

Last Updated: [02/04/2021](#)

This Privacy Policy applies to information collected by Chalk Esports, Inc., and its subsidiaries (“Chalk,” “we,” “our” or “us”) in connection with the services offered by Chalk. This includes information collected online through our websites, branded pages on third party platforms (i.e., social networking services), mobile applications, and through our direct marketing campaigns or other online communications, as well as offline through our customer service team, events, campaigns and mobile messaging services (collectively, the “Services”).

This Privacy Policy explains what information may be collected through the Services, how such information may be used and/or shared with others, how we safeguard it and how you may access and control its use in connection with our marketing communications and business activities. By using the Services, you agree to the collection, use, and disclosure of your information as described in this Privacy Policy. If you do not, please do not use the Services.

This Privacy Policy is hereby incorporated into and forms part of the terms and conditions of use of the Services.

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1. Important information

Purpose of this privacy policy:

This privacy notice aims to give you information on how Chalk collects and processes your personal data through your use of the Services.

This website is not intended for children and we do not knowingly collect data relating to children. It is important that you read this privacy notice together with any other notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Your duty to inform us of changes

- It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

- This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. Information collection_

Information you provide to us:

Account Creation. We will collect certain information from you when you create an account, such as your date of birth, age, email address, username/screenname, phone number, mailing address, first and last name, payment account information (i.e PayPal), credit card information, and profile picture. When you create an account, a public profile is also created for your account. This public profile will show your username and profile picture. We do not receive full account numbers and will only receive partial account numbers to comply with certain applicable laws. However, you may have to provide complete credit card and/or billing information to one of our third-party vendors to complete a purchase or receive a prize. We encourage you to review the privacy policy of our third-party vendors before providing them with your personal information, as their privacy practices may vary from ours.

Information You Provide When You Participate in an Online Survey or Other Research. We may also collect information you provide us in connection with participating in an online survey or as a research panel participant. This may include, but may not be limited to, information about your gaming habits, preferences, interests and hobbies, or other demographic information, as well as photos, videos, and other user-generated content.

Information You Provide about a Third Party. You may decide to provide us with another person's information (such as name, email, address, or phone number) so that we may recommend or send products or services to such person, or so that we may facilitate your communication with other people. Local law may require you to seek the consent of your contacts to provide their personal information to Chalk, and we may in turn use that information in accordance with the terms of this Privacy Policy. Where required by law, we will obtain the required consent from the person whose information you provided to us.

If you fail to provide personal data. Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with products or services). In this case, we may have to cancel the contract you have with us and notify you accordingly.

Information collected automatically:

Whenever you visit or interact with the Services, as well as any third-party advertisers and/or service providers, may use a variety of technologies that automatically or passively collect information about your online activity. This information may be collected in the following ways:

Usage Information: We may use cookies, web beacons, pixel tags, mobile analytics software, log files, or other technologies to collect certain information about your online activity, and interactions with our emails,, and to allow us to keep track of analytics and certain statistical information which enables Chalk to improve the Services. For example, we may automatically or passively collect certain non-personal information from you, including your browser type, mobile device manufacturer, mobile carrier, operating system, the page served and the preceding page views or websites visited, any mobile device configurations, and email client. We may also automatically collect information about your use of the Services, including the date and time you visit the Services, use or click through to any of the Services, the areas or pages of the Services that you visit, the amount of time you spend viewing or using the Services, the number of times you return to the Services, other click-stream or site usage data, emails that you open, forward or click-through to our Services, and other sites that you may visit.

Device Information: We may automatically collect your IP address or other unique identifier (“Device Identifier”) for the computer, mobile device, tablet or other device (collectively, “Device”) you use to access the Services, including the hardware model and mobile network information. We may use a Device Identifier to, among other things, provide the Services, help diagnose problems with our servers, analyze trends, track users’ web page, email and mobile application movements/activities, help identify or gather broad demographic information for aggregate use, and retarget online and mobile advertisements to you across computers or devices you may use.

Geolocation Information: We may collect information about the location of your Device when you access or use the Services. In addition, if you choose to turn on your Bluetooth, Wi-Fi or other geolocation functionality when you use our mobile applications, we may collect and use your geolocation information.

Third Party Service Providers: We may use third party service providers to support the Services. Some of these service providers may use technology such as cookies, web beacons, pixel tags, log files, or other technologies to receive, collect, and store information on our behalf.

How to Disable Cookies: If you'd like to stop your browser from accepting cookies, you can easily configure your browser's cookie settings. Please review your web browser settings to find out more on how to disable cookies. If you do choose to disable cookies, you may face limitations on functionality and user experience.

Third Party Analytic Technologies: We may use third parties’ analytics and tracking tools, such as Google Analytics and others, to help us track, segment and analyze usage of the Services. These tools may use technology such as cookies, web beacons, pixel tags, log files, Flash cookies, or other technologies to collect and store non- personal information. They may also combine information they collect from your interaction with the Services with the information they collect from other sources. We do not have access to, or control over, these third parties’ use of cookies or other tracking technologies. To learn more about your advertising choices relating to the collection and use of your information, please see the Opt-Out section below.

