casinolytics

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Casinolytics - Privacy Policy

1 INTRODUCTION

1.1 Privacy and data protection are important to us at Viewer Atlas Ltd., reg. no. C 115970, with its registered office at 206 Wisely House, Triq L-Ifran, Valletta VLT 1451, Malta ("**Company**", "**we**", "**us**", or "**our**").

1.2 This privacy policy (**"Privacy Policy"**) aims to explain how we Process Personal Data as a Data Controller while providing the Services on our Platform, and what rights a User has as a Data Subject. Our Processing of Personal Data is carried out in accordance with applicable legislation, including the General Data Protection Regulation (**"GDPR"**).

1.3 For additional information regarding the Processing of Personal Data, the User is welcome to contact the Company at: legal@casinolytics.com.

2 DEFINITIONS

In this Privacy Policy, the following terms shall have the meanings set out below:

Creator: Any individual content creator, also referred to as a streamer, who registers on the Platform to make their streaming data available for tracking and analysis.

Creator Data: Publicly available data related to a Creator's streaming activities, collected and processed by the Company.

Customer: Any legal entity or person who subscribes to the Services to track selected Creators, monitor their streaming activities, and access related data and insights to explore, research, and benchmark the livestreaming market.

Data Controller: The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

Data Processor: A natural or legal person, public authority, agency or other body which Processes Personal Data on behalf of the Data Controller.

Data Subject: The identified or identifiable natural person to whom the Personal Data refers.

GDPR: Regulation (EU) 2016/679 (General Data Protection Regulation).

Personal Data: Any information that directly, indirectly, or in connection with other information allows for the identification or identifiability of a natural person (Data Subject).

Platform: The Company’s AI-powered live streaming intelligence software-as-a-service (SaaS) platform, through which the Services are made available, that uses machine learning and AI to measure the performance of Creators, slots, and game providers.

Processing: Any operation or set of operations that is performed on Personal Data, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Services: The services provided by the Company through the Platform, which consist of (i) making Creators' streaming activities available for tracking and analysis, and (ii) providing Customers with access to the Platform to track, monitor, and access data and insights related to those live streaming activities, and (iii) enabling Customers to create and manage influencer marketing campaigns with Creators.

User: Any individual or entity using the Services, the Platform or the Website, including Creators, Customers and Visitors.

User Account: The personal account created by a User upon registration to access the Platform and/or the Services.

Usage Data: Information collected automatically through the use of the Platform and the Website, which may include IP addresses, device type, browser type and version, operating system, and details about the User's interaction with the Platform and the Website, such as pages visited, features used, and time spent on them.

Visitor: Any individual who visits the Website or contacts the Company through it, for example by requesting a demo, pricing, API access or a market report, or by applying for access as a game provider, operator or agency.

Website: The Company's website at casinolytics.com.

3 SCOPE

3.1 This Privacy Policy applies to the Company's Processing of Personal Data pertaining to its Users.

3.2 The Company acts as a Data Controller, unless otherwise specified, for the Personal Data collected from Users and Processes such data in accordance with this Privacy Policy.

3.3 Most of the Processing of Personal Data described herein is necessary for the provision of the Platform and the Services. By registering a User Account on the Platform, the User confirms that they have read and understood this Privacy Policy. If a User does not want their Personal Data to be Processed for those necessary purposes, the Platform and the Services cannot be provided, and the User should not access or use the Platform. Processing based on consent, such as marketing cookies and marketing e-mails, is optional, and the User can refuse or withdraw consent without losing access to the Platform or the Services.

3.4 Please note that the Platform may contain integrations with or links to third-party services, sites, and applications. When a User chooses to interact with such a third-party service, for example by clicking a link to an external site or using an integrated service, the User will be directed to that third-party service. These external services and sites are not operated by the Company. Such third parties may Process Personal Data as separate Data Controllers for their own purposes. The Processing of Personal Data by such third parties is governed by their own respective privacy policies. For the avoidance of doubt, the Company has no control over, and assumes no responsibility for, the content, privacy policies, or practices of any third-party sites or services. The Company strongly advises Users to review the privacy policy of any third-party service with which they interact.

