

Digital Cybercherries: Privacy Policy

Last updated: 30th January 2025

Hello! We're Digital Cybercherries – this privacy policy should tell you what you need to know about the information we collect about you (including why we collect it and what we do with it) if you play our Games. This information is known as “personal data”. In short – we collect personal data so you can download and play our Games, so we can continue to improve the Games and so we can protect our players and our business. You can contact us on business@digitalcybercherries.com if you have any questions. Our full Privacy Policy is below, and we recommend you have a read of it. If you'd like to take a look at our Terms of Service, please see here: digitalcybercherries.com.

1. **Who are we?** We are Digital Cybercherries based in England & Wales at 166 Cop Lane, Penwortham, Preston, Lancashire, England PR19AD (“**DCC**”). We are the data controller of your personal data under data protection law, which means that we are responsible for how the personal data we hold about you is processed. “Personal data” means any information about you or that identifies you.
2. **What does this Privacy Policy apply to?** It applies to our games, such as *HYPERCHARGE: Unboxed* and *Don't Scream*, and any other products and services we may offer related to them (including any DLC) (the “**Games**”).
3. **Do we collect any data about children?** If you're under 18 years old (or a parent or guardian) then this section is especially important. We recognise that we have a special obligation to protect personal data of children. Legally, you must be at least 13 years old to play our Games. We do not knowingly collect personal data of anyone under the age of 13 years old without parental consent. If you're a parent or guardian who is concerned about how we process your child's personal data, please do get in touch at business@digitalcybercherries.com.
4. **What personal data do we collect and how do we collect it?**
 - (a) **When you contact us.** We may collect your email address if you contact us via our website or email us (as well as any other information you voluntarily provide).
 - (b) **When you connect or log in to our Games via third party platforms.** If you connect to or log-in to our Game via third-party platforms (e.g. Steam) your account with the third-party platform is linked to the Game – they share your user ID with us (e.g. Xbox ID, SteamID). Please familiarise yourself with the relevant third-party platform's privacy notice for more information about what data they disclose and how to manage your privacy settings on that third-party platform.
 - (c) **When you play our Games.** We may generate a user ID for you.
 - (d) **When you interact with other players.** Some of our Games may allow you to play with other players and interact via chat functionality. If you write anything in chat which is personal data, naturally this will be processed too – unless the chat is on a peer-to-peer basis. We encourage you to be careful and not share anything too personal (such as your phone number or home address).
 - (e) **When you interact with our advertising and marketing campaigns.** We may receive information from our advertising and analytics partners so that we can understand the effectiveness of our advertising marketing campaigns. This includes advertising IDs unique to you, which can let us know whether you visit our website or our store pages following interaction with an advert promoting our Games.
 - (f) **If you sign up to our mailing lists.** If you voluntarily provide us with your name and/or email address so we can send you updates, newsletters or other content.

We don't collect payment information – which is handled by the platforms we use (such as Steam). We may also process anonymised or non-personal data related to you (e.g. data points about gameplay, crash reports and save files).

5. What do we use personal data for?

In most cases we collect personal data because it's necessary to provide our Games or services in line with our Terms of Service (i.e. it is necessary for the contract between us).

This includes use of personal data for the following purposes:

- (a) to enable features of our Games and it to function;
- (b) to give effect to any purchases you make (e.g. any DLC);
- (c) to respond to support requests; and
- (d) to notify you of service messages.

We will also use personal data to help us run our business, where it is in our legitimate interests, in particular:

- (a) to better understand our players and how our Games are played;
- (b) to improve our Games;
- (c) to manage promotional offers;
- (d) for security purposes;
- (e) to prevent fraudulent, illegal and inappropriate activity;
- (f) to respond to general enquiries; and
- (g) to enforce or update our Terms and to otherwise exercise or defend our legal rights, which may involve monitoring your use of our Games, including in some cases any chat features.

