a user interacts with any of the platforms, Perform Media may collect certain data about that user. This data falls into 2 broad categories: (i) data about a user themselves, which the user gives us; and (ii) data about the user, or the way a user interacts with the platforms or Services, which is collected by us electronically (collectively "**User Information**").

We collect the following User Information in accordance with applicable law:

- information that users provide to us, directly or via a third-party registration service for the purpose of registering with us or our group companies;
- a user's entry details for a competition or promotion;
- information users provide to us when users interact with our customer service team;
- information users provide when users participate in our surveys or marketing promotions; and
- information from a user's social media profile to populate their profile on our platforms, and where the users chooses to register with us using their social media login(s);

- information users provide relating to reviews or ratings, favourite sports, tournaments, teams, events or personalities, and/or other subjects of interest to sports fans.
- information about user interactions with our platforms, and any direct communications the user receives from us (such as emails);
- device IDs or unique identifiers, location data, device and software characteristics (such as type and configuration), connection information, statistics on page views, referral URLs, ad data, website and app navigation, IP address and standard web log information;
- the language choices made by users in relation to their use of the Service, which may include information relating to their location when using the Service;
- the details of any third-party digital property (such as a website) that referred or linked a user to the platforms, together with information about how a user interacted with any online and email marketing campaigns related to the Service;
- information and communications on forums on the platforms, including chat rooms and message boards;
- information about how users behave on our platforms (such as the type of content they view, how frequently, at what times etc).

We may also collect personal information from a variety of third-party sources. These include social networks (subject to the user's privacy settings and the privacy policy of the social network, and adopting a "two-click" solution where required), service providers which allow us to verify, enhance or supplement the User Information collected on our platforms, and business partners to whom we are offering a service.

The platform may include Nielsen's digital measurement software, which allows users to contribute to market research. To learn more about the data collected by Nielsen's software and your options you can visit Nielsen measurement Privacy Policy at this [link](#).

3. How & why we use the data we collect

We use the User Information for three main purposes: (i) to operate and improve the platforms and to ensure that we can provide the Services; (ii) to optimise the content on the platforms; and (iii) send marketing and show advertising to our users.

More specifically, we will use the User Information to do one or more of the following things:

- administer our platforms;
- provide the Service requested by the user;
- improving the browsing experience by personalizing the Service to the user;
- recommend goods, services or promotions which may be of interest to the user or contact users in order to conduct market research (with the consent of the user, where necessary). For these purposes, we will create a profile about your interests and preferences which will enable us to increase our advertising and communication relevance;
- prevent, detect and investigate potentially prohibited or illegal activities, including fraud, cheating, and money laundering and enforce our terms;
- to notify users about changes to our Service;
- send out email alerts, text messages notifications or device notifications in relation to our Service;
- send users prizes won via the platforms, and supply services purchased via our platforms;
- send notices and invoices to users, and collect payments from them;
- provide third parties such as our third-party digital publishers who deploy ePlayer with statistical and other information about our users as required to operate the platforms or Services;
- deal with enquiries and complaints;
- provide our commercial partners with information about users' use of co-branded services, including historical use data;
- comply with any legal or regulatory requirements and otherwise to any respond to any relevant regulator or competent authority as required by law;
- understand user trends and patterns; and
- develop aggregate analysis in respect of our users and business intelligence that enable us to operate, protect, make informed decisions and report on the performance of our business.

The digital sports media platforms we operate are designed to attract as many users as possible. In our case, our users are typically sports fans or interested in sports news and other sports-related content. The creation of this content, and the work that goes into

ensuring that the platforms continue to be class-leading digital sports destinations, are funded by advertising revenues which we receive as a result of showing users advertising or other sponsored or branded content on the platforms. We have a legitimate interest in ensuring that we deliver this advertising in a responsible way, and in allowing us to deliver it to the users most likely to be interested in it, and in doing so we employ User Information, such as the user's location, how the user engages with the platforms and the content that the user views.

More specifically, in relation to advertising:

- we employ User Information to select and deliver advertising that appears on our platforms, and to allow third-parties (such as ad servers) to do this on our behalf;
- we employ User Information to select and deliver advertising to users based on the way the user has interacted with our platforms, and to share that information with third-parties to allow them to do so;
- we may pass User Information to service providers, such as Oracle or Google, to allow them to provide services on our behalf or to partner with us in selecting and serving ads for our advertising partners;
- we may pass User Information to advertisers or third-party publishers who display the ePlayer, to allow us to report on the advertising displayed to our users and how users interacted with it;
- we will not employ User Information to make qualitative judgments about individual users, nor make automated decisions in relation to users which could have a significant or legal effect on them, nor will we knowingly engage any third-party to do so.