3.5 Streamers who have not registered. The Platform also displays publicly available streaming data relating to streamers who have not registered on the Platform, including streamers who have closed their account. This data is collected automatically from third-party streaming platforms (such as Twitch, YouTube and Kick) and is limited to information made public there: channel name and handle, profile and thumbnail images, stream titles and categories, language and country, viewer and follower figures, chat figures (such as the number of chat messages

and unique messages), the games and providers featured, and periodic screenshots of the live stream used to identify the game being played. To calculate the chat figures, the Platform reads the stream's public chat automatically and uses it only for these aggregate figures, not to identify or profile individual viewers. From this data we derive metrics such as a market ranking and an indication of which casino brands a streamer features. We process this data on the basis of our legitimate interest in providing live streaming market analytics to our Customers, having assessed that this interest is not overridden by the rights of the streamer or of viewers in the chat, given that the data is already public, relates to the streamer's professional activity, and chat is used only in aggregate. We do not use any contact details of such streamers and do not process payment details or special category data about them. Retention is as set out in Section 8.

4 PROCESSING OF PERSONAL DATA

4.1 The Company Processes the following main categories of Personal Data: (i) contact information (e.g. name, e-mail address, country of residence), (ii) professional information (e.g. company name, job title), (iii) account information (e.g. username, sign-in method), (iv) payment and billing information (e.g. billing address, wallet address, transaction history), (v) technical data (e.g. IP addresses, Usage Data, cookie data), (vi) Creator Data, (vii) communications (correspondence and feedback), (viii) enquiry information (e.g. the details of a demo, pricing, API access or market report request), (ix) advertising measurement data (e.g. whether the User reached the Website from one of our ads, advertising identifiers stored in cookies, and the IP address, browser details and page address sent with a conversion report), and (x) tax information about Creators who take part in campaigns (e.g. full name, date of birth, residential address, taxpayer identification number and tax residence). The type of Personal Data the Company Processes depends on the User's relationship with the Company.

4.2 We will not specifically ask the User to provide us with special categories of Personal Data. This includes details about the User's race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about the User's health and genetic and biometric data. We ask the User not to submit such data on the Platform or the Website. If the User does so, we will delete it unless we are required by law to keep it.

4.3 The Personal Data that the Company Processes is collected from the following sources:

(i) directly and voluntarily from the User upon registration of a User Account or use of the Services;

(ii) directly from Visitors when they fill in a form on the Website, such as a demo, pricing, API access or market report request;

(iii) automatically when the User interacts with the Platform, the Services and/or the Website (in the case of Usage Data);

(iv) through cookies and similar technologies on the Website, as described in our Cookie Notice; or

(v) automatically from third-party streaming platforms (in the case of publicly available Creator Data).

4.4 The User is responsible for any Personal Data of third parties obtained, published or shared with us (whether via the Services, the Platform or otherwise), and confirms that they have such third party's consent or another lawful basis to provide such Personal Data to us.

5 PURPOSES OF PROCESSING

5.1 The Company Processes Personal Data for the following purposes:

(i) administrating, providing and securing the Platform and its core functionalities, which include enabling User registration and authentication, managing User Accounts, and making Creator Data available for tracking and analysis on the Platform;

(ii) conducting of Platform-level screening of Creators where appropriate to ensure Platform integrity, including the confirmation of identity and Platform presence;

(iii) administrating and performing the Services for Customers, which include managing subscriptions and providing access to data and insights in accordance with the relevant agreement;

(iv) running campaigns that Customers set up with Creators through the Platform, including verifying viewer hours, calculating Creator payouts for the Customer's approval, and collecting and reporting Creator tax information where the law requires it;

(v) communicating with the User about their use of the Platform and/or Services, for example to provide support, send service-related updates, and manage their User Account;

