

*Updated: April 22, 2022*

## **CHESSREACH PRIVACY POLICY**

### **US Representative:**

Chessreach LLC, address: 110 W 79th St, storefront, NY 10024, email: [legal@chessreach.com](mailto:legal@chessreach.com)

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Chessreach is committed to protecting your personal data. We tried to write down this Privacy Policy in the most clear and plain language possible. Likewise, we tried to provide you with our privacy commitments in a transparent and easily accessible way. That said, we hope you will get all needed details to be assured your personal data is safe with us.

Before you give us your consent on the processing of your personal data or provide us with your personal data within any form on our website, we kindly ask you to read carefully this Privacy Policy, so we can be sure that you completely understand the conditions under which we would cooperate.

This Privacy Policy applies to your use of the Services of Chessreach, as defined in our Terms of Service. Chessreach offers you options concerning data we process, use and share as described in this Privacy Policy and Cookies Policy.

This Privacy Policy explains when, where, and why we process personal data about people who use Chessreach, how we use it, the conditions under which we may disclose it to others, your rights in respect of your personal data, as well as how we keep it secure. As regards the use of Chessreach Blog, this Policy is further specified through the Chessreach Blog Privacy Policy.

### **GENERAL**

Anyone can access our Website without the necessity to register an account. Therefore, limited use of the Services is always possible without the provision of your personal details (for example, browse the Website, check how Chessreach works, look through the list of coaches, read the Chessreach Blog, review the variety of services, etc.). However, whenever you access the Website, we collect log information and put cookies on your device, by which we track your activity on the Website. You can always opt out of cookies except those, without which the Website cannot work.

When you are a registered User Chessreach may collect from you and process Cookie identifiers and those data you specifically provide us with upon registration, including first name, last name, email, phone number, Skype ID, or social network ID (if assigned through Facebook or Google+ or if accessing Google Calendar), time zone, interface language, IP address, and device type, as well, whereas in case of Telegram subscription, your Telegram ID may also be processed by Chessreach.

Specifically, if you are a coach, we may also collect and process, besides the aforementioned information, the other data provided by you, including zip-code, language, gender, year of birth, city of residence, and education experience.

Registered Users may additionally provide us with added profile pictures as well as chosen currency to perform actions pursuant to our Refund and Payment Policy.

You can find out more about the specific cases of data collection and the purposes of the processing of such data in a separate section of this Privacy Policy.

We may change this Privacy Policy from time to time, so please check this page to ensure that you're happy with any changes. We will post those changes on this page and update the Privacy Policy modification date at the top of this page. The additional notifications on any amendments will be sent to your email.

Any questions regarding this Policy and our services should be sent to [legal@chessreach.com](mailto:legal@chessreach.com).

## **1. What Is Personal Data and the Processing of Personal Data? Main Definitions**

**Personal data** is any information relating to you and that alone or in combination with other pieces of information allows a person that collects and processes such information to identify you as an individual.

**Processing of the personal data** means any operation with your personal data, whether or not by automated means, 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. **Data subject** is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing; means you as a user of Chessreach.

**Consent of the data subject/user** is any freely given, specific, informed, and unambiguous indication of the data subject/user's wishes by which he or she, by a statement or by clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **2. Chessreach`s Lawful Bases for Processing**

Chessreach processes your personal data only when we have lawful bases. Specifically, Chessreach processes your personal data if:

- processing is based on the consent you have given. As such our newsletters, collection, analysis, and publication of user feedback and reviews, analysis of your lessons, your participation in our events and webinars, and placement of different types of cookies, and posting of the sweepstakes winners is based on your consent;
- processing is necessary to provide our services to you according to our Terms of Service which constitute a contract between you and us as regards to information services of Chessreach;

- processing is necessary for the purposes of our legitimate interests. Those legitimate interests are:
  - compliance with the U.S. financial and accounting legislation.
  - the assessment of Chessreach`s business efficiency by analyzing website traffic and financial performance indicators.
  - promotion of Chessreach through social media networks, media outlets, and affiliates, such as bloggers or influencers.
  - user session control and fraud prevention, ensuring the appropriate protection of personal data.
  - coach verification and development of high-quality learning programs with coaches.
- where necessary, compliance with applicable legislation (e.g., data subject request processing).
- in exceptional cases, to protect your vital interests or vital interests of another natural person; or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

In all cases, we will notify you about the applied legal basis for processing and other relevant details before we start the processing of your personal data on a specific legal basis unless we are not able to do so in accordance with our obligations under any applicable legislation.

