

## **TOP GAMES Privacy Policy**

### **YOUR USE OF THE TOPGAMES SITES AND SERVICES IS SUBJECT TO YOUR AGREEMENT TO THE TERMS OF THIS PRIVACY POLICY.**

Topgames, Inc. and its related licensees and licensors (collectively "Topgames") respect the privacy of its on-line visitors and recognize the importance of providing a secure and safe environment for them. In meeting this goal, we instituted an On-Line Privacy Policy that guides how we collect, store, and use the information you provide us. This Privacy Policy details how Topgames safeguards the privacy of its on-line visitors and applies to all services which are offered on Topgames internet sites.

If you have any questions, complaints, or comments regarding our privacy policy statement or policies, please contact our Privacy Policy Administrator at [legal@Topgames.com](mailto:legal@Topgames.com).

### **What personal information is collected from you directly?**

Topgames only collects information that personally identifies you ("Personal Information") from you when you: (1) register to use a Game; (2) contact us; (3) order products and services from us; and (4) participate in our surveys or promotional activities. All Personal Information provided is voluntary and is limited to contact Data (such as your name and email address); If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or Tournament entries, any information provided in such communication may be collected as Personal Information.

### **What other types of information may we collect?**

Your web browser or client software may transmit certain geographic information or information regarding your computer (capabilities, game data processing, etc.) to Topgames and/or the Games being played. Topgames may use this information to generate aggregate statistics about our user community. In addition, Topgames may use such information for security, system integrity (the prevention of hacking, cheats, etc.), or IP protection or enforcement purposes.

### **How do we use the information you provide?**

We use your information in order to constantly improve our range of services to satisfy the user's needs. The information you provide Topgames will allow us to process payment orders, alert you of new products or services, features, or enhancements; handle/route your customer service or technical support questions or issues; and/or notify you of upgrade opportunities, contests, promotions, or special events and offers. You will be informed as part of these communications that you may cancel notifications at any time.

Lastly, we may use your information for internal marketing, profiling, or demographic purposes, so we can adapt our products and services to better suit your needs. We do this to better understand and serve our customers.

Please be advised that personal information submitted by individuals acting solely in a business

capacity (e.g., personal information contained in job applicant's resume) is not subject to the uses set forth above or to any other practices stated in this Privacy Policy.

Third-party web sites and companies with links to and from the Topgames Sites and Services, including Facebook, may collect personally identifiable information about users. You should be aware that these third-party web sites or links may have their own information collection practices and privacy policies. We do not control the privacy policies of third parties that have web sites linked to the Topgames Sites and Services. If you are utilizing such a site or click on a third-party advertisement or link, the privacy policies of the third-party web site that you are using or link to will govern the use of your information by that web site's operator. Topgames's Privacy Policy does not extend to these external web sites and companies. Please refer directly to these companies and web sites regarding their privacy policies. We assume no responsibility or liability for the actions of such third parties with respect to their use of your information or otherwise. Accordingly, please make sure you are aware of and comfortable with the privacy policies of any third-party web sites to which you follow a link.

#### **With whom may your information be shared?**

Topgames may need to disclose your account information to third party vendors to fulfill purchase orders or prizes, to process mailings, or to process, analyze, and/or store data. We will attempt to ensure that these entities do not use your account information for any other purpose.

Topgames may disclose your account information or otherwise use such information to communicate with you if required or permitted to do so by law or in the good-faith belief that such action is necessary to: (a) conform to legal requirements or comply with legal process or any governmental request; (b) protect and defend the rights or property of Topgames or its licensees or licensors; (c) enforce the Terms of Service or any applicable License Agreements; or (d) protect the personal safety or interests of Topgames employees, users of Topgames products or services, or members of the public in urgent circumstances. We also may disclose your account information to a third-party that alleges that you have infringed their intellectual property rights, subject to reasonable verification of such claims.

From time to time, Topgames may provide online in-game chat rooms and/or forums to users. Any information that is disclosed in these chat rooms and forums is public information and users should exercise caution when deciding to disclose personal information in such chat rooms and forums. If you voluntarily disclose information in a public area of the Topgames Sites and Services, such as a forums post or text chat room, that information may be collected and used by a third-party to send you unsolicited messages, advertisements or for other purposes. We do not control the actions of these third parties in public areas of the Topgames Sites and Services, so if you disclose information in a public area, you do so at your own risk.