(vi) responding to requests sent through the Website, such as demo, pricing, API access and market report requests, and following up on them;

(vii) protecting the forms on the Website against spam and automated abuse;

(viii) measuring the effectiveness of our advertising, including informing our advertising partners when a Visitor who reached the Website from one of their ads sends us a request, which we only do with the Visitor's consent;

(ix) sending newsletters, information, offers and marketing of our Services;

(x) evaluating and improving the Platform and Services, business and systems, for example by analyzing Usage Data to understand how the Platform and the Website are used and to enhance functionality and user experience, and for the development of the Company's AI models;

(xi) fulfilling the Company's legal obligations, striving to prevent crime, investigating whether a crime has been committed against us, and safeguarding our interest in a dispute; and

(xii) administrating and performing a merger, acquisition, reorganization, reconstruction, asset transfer, or similar corporate process involving the Company.

6 LAWFUL BASIS FOR THE PROCESSING

6.1 The Company Processes Personal Data in accordance with this Privacy Policy (i) in order to fulfil our obligations in accordance with an agreement with the User, (ii) in order to fulfil legal obligations pursuant to applicable legislation, (iii) if we have a legitimate interest to Process the Personal Data, and/or (iv) if we have the User's consent to Process their Personal Data.

6.2 The table below sets out the lawful basis for each purpose of Processing:

Purpose	Lawful basis
Administrating, providing and securing the Platform and its core functionalities	Performance of the agreement with the User
Platform-level screening of Creators	Our legitimate interest in keeping the Platform reliable and its data accurate

Administrating and performing the Services for Customers	Performance of the agreement with the Customer
Running campaigns that Customers set up with Creators	Performance of the campaign agreement with the Customer and the Creator, and our legal obligation to collect and report Creator tax information
Communicating with the User about their use of the Platform and/or Services	Performance of the agreement with the User, or our legitimate interest in supporting Users
Responding to requests sent through the Website	Steps taken at the Visitor's request before entering into an agreement, or our legitimate interest in answering business enquiries
Protecting the forms on the Website against spam and automated abuse	Our legitimate interest in keeping the Website secure
Measuring the effectiveness of our advertising	The Visitor's consent, given in the cookie banner
Sending newsletters, information, offers and marketing of our Services	The User's consent or, for existing Customers, our legitimate interest where applicable law allows it
Understanding how the Platform and the Website are used, and evaluating and improving the Platform, Services, business and systems, including the development of the Company's AI models	Our legitimate interest in improving our Services; statistics cookies on the Website only with the Visitor's consent, as described in our Cookie Notice
Fulfilling legal obligations, preventing crime and safeguarding our interest in a dispute	Legal obligation, or our legitimate interest in protecting the Company
Mergers, acquisitions and similar corporate processes	Our legitimate interest in carrying out the transaction
Displaying publicly available data about creators who have not registered	Our legitimate interest, as set out in Section 3.5

6.3 If the Company Processes Personal Data for any specific purpose which requires the User's consent under the GDPR, or any other data protection legislation, we will obtain the User's consent in advance.

6.4 Where the Company relies on legitimate interest as a legal basis, we have conducted an assessment to ensure that our interest is not overridden by the interests or fundamental rights and freedoms of the relevant Data Subject.

7 SECURITY MEASURES; EXTERNAL PARTIES ETC.

7.1 *Security Measures*

The Company implements appropriate technical and organizational measures to protect Personal Data from unauthorized access, disclosure, modification, or destruction. Personal Data is Processed confidentially using computers and IT-enabled tools, following organizational procedures strictly related to the purposes indicated. However, the transmission of information via the internet is not completely secure. Although the Company will do its best to protect Personal Data, the security of data transmitted to the Platform cannot be guaranteed. Any transmission is at the User's own risk. The User is responsible for keeping any passwords used to access the Platform safe.