4. Cookies

Much of the User Information that we collect, and most of the information we employ in connection with advertising, is obtained via the use of cookies and similar technologies. Cookies are usually a string of numbers and/or letters that a website transfers to a User's hard drive. Similar technologies include pixel tags and web storage and other technologies, and we refer to all these things as “cookies” in this section. The cookies enable the platforms to "remember" you, either for the duration of your visit (session cookies) or for repeat visits (persistent cookies).

On this platform, we use the following types of cookies:

- **Strictly necessary cookies** - These cookies are essential to enable the user to navigate around the platform securely and to provide the user with Services they have specifically requested.
- **Functionality cookies** - These cookies enhance the functionality of the platforms by storing user preferences. For instance, they can remember your name and location, if you provide this information and the types of content you are interested in.
- **Performance cookies** - These cookies improve the performance of the platforms. For instance, they help pages load quicker.
- **Analytics cookies** - We may use third party analytics services such as Google Analytics and others. Your IP address and other information will be collected by automated means to evaluate your use of the website, compile reports on website activity, identify user patterns and provide related services. For more information about how Google Analytics uses your information please click [here](#). In addition, authentication and tracking logs will be used to compile user statistics.
- **Targeting/advertising** – These cookies help us serving of relevant advertisements and implement frequency capping procedures.

These types of cookies may also be placed on the platform by our business partners or service providers.

If you register with us or if you continue to use our platforms, you agree to our use of cookies. In some cases, when you arrive on our platform a pop-up message will appear asking for your consent to place advertising cookies on your device as required by applicable law. In order to provide your consent, please click 'OK'. Once your consent has been provided, this message will not appear again when you revisit, unless you delete cookies via your browser settings or otherwise.

Most web browsers automatically accept cookies, but if you prefer, you can change your browser to prevent that, or opt-out as explained below. You may not be able to take full advantage of our platforms or use certain functions if you disable cookies.

5. Disclosure of User Information

We may share User Information with any member of the Perform group (www.performgroup.com/) where this is necessary for business administration purposes in accordance with applicable law. We may also allow other members of the Perform group to contact users with relevant offers, competitions and latest news (where they have consented to doing so, if required by applicable laws).

We may also share User Information with selected third parties including:

- business partners, suppliers and sub-contractors in connection with providing Services to our users.
- advertisers and advertising networks that require the data to select and serve relevant adverts to the user.
- analytics and search engine providers that assist us in the improvement and optimisation of the platforms.
- if we decide to sell the business operating the Service or it is integrated with another business, we may disclose User Information to our advisers and any prospective buyer's advisers as well as to the new owners of the business.
- if we are under a duty to disclose or share a user's personal information in order to comply with any legal obligation, or in order to enforce or apply our terms;
- in order to prevent fraud, cheating and money laundering we may disclose User Information and betting and gaming history to third parties including, but not limited to, any relevant regulator, gaming and sporting bodies, financial institutions and law enforcement agencies or any other body that deals with the investigation of alleged offences.

Where relevant, we will disclose User Information and anonymized information associated with a user's use of and interaction with the platforms to the partner on whose behalf we operate that platform, for the purposes of marketing and advertising, and to promote their own products and services.

6. Your right to opt-out

If you would like us to stop sending you marketing communications you may use the opt-out link here, the unsubscribe link in our marketing communications or by amending your App settings. Although we encourage you to use the opt-out link and App settings because it is automated, you may also contact us [here](#).

If you, or another user of your device, wish to withdraw your cookies consent at any time, you have the ability to accept or decline cookies by modifying your browser setting. You may also go to www.allaboutcookies.org or www.youronlinechoices.eu if you are in Europe, or to www.aboutads.info/choices if you are anywhere else for instructions on how to disable cookies. You may opt-out from Google Analytics [here](#). In some instances, when you opt-out, a new cookie (Opt-Out-Cookie) is placed in your web browser. This tells the third party provider to cease data collection from your browser and prevents advertisements from being delivered to you.

7. Security

We understand that the security of your User Information is important to you. When handling User Information, security is paramount and we seek to ensure that User Information is protected through appropriate technical and organisational measures.

We use reasonable administrative, logical and physical controls, including password protection, to safeguard your User Information against loss, theft and unauthorised access, use or modification. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your User Information in accordance with applicable law, we cannot guarantee the security of your User Information.

8. International data transfers

Information that we collect may be stored and processed in and transferred between any of the countries in which we operate in order to enable us to use the information in accordance with this notice.

Information which you provide may be transferred to our group companies, commercial partners, suppliers or agents located outside your country as set out in paragraph 5 above. We will ensure adequate protection of personal data transferred outside of your country as required under applicable laws. For example, if you are located in the EEA, Swiss or in the UK, we may enter into [model clauses](#) with the recipient. You may contact us for a copy of the safeguards which we have put in place to protect your personal data

in these circumstances.