### **3. Data We Collect: Scope**

Chessreach collects from you only the following information and only for the stated below purposes:

#### **(1) Account for Students**

Chessreach collects and processes personal data submitted by you upon registration and further editing of settings in your Account. For registration purposes, you submit your login credentials (username and passwords), first name, last name and email. You may also edit your Account anytime with additional information as well as sync your Google Calendars. Such additional information may help you to find a suitable time slot with a coach or to have more visibility of your schedule. At the same time, you are not required to provide additional information, not specifically necessary for the registration, it is your choice.

#### **(2) Account for Coaches**

Chessreach collects and processes personal data submitted by you upon registration and further editing of your Profile. For registration purposes, you submit your login credentials (username and passwords), first name, last name and email. You may also edit your Profile anytime with

additional information as well as sync your Google Calendars. Such additional information may help you to find a suitable time slot with a student or to have more visibility of your schedule. At the same time, you are not strictly required to provide additional information, not specifically necessary for the registration. Therefore, it is your choice whether to include additional data in your profile, or not, such as zip code, country, language skills, education, and work experience.

### **(3) Posting of Information**

We process personal data freely submitted to you on Chessreach. This may be a survey you fill in on Chessreach or feedback you provide us with. Irrespective of whether you are a registered user or not, this shall also cover situations when you post an article(s) or comment(s) on the Chessreach Blog, as specified in the Chessreach Blog Privacy Policy.

Chessreach may also process information provided by you (including content and messages) that you post on/through our Website, including personally identifiable information. By so doing, you acknowledge that any information you share through the Services will be available to Chessreach and to other users of the Services (students/coaches).

From our turn and unless you **opt-out**, we retain this information as necessary to resolve disputes, provide customer support and troubleshoot problems as permitted by law. We reserve the right to terminate the accounts of visitors who use these services in a manner inconsistent with the Terms of Service.

### **(4) Service Use, Cookies and Other Similar Technologies**

When you use our Services, we monitor and analyze web traffic and keep track of your behavior while using our Services. We may receive information about your IP address, proxy server, and operating system, web browser, or your mobile carrier and location based on phone settings.

Please, specifically refer to our Cookies Policy for further details as to our use of cookies and similar technologies.

### **(5) Billing Information**

Details of transactions you carry out through our Website (as ID, date and time of transaction).

### **(6) Sensitive Data**

Unless you expressly agree, Chessreach does not process your sensitive data.

### **(8) Pages on Social Networks and Chessreach Coaches Community on social media (for Coaches Only)**

We maintain Chessreach's official pages in social networks, such as Facebook, Instagram, Telegram or LinkedIn. When you make interactions with our social network pages, such as subscribe to the pages, leave comments or preferences (e.g., 'like' our posts), we can analyze

these data for measuring our efficiency and conduct an analysis of our social media marketing in our legitimate interests.

## **(9) Information Required for Submitting Tax Documentation**

To comply with the applicable tax and accounting legislation, we may be required to submit various tax documentation containing your personal data. For example, a federal tax form 1099 or such other required tax form(s) necessary to receive a sweepstakes prize or withhold taxes. For submitting tax documentation, we may process your personal data including but not limited to your full name, country of citizenship, permanent residence address, mailing address, date of birth, U.S. taxpayer identification number, or foreign tax identifying number.

## **4. Data We Collect: Purposes**

We may process the personal data you provided us voluntarily for the purposes defined below. From our perspective, we process your personal data to personalize the use of Chessreach to the fullest extent possible and to provide you with high-quality Services under the Terms of Service.

### **(1) Provision of Services**

Primarily, we process your personal data to authorize access to our Services and to fulfill our obligations under the Terms of Service for Services provision. Specifically, we use your personal data upon registration to help others (be it a coach or a student) to find your account or profile, schedule, give and/or take services.