7.2 ***Disclosure to External Parties***

The Company may disclose Personal Data to external parties with whom it collaborates to provide the Services and conduct its business. Such parties include:

(i) **Customers:** Creator Data is made available to Customers as a core part of the Services. Customers receive Creator Data, and the data described in Section 3.5, as independent Data Controllers and are responsible for their own compliance with the GDPR in respect of it, including where they retrieve it through the API.

(ii) **Data Processors:** Third-party service providers who Process Personal Data on behalf of the Company, such as providers of (i) hosting and backend infrastructure, (ii) analytics services (Google Analytics 4, provided by Google Ireland Limited, and PostHog, provided by PostHog, Inc. through its EU cloud with servers in the European Union; both set cookies only with the Visitor’s consent, as described in our Cookie Notice), (iii) communication services, and (iv) consent management. The Company ensures that such Data Processors provide sufficient guarantees to implement appropriate security measures and only Process Personal Data according to the Company's instructions.

(iii) **Independent Data Controllers:** Third parties who act as independent Data Controllers, such as banks and payment service providers that process payments of the Company’s invoices, and the provider of the wallet infrastructure used for campaigns, which verifies the identity and age of Creators who take part in campaigns. The Processing of Personal Data by such parties is governed by their own respective privacy policies.

(iv) **Advertising Partners:** Google Ireland Limited (Google Ads) and OpenAI Ireland Limited (OpenAI Ads). When a Visitor has accepted marketing cookies, these partners receive advertising measurement data, and Google Ads also receives the e-mail address from a request the Visitor then sends, hashed in the Visitor’s browser before it is sent and never in clear text (enhanced conversions), to match the request to the ad. Before that choice, Google Ads and Google Analytics receive cookieless pings under Google Consent Mode (the page address, the Visitor’s IP address and the consent state, no cookie identifier), as described in our Cookie Notice. Once marketing cookies are accepted, Google may also use the data to show our advertisements to the Visitor on Google’s networks (remarketing) and to build advertising audiences. Each partner acts as an independent Data Controller for this data, and its Processing is governed by its own privacy policy.

(v) **Spam Protection:** Friendly Captcha GmbH, Germany, provides the service that protects the forms on the Website against spam. It Processes the technical information needed for this check, such as the visitor’s IP address, which it anonymizes, on our behalf as a Data Processor.

(vi) **Public Authorities:** The Company may disclose Personal Data when there is a legal obligation to do so, for example upon request from a court or government authority, or to report Creator earnings from campaigns to the Malta Tax and Customs Administration under EU tax reporting rules (DAC7).

(vii) **Business Transfers:** In the event of a merger, acquisition, or sale of assets, Personal Data may be transferred to the new owner.

7.3 ***International Transfers***

The Company strives to Process Personal Data only within the EU/EEA, where our primary IT systems and servers are located. However, in certain situations, Personal Data may be transferred to, and Processed by, a supplier or subcontractor in a country outside the EU/EEA. In such cases, the Company will take all reasonable legal, technical, and organizational measures to ensure that the User's Personal Data is adequately protected, at the same level as it would have been within the EU/EEA, using relevant safeguards in the form of Standard Contractual Clauses issued by the EU Commission. However, even if we take such security measures, the User acknowledges and agrees that transferring and storing Personal Data outside the EU/EEA entails a risk that the Personal Data might not be protected at the same level as it would have been within the EU/EEA. For the avoidance of doubt, such transfer will only include the type of Personal Data relevant for the purpose of the Processing.

8 RETENTION PERIOD

8.1 Personal Data will be Processed and stored for as long as necessary in order for us to fulfil the purpose for which it has been collected.

8.2 Personal Data from requests sent through the Website, including applications for access as a game provider, operator or agency, is kept for 12 months after our last contact with the Visitor, unless the Visitor becomes a Customer, in which case the retention periods for Customers apply. Records of cookie consent are kept for as long as needed to demonstrate the consent. Cookies are kept for the periods listed in our Cookie Notice.