Combination of information:

We may combine the information we receive from you and about you, including information you provide to us and information we automatically collect through the Services, as well as information collected across other computers or devices that you may use, from other online or offline sources, and from third party sources. This combined information may be used in any manner detailed in this Privacy Policy.

3. Legal basis for using your personal data:

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- ☐ Where we need to process your tournament entries.
- ☐ Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- ☐ Where we need to comply with a legal or regulatory obligation; such as reporting your cash earnings in excess of \$600 to the Internal Revenue Service and issuing you an IRS Form 1099 for such earnings, and verifying your identity to comply with banking laws and regulations.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Note that we may process your personal data for more than one legal basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

We may use the information about you for a variety of business purposes, including for example:

For Customer Service and Transactional Purposes, such as to:

- ☐ Respond to your questions or requests and provide customer service;
- ☐ Manage your account and registration;
- ☐ Troubleshoot issues, bugs or defects related to your account or activities;
- ☐ Provide you with access to certain features of the Services;
- ☐ Validate, confirm, verify, deliver, and track your tournament entry;
- ☐ Verify your identity or communicate with you about your activities with respect to the Services;
- ☐ To use and disclose your credit, debit or payment card or other financial information only to process payments and prevent fraud;
- ☐ Contact you with regard to your use of the Services and, in our discretion, changes to any Chalk policy;
- ☐ Develop new products or services and to enhance current products and services;
- ☐ Protect the security or integrity of the Services and our business, such as by protecting against and preventing fraud, unauthorized transactions, claims and other liabilities, and managing risk exposure, including by identifying potential hackers and other unauthorized users; and
- ☐ For other purposes as disclosed at the time you provide your personal information or otherwise with your consent.

We (or our service providers or business partners) may collect information that relates to you, including personal information, such as your legal name, e-mail address, telephone number, phone number, mailing address, date of birth, gender, social security number or tax identification number, driver's

license number, bank account information, credit card information, and demographic information.

4. Sharing of information

The information collected or generated through your use of the Services may be shared by you or by us as described below.

Sharing of information by you:

The Services offer many ways to find, enjoy, and share content.

- ☐ Your activity in connection with the Services, such as filling out surveys, reviewing and rating tournaments, or inquiring about tournaments.

Sharing information by us:

We may share the information collected from or about you in the following ways:

With Our Affiliates: We may share your information with our subsidiaries and affiliated companies for internal reasons, primarily for business and operational purposes.

Third Party Service Providers: We may share your information with third party service providers that provide business, professional or technical support functions on our behalf. This includes, but may not be limited to, service providers that host or operate the Services; payment processors; analyze data; provide customer service; postal or delivery services, and sponsors or other third parties that participate in or administer any promotions.

Other Third Parties: Your information may also be shared with our sponsors, partners, advertisers, advertising networks, advertising servers, and analytics companies or other third parties in connection with marketing, promotional, and other offers, as well as product information. Your information may also be shared with third parties we identify at the time you provide your personal information or otherwise with your consent.

Sweepstakes, Contests, and Promotions: If you choose to enter into one of our sweepstakes, contests, or other promotions (a "Promotion") we may disclose your information to third parties or the public in connection with the administration of such Promotion, as required by law, as otherwise permitted by the Promotion's official rules, or otherwise in accordance with the terms of this Privacy Policy.

Business Transfers: In the event that another entity acquires us or all or substantially all of our assets, or assets related to the Services, your information may be disclosed to such entity as part of the due diligence process and will be transferred to such entity as one of the transferred assets. Also, if any bankruptcy or reorganization proceeding is brought by or against us, all such information may be considered an asset of ours and as such may be sold or transferred to third parties. Finally, information described in this paragraph may also be disclosed for due diligence purposes in connection with any proposed transaction of the sorts described in this paragraph.

Legal Disclosures; Safety: Chalk may transfer and disclose your information to third parties to comply with a legal obligation; when we believe in good faith that the law requires it; at the request of governmental authorities conducting an investigation; to verify or enforce our Terms of Service or other applicable policies; to detect and protect against fraud, or any technical or security vulnerabilities; to respond to an emergency; or otherwise to protect the rights, property, safety, or security of third parties, users of the Services, Chalk, or the public.

Aggregate or Anonymous Non-Personal Information: We may also share aggregate or anonymous non-personal information with third parties for their marketing or analytics uses.

5. Opting out

Certain parts of the Services require cookies. You are free to set your browser or operating system settings to limit certain tracking or to decline cookies, but by doing so, you may not be able to use certain features through the Services or take full advantage of all of our offerings. Please refer to your Web browser's or operating system's website or "Help" section for more information on how to delete and/or disable your browser or operating system from receiving cookies or controlling your tracking preferences. On your mobile device, you may also adjust your privacy and advertising settings to control whether you want to receive more relevant advertising.

