



## D3PUBLISHER ONLINE PRIVACY STATEMENT

Last updated September 24, 2009

Welcome to D3Publisher of America!

### OUR PRIVACY COMMITMENT

The D3 Publisher of America, Inc., and its subsidiaries and affiliates (collectively, "D3Publisher") respect the privacy rights of our online visitors and recognizes the importance of protecting all information that you may choose to share with us. To further this commitment, we have adopted this Online Privacy Policy ("Privacy Policy") to guide how we collect, store, and use the information you provide us.

This Privacy Statement and the certification seal shown on this page confirms that D3Publisher is a member in good standing of [ESRB's Privacy Online Program](#). ESRB's Privacy Online Program is designed to ensure that our website's information disclosure practices are responsible and appropriate. To protect your privacy, we have voluntarily undertaken this privacy initiative and all of our websites have been reviewed and certified by ESRB Privacy Online to meet established online information collection and use practices. As part of this privacy program, we are subject to frequent audits of our websites and other enforcement and accountability mechanisms administered independently by the ESRB.

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**Q1**

**What information does this Privacy Statement cover?**

**A1**

This Privacy Policy applies only to personal information collected on the websites where this Privacy Policy is posted, and does not apply to any other information collected by D3Publisher through any other means.

This Privacy Policy applies to use and sharing of personal information collected on and after the date that this Privacy Policy is posted.

Please note that this Privacy Policy applies only to information submitted and collected online, and does not apply to information that may be collected by D3Publisher offline. This Privacy Policy applies only to websites maintained by D3Publisher, and not to our international affiliates, or any websites maintained by other companies or organizations to which we link. D3Publisher is therefore not responsible for the content or activities provided on those websites.

Finally, the terms of this Privacy Policy are subject to all applicable laws.

**Q2**

**What types of personally identifiable information do we collect about our guests?**

**A2**

We don't require personal information to access our website. However, if you prefer not to disclose personal information, you will not be able to enjoy certain features of our website. Personal information is information that identifies you and may be used to contact you. To offer

our guests certain features on our website, we collect several types of personal information.

### **Children**

We don't knowingly collect personal information from children under 13. We take kids privacy seriously, and encourage parents to play an active role in their children's online experience at all times.

### **Information You Provide to Us**

All of the personal information we receive comes directly from our guests. We collect personal information from our guests to:

1. participate in polls, surveys, and questionnaires
2. participate in contests, sweepstakes, or other promotions
3. offer feedback or other business inquiries
4. receive customer or technical support
5. register for Bulletin Boards, Message Boards, or Forums

Typically, this information includes:

1. name
2. email address
3. telephone number

Additionally, we may also collect other types of non-personal information (known as demographic information) such as your age or date of birth, gender, hobbies, platform preferences, and other game ownership and preferences. This demographic information may be associated with your personal information.

### **Information Collected Through Technology**

We collect information through technology to make our websites more interesting and useful to you. For example, when you come to one of our websites, we collect your IP address. An IP address is often associated with the portal through which you enter the Internet, like your ISP (Internet service provider), your company, or your university. Standing alone, your IP address is not personally identifiable. At times, we also use IP addresses to collect information regarding the frequency with which our guests visit various parts of our websites. We may combine this information with personally identifiable information.

### **Cookies**

Portions of our websites may also use cookies. Cookies are pieces of information that a Website sends to your computer while you are viewing the Website. We and other companies use cookies for a variety of purposes. For example, when you return to one of our websites after logging in, cookies provide information to the website so that the website will remember who you are. You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You can do this through your browser (like Netscape Navigator or Internet Explorer) settings. Each browser is a little different, so look at your browser Help menu to learn the correct way to modify your cookies. If you turn cookies off, you won't have access to many features that make your web experience smoother, like the features mentioned above, and some of our services may not function properly.

Finally, once you've clicked on a partner's link and have left our Websites, our Privacy Policy no longer applies and you must read the privacy policy of the partner to see how your personal information will be handled on their website.

**Q3****How is your personally identifiable information used and shared?****A3**

We don't share, sell, or rent your personal information to unrelated third parties. We don't require personal information to access our website. However, if you prefer not to disclose personal information, you will not be able to enjoy certain features of our website.

Whatever the purpose may be, we will only collect information to the extent reasonably necessary to fulfill your requests and our legitimate business objectives.

**D3Publisher Tools and Updates**

Information collected from those who voluntarily submit it to us is used to provide services like newsletter subscription, updates on special events, game news, and email announcements of interest to our users.

**Operational Uses**

We may also use your personal information for other purposes such as "Operational Uses." For example, we may use your information to send you administrative communications either about your account with us or about features of our websites, including any future changes to this Privacy Policy.

We occasionally use other companies, agents or contractors to perform services necessary to our operations. For example, we have partnered with other companies to personalize our web pages, analyze customers' interaction with our website, and process consumer surveys. In the course of providing such services, these companies may have contact with your personally identifying information. These entities have agreed to securely store and maintain the personal information received from us.