In order for you to use the Services, you will need to provide payment (e.g. credit card details) and billing information through our partners – third-party payment providers, which process your personal data encrypted and securely. Please see our Refund and Payment Policy for more information.

Please note, that without the information provided by you under our Terms of Service, we will be unable to provide you with the functionality of our platform, connect you with other users, allow you to communicate with them and take/give lessons.

### **(2) Payment Services**

We use third-party payment providers to bill you through an online account payment in lieu of directly processing your credit/debit card information. Your paid balance for one or more lessons is safe in your account as we use an integrated iframe for checkouts from our partner-payment provider (Stripe, PayPal) and coach get the payment for each confirmed lesson securely through third-party payment provider (Stripe, PayPal). Correspondingly all transactions are secured as our partners-payment providers use SSL encryption protection. All payment information is stored encrypted and securely by Stripe/ PayPal service. We do not store your payment information on our servers.

We may also use your payment card transaction data as shared by third-party service providers to confirm a specific transaction occurred and that you qualify for a promotional offer; for example, the date and amount of your purchase and the last 4 digits of your card number so that we can verify your purchase with our records.

### **(3) Communications**

We may contact you via email and other ways, including through publicly available notices, for Services-related purposes (welcome letter, security and legal notices, announcements, Chessreach updates, reminders, suggestions, etc.). We may also use your data to enable you to communicate with other users through Chessreach, including exchanging messages, conducting video calls, and/or leaving feedback about other users.

Your contact data (including email, phone number, Skype name, etc.) may also be used for gathering feedback. We may contact you to participate in research to improve the user experience of our product. The research will be used for internal purposes only, including:

- Feature development and product updates;
- Marketing activities, including publishing them on Chessreach on other information resources;
- Customer Support updates;
- Other service updates for improving your experience.

Having received the communications from us, you are always able to opt out of such communications in each message, excluding legal notices, or changes of user settings on Chessreach.

### **(4) Marketing and Promotion of Chessreach**

We may process your first name, last name and email on our mailing list or for the newsletter and send you messages with some commercial or promotional information about our Services. But don't worry, we will request your consent first, and you may always opt out of our marketing messages, using the mechanisms described under the respective link in each message, and through the user settings available on Chessreach.

If you provide us with your phone number, we may also contact you with some commercial or promotional information about our Services.

To promote the Chessreach platform through blog and influencer channels, we allow individuals to participate in the affiliate program on our Website. When we receive the information to participate in the affiliate program, we process this information to register you as an affiliate and further track the progress of the promotion of our platform.

Also, please pay attention that we may use the information provided by you as feedback. The latter, under Section 12 of the Terms of Service, may be used by Chessreach without any additional compensation to you.

## **(5) Analytics and Development**

In order to establish new ways to improve the Chessreach Platform, find the points of interest in our Services and for the purposes of analytics, we monitor and analyze the personal data you provide us with, including information you provide upon the registration, the web traffic, Cookies and Usage data, such as the parts of our Services you visit, the date and duration of your visit, your location, type of the device you used during your visit and other relevant data on the use of the Chessreach Platform. For these purposes, we use Google Analytics, the use of which ensures compliance with our privacy commitments.

For the purposes indicated above, we may also run occasional research activities, including personalized “A/B” tests. During the tests, we will display different website content to the users based on various criteria, such as their country, language. The purpose of such tests is to understand user engagement and satisfaction of certain features in order to improve the user experience, develop new useful features, and streamline our Services.

We may also carry out polls and surveys through Chessreach using external GDPR-compliant services. You are not obliged to respond to them and you may opt out of such polls and surveys through user settings

In order to inform, optimize and serve you relevant advertising based on your past use of our Services, we may process your Usage Data and Cookies. Please, follow our Cookies Policy for additional information.

## **(6) Coach Verification and Program Preparation**

To ensure a high quality of service given by coach on Chessreach, we collect and process coach credentials to verify their eligibility to provide services claimed by them. Besides that, we cooperate with the coaches and use their information to help them provide the additional services.

For the purposes of analytics, we additionally process coach’s registration data to automate and improve the coach verification process.