Our system may not respond to Do Not Track requests or headers from some or all browsers. We may use cookies or other technologies to deliver more relevant advertising and to link data collected across other computers or devices that you may use.

We, or other parties we do business with, may place or recognize unique cookies or other technologies on your browser when you visit the Services to collect information about your use of the Services and your other online activities over time and across different websites and apps, and may use that information to serve interest-based advertisements to you as you browse the Internet. To learn more about such interest-based advertising, and to opt-out of such collection and use for online behavioral advertising by the Digital Advertising Alliance (DAA) participating companies in the United States, please visit: www.aboutads.info/choices/; DAA AppChoices – www.aboutads.info/appchoices. To opt-out from the use of information about your online activities for online behavioral advertising by NAI member companies, visit: www.networkadvertising.org/choices.

Further Information and opt-out options for some common cookie providers used by us can be found here:

- ☐ Google Analytics

Access and Updates to Your Information. If you wish to verify, correct, or update any of your personal information, you may visit your Account Page or contact us.

Unsubscribing from Communications by Us. We provide our customers with the opportunity to update their information or opt-out of having their information used for purposes not directly related to placement, processing, fulfillment, or delivery of a product order or servicing of your product. To opt-out of marketing communications, you may:

Send us an e-mail at legal@chalkapp.co. Contact us by mail at Chalk Esports, Inc., Attn: Chief Compliance Officer/Legal, 4321 Balboa Ave, Unit 170 San Diego, CA 92117, or unsubscribe from our marketing email communications at any time by unsubscribing or following the instructions contained within the email.

Your California Privacy Rights. California law permits residents of California to request certain details about how their personal information is shared with third parties or affiliated companies for direct marketing purposes. If you are a California resident and would like to make such a request, please contact us at: Email: legal@chalkapp.co. You must put the statement "Your California Privacy Rights" in

the subject field. We are not responsible for notices that are not properly labeled or sent, or do not have complete information.

6. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

7. Data retention

You may withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

8. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

Request access to your personal data (commonly known as a 'Data Subject Access Request'). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

9. Children's privacy

Protecting children's privacy is important to us. We do not direct the Services to, nor do we knowingly collect any personal information from, children under the age of 13. If Chalk learns that a child under the age of thirteen has provided personally identifiable information through the Services, we will use reasonable efforts to remove such information from our files.

10. Security of information

We use certain reasonable security measures to help protect your personal information. However, no electronic data transmission or storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure or warrant the security of any information you transmit to us. You use the Services and provide us with your information at your own risk. If we share information with a third party, as detailed in this privacy policy, we shall use all reasonable efforts to ensure that they keep the information secure and only use the information consistent with the terms of this Privacy Policy.

11. Other sites

The Services may contain links to other sites that we do not own or operate. This includes links from service providers, fulfillment companies, advertisers, sponsors, or other business partners that may use our logo(s) as part of a co-branding agreement or as part of an API or plugin. We are not responsible for these sites or their content, products, services or privacy policies or practices. These other web sites may send their own cookies to your Device, they may independently collect data or solicit personal information and may or may not have their own published privacy policies. You should also independently assess the authenticity of any site which appears or claims that it is one of the Services (including those linked to through an email).

- Plaid
 - Chalk uses Plaid Inc. (“Plaid”) to gather End User’s data from financial institutions. By using our service, you grant Chalk and Plaid the right, power, and authority to act on your behalf to access and transmit your personal and financial information from the relevant financial institution. You agree to your personal and financial information being transferred, stored, and processed by Plaid in accordance with the [Plaid Privacy Policy](https://plaid.com/legal) [https://plaid.com/legal]

12. Consent to processing and international transfers

We may transfer your personal data internally within Chalk and other external third parties, which may involve transferring your data outside the European Economic Area (EEA). Whenever we transfer your personal data to external third parties based outside of the EEA, we ensure a similar degree of protection is afforded to it by ensuring that we use EEA approved contract clauses to protect your information. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

13. Changes

Any changes we may make to our Privacy Policy will be posted on this page. Please check back frequently to see any updates or changes to our Privacy Policy. If you do not agree or consent to these updates or changes, do not continue to use the Services. If we make a material change to this Privacy Policy, we will provide appropriate notice to you.

In addition to this Privacy Policy, there may be specific campaigns or promotions which will be governed by additional privacy terms or policies. We encourage you to read these additional terms or policies before participating in any such campaigns or promotions as you will be required to comply with them if you participate. Any additional privacy terms or policies will be made prominently available to you.

14. Contact us

If you have any questions or concerns regarding this Privacy Policy, please contact us at:
legal@chalkapp.co

Chalk Esports, Inc.
Attn: Chief Compliance Officer/Legal
4321 Balboa Ave, Unit 170
San Diego, CA 92117