Our Games do not include in-game advertising. However, we may advertise our Games and services on third party apps, websites and platforms. We have a legitimate interest in promoting and marketing our Games and in understanding how effective our marketing and advertising campaigns are. We, or our advertising partners will ask for your consent where we or they engage in personalised advertising or make use of tracking technologies. We may also send you marketing by email if you sign up to receive it.

We may be required to process your personal data to comply with legal obligations we are under and any court orders we may be subject to.

We may also process personal data where you have consented to this. Where we ask for consent you always have the choice not to give it, and if you do consent, you can withdraw that consent at any time. For example, if you sign up to receive marketing emails from us you can unsubscribe at any time using the link in the email.

6. Do we share data with any third parties?

- (a) We may share your data with third party companies only where strictly necessary so that they can provide services to us, such as data storage, analytics services or multiplayer functionality. Some of these third party companies may collect this personal data directly from you on our behalf.
- (b) We may share advertising IDs with our advertising partners who may use this to track your activity across other apps and websites and link it with other information about you for the purpose of targeted advertising, subject to receiving any necessary consent from you.
- (c) In the event of a reorganisation, sale, merger or other corporate activity of DCC we may need to transfer personal data to an involved third party and their advisors who will protect your information to at least the same level as we do in this policy.
- (d) We may also need to share personal data to comply with certain legal obligations (e.g. complying with the E-Commerce Directive or the Digital Millennium Copyright Act).

- (e) We may share personal data with our professional advisors where necessary in connection with advice they are providing to us and as necessary to exercise or defend our legal rights.
- (f) We may share personal data with law enforcement organisations where required by law or where we deem it necessary.

7. Do we transfer your personal data abroad?

We may transfer your personal data internationally, for example if our service providers are based there. If we do, we are required to ensure that you are afforded equivalent protection in respect of your personal data to that provided in the EEA and UK. Generally, we will either transfer personal data to countries which have been approved as providing adequate protection under EU and UK law or put in place appropriate safeguards when making international transfers (for example by using specific contractual clauses which have been approved in the EU and UK). Please contact us if you would like further information.

8. How long do we keep personal data for?

We only keep personal data for as long as we need to, depending on the purpose for which it was collected.

When deciding how long to keep personal data we take into account factors including: whether we have an ongoing relationship with you; our obligations and rights under our contract with you; the potential risk of harm from unauthorised use or disclosure of your personal data; why we process the personal data and whether we can achieve our purposes without your personal data; legal obligations which require us to keep data for a certain period of time; the amount of time legal claims can be brought against us; and guidelines issued by relevant data protection authorities.

We will keep personal data long as we need to resolve a dispute and to prevent inappropriate activities on our Games.

9. How do we keep data secure?

We have security measures in place to guard against your personal data being lost or stolen. We use industry standard procedures and security standards, however no online service can be completely secure – so please protect your personal data in your possession too.

10. What are your rights?

Data protection law offers certain rights in relation to your personal data. In particular, you can:

- (a) Ask us for a copy of the personal data we hold about you;
- (b) Ask us to change any information about you that is inaccurate;
- (c) Ask us to delete the personal data we hold about you;
- (d) Object to significant decisions about you being taken by solely automated means (i.e. where a computer makes a decision about you with no human involvement);
- (e) Change your mind and withdraw your consent (where you previously gave us your consent);
- (f) Ask us to stop using or pause our use of your personal data;
- (g) Ask us to share your personal data with another company;
- (h) Ask us to stop sending you direct marketing; and
- (i) Speak to your data protection supervisory authority if you have an issue (although we suggest you contact us first).

If you wish to exercise any of your rights or have any questions, please contact us at business@digitalcybercherries.com (you can exercise your rights whether you're an adult or a child). Please be aware that each of these rights are *qualified rights*, meaning there may be circumstances where we cannot comply with your request.

11. Will this Privacy Policy change?

As our business, the Games and the law develops, it likely means this Privacy Policy will need updates too. We'll make reasonable efforts to let you know if this happens. If you have any questions about any changes, please email us at business@digitalcybercherries.com.