**Aggregate Information**

Finally, we may take your personally identifiable information and make it non-personally identifiable, either by combining it with information about other individuals (aggregating your information with information about other individuals), or by removing characteristics (such as your name) that make the information personally identifiable to you (de-personalizing your information). Given the nature of this information, no restrictions apply under this Privacy Policy on our right to aggregate or de-personalize your personal information, and we may use and share in any way with third parties the resulting non-personally identifiable information.

**Business Information**

For practical reasons, we treat personal information submitted to us in a business capacity different from information we receive in a non-business capacity. Personal information submitted to us in a business capacity (e.g. resumes, event sponsorship, etc.) may be shared with third parties, depending on the nature of the inquiry.

**Purchase or Sale of Businesses**

From time to time, we may purchase a business or sell one or more of our businesses and your personally identifiable information may be transferred as a part of the purchase or sale. If we purchase a business, the personally identifiable information received with that business would be treated in accordance with this Privacy Policy, if it is practicable and permissible to do so. If we sell a business, we will include provisions in the selling contract requiring the purchaser to treat your personally identifiable information in the same manner required by this Privacy Policy (including any amendments to this Privacy Policy). The provisions of this paragraph will also apply if we are sold as part of bankruptcy proceedings.

**Disclosures Required By Law and Disclosures to Help Protect the Security and Safety of Our Websites and Others**

We will disclose personal information when we believe in good faith that such disclosures (a) are required by law, including, for example, to comply with a court order or subpoena, or (b) will help to: enforce our Terms of Use; enforce contest, sweepstakes, promotions, and/or game rules; protect your safety or security, including the safety and security of property that belongs

to you; and/or, protect the safety and security of our websites or third parties.

**Q4**

**What choices do you have about the collection, use, and sharing of your personally identifiable information?**

**A4**

As mentioned above, you have control over the personal information you submit to us. If at any time you decide to remove your personal information from our database, you may do so by emailing us at [privacypolicy@d3p.us](mailto:privacypolicy@d3p.us). Please note that any information, including personally identifiable information that you reveal in a bulletin board, message board, chat room or other public forum is publicly viewable on the Site.

#### **Your California Privacy Rights**

Beginning on January 1, 2005, California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding its disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [caprivacy@d3p.us](mailto:caprivacy@d3p.us) or write us:

D3Publisher of America, Inc.  
Attn.: CA Privacy Policy Administrator  
11500 Olympic Boulevard, Suite 460  
Los Angeles, CA 90064  
(310) 268-0820  
[caprivacy@d3p.us](mailto:caprivacy@d3p.us)

**Q5**

**What kinds of security measures do we take to safeguard your personally identifiable information?**

**A5**

The security and confidentiality of your information is extremely important to us. We have implemented technical, administrative, and physical security measures to protect your personal information from unauthorized access and improper use. Those measures include: maintaining information collected online behind a firewall-protected server; encrypting username and password information; limiting access to personal information to only those employees performing a legitimate business function; storing users' personal information on off-site servers separate from other corporate information and systems; notifying by email or posting a notice on our website if D3Publisher learns that a data breach has occurred. From time to time, we review our security procedures to consider appropriate new technology and methods. However, please understand that, despite our best efforts, no security measure is perfect or impenetrable.

**Q6**

**How can you update your personal information and profile?**

**A6**

You can access and update the contact information you gave us during registration (that is, your e-mail address or any other information that would directly enable us to contact you), by emailing us at [privacypolicy@d3p.us](mailto:privacypolicy@d3p.us)

**Q7**

**How can you ask questions, or send us comments, about this Privacy Policy?**

**A7**

If you have questions or wish to send us comments about this Privacy Policy, please send us an e-mail us with your questions or comments to call or write us at:

D3Publisher of America, Inc.  
Attn.: Privacy Policy Administrator  
11500 W. Olympic Boulevard, Suite 460  
Los Angeles, CA 90064

(310) 268-0820  
[privacypolicy@d3p.us](mailto:privacypolicy@d3p.us)

Please be assured that any personal information that you provide in communications to the above email and postal mail addresses will not be used to send you promotional materials, unless you request it.

D3Publisher is a licensee of the ESRB's Privacy Online Program. If you believe that we have not responded to your inquiry or your inquiry has not been satisfactorily addressed, please contact ESRB at [http://www.esrb.org/privacy\\_wc\\_hotline.asp](http://www.esrb.org/privacy_wc_hotline.asp)

ESRB  
Attn.: Privacy Online Program  
317 Madison Avenue, 22<sup>nd</sup> Floor  
New York, NY 10017  
[privacyinfo@esrb.org](mailto:privacyinfo@esrb.org)

**Q8**

**How will you know if we amend this Privacy Policy?**

**A8**

We may amend this Privacy Policy at any time. If we make any material changes in the way we collect, use, or share your personal information, we will notify you by sending you an email at the last email address that you provided us, or by prominently posting notice of the changes on the websites covered by this Privacy Policy. Any material changes to this Privacy Policy will be effective 30 days following our dispatch of an email notice to you or 30 days following our posting of notice of the changes on the Websites covered by this Privacy Policy.

Please note that, at all times, you are responsible for updating your personal information to provide us your current email address. If the last email address that you have provided us is not valid, or for any other reason is not capable of delivering to you the notice described above, our dispatch of the email containing such notice will nonetheless constitute effective notice of the changes described in the notice.