#### **What about Children?**

Please note that all persons under the age of majority in their jurisdiction are required to have a parent or guardian read and accept this Agreement and our Privacy Policy on their behalf.

Parents are encouraged to spend time online with their children under the age of 18 and to become familiar with the types of content available in Topgames products and the Internet in general. Parents should regularly oversee their children's use of e-mail and other online communications and transactional features. Control tools are available from online services and software manufacturers that can help provide a safe online environment for children. You can find out about software that protects your kids at <http://www.ftc.gov/bcp/edu/pubs/consumer/tech/tec08.shtm> and at <http://kids.getnetwise.org/tools/>

If Topgames elects to begin sharing such information and if at any time you wish to opt out of having your personal information shared with third parties and/or receiving information from Topgames (via e-mail at [legal@Topgames.com](mailto:legal@Topgames.com)) about new products, services, or promotions, you may do so. You may contact us at Topgames, Inc., Attn: Legal, 5201 Great America Pkwy, Suite 320, Santa Clara, CA 95054. You can also contact us by e-mailing us at [legal@Topgames.com](mailto:legal@Topgames.com). Please indicate what publications or services you no longer wish to receive so that we may better address your needs.

### Children Under 13

Children under the age of 13 should not use our websites or games at any time. In the event that we are able to confirm that we have inadvertently gathered personal information from children under the age of 13, we will take reasonable measures to promptly remove such information from our records.

### Note to Parents

We recognize a special obligation to protect personal information about young children. We urge parents to instruct their children to never give out their real names, addresses, or phone numbers, without permission, when on-line. Teenagers under the age of 17 and over the age of 12 should encourage their parents to review this policy and to contact us if they would like to evoke our opt-out policy or to raise any concerns.

### **What are cookies and how are they used?**

Cookies are a feature of your Web browser that allows Web sites to transfer bits of information to your computer for record-keeping purposes. A cookie stored on your computer can be used to "remember" things like your password, or that you have already registered. This allows us to speed up your future activities, saving the time you would normally spend entering information such as your password or registration. In addition, Topgames may use cookies to retrieve user information for promotional, marketing, or security purposes.

### **What is my Internet protocol addresses?**

An Internet protocol ("IP") address is the unique number assigned to your server or Internet Service Provider ("ISP"). Topgames may track such IP addresses for system administration, to report aggregate information, site tracking, security purposes, or to prevent our servers from being abused.

**What do I do if I want to close my account?**

Should you wish to stop playing a Topgames game at any time and have connected the same to your Facebook account, you can remove yourself from the application by “unliking” it in your Facebook Privacy settings. Should you “unlike” your account, the account will be permanently deleted along with any activity on the same. Should you be concerned regarding any personal information you have provided to payment portals for purchases, you should contact said payment portal provider directly.

**How secure is my account information?**

Account information may be stored and processed in the United States or any other country in which Topgames or its affiliates, subsidiaries or agents maintain facilities, and by using the Topgames Sites and Services, you consent to any such transfer of information outside of your country. Topgames will take reasonable steps to protect the information users share with us. We use a variety of security technologies and procedures to help protect your account information from unauthorized access, use or disclosure.

Although we will use reasonable efforts to safeguard the privacy of your information, transmissions on the Internet cannot be made absolutely secure. Accordingly, we assume no responsibility or liability for disclosure of any of your information due to errors in transmission, unauthorized third-party access or other causes beyond our reasonable control.

We process the information collected from you according to United States data protection law. All employees are obliged and have been advised to maintain data confidentiality and privacy obligations.

**What if I have a question or complaint?**

If you have any questions or wish to file a complaint, please feel free to e-mail us at [legal@Topgames.com](mailto:legal@Topgames.com), or send a letter addressed to Topgames, Inc., Attn: Legal, 5201 Great America Pkwy, Suite 320, Santa Clara, CA 95054.

For persons in European Union countries, as used herein, terms such as “personal information” refer to “personal data” as defined by the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (“Directive”). Topgames will not collect any personal data from you at any time.

By using this Website, you signify your assent to this Privacy Policy. If you do not agree to this Privacy Policy, please do not use this site. This Privacy Policy may change from time to time, so please check back periodically to ensure that you are aware of any changes. If we make a material change to this Privacy Policy, we will notify you by posting the change on this website or in this Privacy Policy and, if necessary, give you additional choices regarding such change. Your continued use of the Topgames website will signify your acceptance of these changes.

This Privacy Policy was last updated on **November 2, 2013**.  
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