In addition, personal information that you submit for publication on the platforms will be published on the internet and may be available, via the internet, around the world. We cannot prevent the use or misuse of such information by others.

9. Parents and guardians

Our platforms are not directly intended for children and should not be used by them unless supervised by a parent or guardian.

10. Contact

Questions, comments and requests regarding this Privacy Notice are welcomed and should be addressed to mediacustomerservices@performgroup.com.

11. Changes

We reserve the right to change the practices described in this Privacy Notice at any time by posting an updated Privacy Notice. Please check here periodically. If we amend this notice, we will notify you of such amendments by means of an announcement posted on our websites and/or send a copy of the updated Privacy Notice to the e-mail address that you have provided to us. Your continued use of our platforms will amount to your acknowledgement of the amended notice.

ANNEX TO PRIVACY NOTICE - INFORMATION FOR EEA, SWISS, UK AND PHILIPPINE INDIVIDUALS

In order to comply with data privacy regulations in the EEA, Switzerland the UK, and the Philippines, Perform Media provides additional information to its EEA, Switzerland, UK and Philippine based users.

What is personal data?

“Personal data” is information about you (a **“data subject”**) the use of which is governed by applicable data protection laws. It will include any information from which you can be identified, directly or indirectly, in particular by reference to an identifier such as your name, an identification number, location data, an online identifier or other information about your identity. Most User Information will constitute personal data.

Who is responsible for your personal data?

If you use our Service, the Data Controller is:

Perform Media Services Ltd
Sussex House
Plane Tree Crescent
Feltham
TW13 7HE
United Kingdom

Perform Media Services Ltd is registered as a data controller with the Information Commissioner’s Office in the UK (registration number ZA188575).

What is the legal basis on which Perform relies to process your personal data?

On some occasions, we process your personal data with your consent (for example, when you agree to participate in our surveys and other activities or when you give us consent to send you marketing communications (adopting a “double-opt-in” where required) or to deal with your enquiries, as set out in paragraph 3 letter (d)).

On other occasions, we process your personal data when we need to do this in order to fulfil a contract with you (for example, to make available to you the requested content or for billing purposes) or in order to take steps prior to entering into a contract (for example, verifying your information), as set out in paragraph 3 letters (a), (b), (c), (f), (g), (h), (i), (j) and (k).

We also process your personal data when it is in our legitimate interests to do this and when these interests are not overridden by your data protection rights, as set out in paragraph 3 letters (c), (e), (j), (k), (l), (n) and (o). For example, we may process your personal data in our legitimate interests to ensure that our platforms and Services are provided efficiently and in an user-friendly and personalised manner taking into account user feedback, data and profiles, unless consent is required for any such processing under applicable law. We will process personal data to ensure the security of our business and the information of our users, and to ensure the proper and efficient administration of our business. You may contact us for further information.

Finally, we will process your personal data where we are required to do this by law (for example, where we have to fulfil anti-money laundering requirements or disclose information under a court order), as set out in paragraph 3 letters (f), (g), (k) and (m).

How long does Perform keep data?

Perform Media keeps your data for only as long as required to provide you with the necessary Services and to carry out the processing set out in this notice, and in line with its obligation under applicable law. This means that we will generally not keep your personal information for longer than six years following your last interaction with us, and the retention period will often be shorter. For example, we may keep your information for marketing purposes for a period of 3 years following the termination or expiry of our relationship, or your last contact with us.

Your rights

Data subjects may ask us for a copy of their information, to correct it, erase it or to transfer it to other organisations at their request. Data subjects also have rights to object to some processing including profiling and, where we have asked for their consent to process the data subject's data, to withdraw this consent. In particular, data subjects have the right to object to direct marketing at any time. Where a data subject withdraws their consent, this will not affect the legitimacy of the processing conducted prior to your request. Where we process data because we have a legitimate interest in doing so (as explained above), the data subject has a right to object to this. Where we make a decision based solely on automated processing which significantly affects the data subject, he or she may have the right to contest the decision, express his or her point of view and obtain human intervention. Data subjects also have the right to lodge a complaint with the applicable data protection regulator.

These rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement to process your data.

Please use the contact information set out in our Contact section above. We will aim to acknowledge your enquiries within 72 hours and respond within one month, unless otherwise required by law.

We hope that we can satisfy queries you may have about the way we process your data. However, if you have unresolved concerns you also have the right to complain to your local data protection authority.



We use cookies to give you the best online experience. By using our website you agree to our use of cookies in accordance with our privacy policy.

