



# BRAINCLASH

**PRIVACY POLICY**

## **PRIVACY POLICY**

Brainclash and its affiliates (COLLECTIVELY “Brainclash” FOR THE PURPOSES OF THIS WEBSITE AND APP), desires to protect the privacy of its Users at and any other Brainclash application or other social networking websites that Brainclash works with (including, without limitation, the Brainclash application for Facebook, the Brainclash application on iTunes and the Brainclash application on Google Play) (collectively the “App”). This privacy policy (“Privacy Policy”) is intended to provide you (the “User”) with notice of how Brainclash manages information received through the App, and will set forth what type of information is gathered and how it is used and safeguarded. THE USER’S USE OF THE APP CONSTITUTES ACKNOWLEDGMENT AND ACCEPTANCE OF THIS PRIVACY POLICY, THE FACEBOOK PRIVACY POLICY (WHICH CAN BE VIEWED BY [CLICKING HERE](#), THE FACEBOOK Statement of Rights and Responsibilities WHICH CAN BE VIEWED BY [CLICKING HERE](#), THE GOOGLE PRIVACY POLICY (WHICH CAN BE VIEWED BY [CLICKING HERE](#), THE GOOGLE PLAY TERMS OF SERVICE (WHICH CAN BE VIEWED BY [CLICKING HERE](#), THE APPLE PRIVACY POLICY (WHICH CAN BE VIEWED BY [CLICKING HERE](#) AND THE ITUNES TERMS OF SERVICE (WHICH CAN BE VIEWED BY [CLICKING HERE](#) WHICH ARE ALL HEREBY INCORPORATED BY REFERENCE. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, THE TERMS AND CONDITIONS OF USE OF THIS APP, THE FACEBOOK PRIVACY POLICY AND/OR THE FACEBOOK TERMS AND POLICIES, PLEASE DO NOT USE THE APP.

## **COLLECTION OF INFORMATION AND USE OF INFORMATION**

### **1. Personally Identifiable Information**

The User will generally be able to use the App without Brainclash collecting any personally identifiable information about the User. Personally identifiable information will only be collected via the App if the User voluntarily chooses to provide such information to Brainclash. Personally identifiable information shall include any information that we may maintain in our records about you (including, without limitation, information about who you are “friends” with as well as your current and past activities and use of the App. Any personally identifiable information that the User provides to Brainclash via the App will be used only for

such purposes as are described either in this Privacy Policy or at the point of collection, including, without limitation, to respond to the User's questions or comments, to send the User requested information, materials, confirmations, notifications, updates, to manage your account, processing payments, to solicit information from you, to resolve disputes, collect fees, to enforce our Terms and Conditions, Privacy Policy, Facebook Privacy Policy and/or Facebook Statement of Rights and Responsibilities, Google Privacy Policy and/or Google Play Terms of Service, Apple Privacy Policy and/or iTunes Terms of Service, to troubleshoot problems, to otherwise send communications, information or products to you in relation to the App. Although you may choose not to provide any personally identifiable information, you understand that some information about you is essential in order for you to ask Brainclash a question, file a complaint, send a communication or notice to Brainclash, register as a member, or make other transactions on the App. Brainclash may also review the data of multiple users at the same time to attempt to identify problems and/or resolve disputes. Brainclash may also disclose your personally identifiable information in response to an enquiry from a criminal investigation or any other investigation connected to the enforcement of any other type of law, regulation and/or ordinance. User also expressly authorizes Brainclash to reveal its personally identifiable information to government or law enforcement officials in connection with any criminal, fraudulent or infringing activity or activity which could give rise to liability on the part of Brainclash, which Brainclash deems appropriate, in its sole and absolute discretion.

The type of personally identifiable information Brainclash may collect from you when and if you choose to provide it, may include the User's: name, gender, age, location, e-mail address, phone numbers, relationship status, interests, favorite activities.

Brainclash cannot control and is not responsible for information that you post on the App that is misused by other users or third parties in violation of the Privacy Policy, Terms and Conditions, Privacy Policy, Facebook Privacy Policy and/or Facebook Statement of Rights and Responsibilities, Google Privacy Policy and/or Google Play Terms of Service, Apple Privacy Policy and/or iTunes Terms of Service.

If the User provides contact information, Brainclash or its agents may contact the User to clarify the User's comment or question, or to verify the User's customer satisfaction. Brainclash may use the information provided to Brainclash in providing







and print a copy for your records. Any changes to the Privacy Policy will not reduce the User's rights without the User's explicit consent. If the changes to the Privacy Policy are significant, Brainclash will provide a more prominent notice.

#### **CONSENT TO PROCESSING OUTSIDE OF THE UNITED STATES**

By providing any personally identifiable information to Brainclash pursuant to this Privacy Policy, all Users, including, without limitation, Users in the United States fully understand and unambiguously consent to this Privacy Policy and to the collection and processing of such information in the country where the server is located and in any other country to which data is transmitted by the server, regardless of the location or domicile of the User.

[This Privacy Policy is effective as of September 15, 2014].