8.3 Furthermore, the Company may retain Your Personal Data after the expiration of the relevant processing purposes for the following reasons:

(i) In case We have a legal obligation to retain Your Personal Data under a relevant statutory provision.

(ii) Based on Our legitimate interest to defend the Company against any potential legal claims, before any competent court or public authority.

8.4 Notwithstanding the above, the Company may be allowed to retain Personal Data for a longer period whenever the User has given consent to such Processing, as long as such consent is not withdrawn.

8.5 Once the retention period expires, Personal Data shall be deleted. Therefore, the rights of the Data Subject (as specified in Section 9 below) cannot be enforced after the expiration of the retention period. For more information about data retention terms in relation to specific Personal Data, please contact Us at legal@casinolytics.com.

9 RIGHTS OF THE DATA SUBJECT

9.1 The Company is the Data Controller for the Processing of the User's Personal Data, and, as a Data Subject, the User has certain rights regarding their Personal Data. However, the rights are not absolute, meaning that there are exceptions to some of the rights where we cannot proceed with and fulfil the User's request.

9.2 As a Data Subject, the User has the following rights:

(i) *Right to withdraw consent* – meaning that the User has the right to withdraw their consent where the Company Processes their Personal Data based on consent. Withdrawal of consent does not affect the lawfulness of processing based on consent before

withdrawal. Consent to cookies can be changed or withdrawn at any time through the "Cookie Settings" link in the footer of the Website;

(ii) *Right to access* – meaning that the User has the right to request a confirmation of our Processing of their Personal Data, to receive information about the Processing, access the Personal Data in question, and the right to obtain a copy of their Personal Data;

(iii) *Right to rectification* – meaning that the User has the right to have any incorrect Personal Data about them as a Data Subject corrected by us;

(iv) *Right to erasure* – meaning that the User has the right to have their Personal Data erased under certain circumstances. This right is limited, and we may be obligated to retain the User's Personal Data in accordance with applicable law;

(v) *Right to object* – meaning that the User has the right to object to the Company's Processing of their Personal Data under certain circumstances (for example, (i) the User may object to Processing of their Personal Data if we base such Processing on our legitimate interest and (ii) the User has the right at any time to object to the Company's Processing of their Personal Data for direct marketing purposes etc.);

(vi) *Right to restriction of Processing* – meaning that the User has the right to have the Company restrict the Processing of their Personal Data, but not delete it; and

(vii) *Right to data portability* – meaning that the User may request the Company to transfer their Personal Data to another Data Controller.

9.3 To exercise any of the rights mentioned in Section 9.2, the User is welcome to contact us at the e-mail address provided in Section 1.3.

9.4 If the User considers that the Company's Processing of their Personal Data does not comply with the GDPR, and applicable data protection legislation, the User is entitled to lodge a complaint with the Information and Data Protection Commissioner (IDPC) of Malta.

10 COOKIES

The Company uses cookies and similar technologies on the Website and the Platform for the purpose of providing and updating our Services, improving the Users' experience and, with the User's consent, understanding how the Website is used through statistics cookies and measuring the effectiveness of our advertising. Essential cookies are always active. Statistics and marketing cookies are only used with the User's consent, which can be changed or withdrawn at any time through the "Cookie Settings" link in the footer of the Website. For information on how we use cookies and similar technologies, we refer to our Cookie Notice (https://www.casinolytics.com/cookie-notice). The latest version of the Cookie Notice will always be available on the Website, and we advise the User to review the Cookie Notice periodically for any changes.

11 AMENDMENTS AND ADDITIONS

The Company reserves the right to amend this Privacy Policy from time to time without giving prior notice of such change. Should any change affect the Processing of Personal Data, which is based on the User's consent, the Company shall collect a new consent from the User regarding such Processing. The latest version will always be available on the Platform, and we advise the User to review the Privacy Policy periodically for any changes. Any substantial modifications to this Privacy Policy will be communicated to the User before the amendments come into force and effect.