## **(7) Support and Platform Supervision**

In case of any disputes on Chessreach and other Services-connected issues, we may use data (including communications) to resolve such matters, supervise user behavior on the platform, and respond to any complaints or requests.

## **(8) Events and Webinars Conducted by Chessreach**

We use the personal data we collect from you when you register and/or attend any of our events or webinars to provide you with access to such events or webinars, as well as to send you

registration confirmation, reminders, associated useful materials or the information you have requested about our Services.

## **(9) Competitions and Sweepstakes**

- **Competitions.** From time to time, we conduct learning-focused competitions for individuals that meet certain criteria. Participants are required to fill in the registration forms to register for the competition and prove they are eligible. We process this information exclusively to organize and conduct the competition, determine the winner(s), and contact them regarding the results and prizes.
- **Sweepstakes.** From time to time, we conduct sweepstakes among registered users that meet certain sweepstakes entry requirements. We would process your user ID, name, date of birth, country of legal residence, and email address associated with your account on the Chessreach platform to administer the sweepstakes (including verifying eligibility to participate in the sweepstakes, contacting you in the event you are selected to win a prize, providing the prize) and to comply with other legal requirements. To get the prizes the winners are required to submit an affidavit of eligibility and a federal tax form (or such other required tax form(s)). In addition, we may post the name of the sweepstakes winners on our Website upon your consent.

## **(10) Compliance with Legal Requirements**

We process certain payment information to comply with applicable legal requirements in the field of finances and/or accounting. We also may process the data collected on the platform in connection with legal requests we receive from you or any other competent person and/or body, and we may use this information to exercise, defend and/or establish our legal rights.

## **(11) Fraud Prevention**

Certain information, such as your log information, payment information and your behavior on the platform are subject to our supervision to prevent fraudulent activities on the platform and assist you in managing your user sessions.

## **(12) Changes**

If Chessreach decides to change the purposes of processing specified above, we will inform you about such changes prior to the use of your personal data within the newly set purposes. The notification on such changes will be sent to your email and you will have to provide your consent for the amended purposes unless the additional purpose of processing is compatible with those listed above.

In case you do not want to provide us with the requested personal data for the purposes specified above, you may not have access to certain functions of the Services.



## **5. How Is Personal Data Shared?**

In order to provide high-quality services, Chessreach hires people, enters into agreements with independent contractors as well as cooperates with other services providers, companies and organizations strictly under data processing agreement (DPA). For those reasons, some of your personal data can be passed to the persons mentioned. Chessreach uses only secure places of storage, such as provided by AWS (Amazon, the USA) or Azure (Microsoft, the USA) with servers located in Ireland and the United States, and other services and applications listed below.

As we mentioned above, we also use some services to collect, manage, analyze or otherwise process your data:

### **(1) Google Analytics**

The resource serves as an additional measurement solution to carry out essential analytical work within our Services.

### **(2) Zoom**

We use this service to enable meetings and webinars for registered participants.

### **(3) Social Network Pages**

We use social media platforms to maintain our public pages and communities, who are, in this case, joint controllers with Chessreach. Please, be advised that Facebook is a joint controller for the processing of personal data of the “Chessreach Coaches Community” group. In particular, Facebook and Chessreach are joint controllers for the group insight data and statistics, and the general data of your Facebook profiles.

More information on Facebook joint controllership arrangement you may find under the following link: [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum).

To exercise your data subject rights in respect of the “Chessreach Coaches Community” Facebook group, you may contact us regarding any questions related to your participation in “Chessreach Coaches Community” and Facebook regarding all questions devoted to your Facebook profile.

These well-known service providers will help us to ensure that your data is secure within Chessreach.

Chessreach has contractors and subsidiaries in other countries, including those outside the European Economic Area, who may have access to your personal data. At the same time, in all

cases we pass your personal data to other persons we ensure that your personal data is being protected and used only within the purposes specified in this Privacy Policy. This is achieved by using only certified services and products, signing data processing agreements for the protection of personal data with contractors and partners (including the Standard Contractual Clauses adopted by the European Commission and compliant with the EU data protection laws), as well as taking technical measures to ensure the information is protected when stored, used and while being processed and transferred.

By ticking the respective box when providing us with your personal data you agree to such transfer and processing within the purposes set in this Privacy Policy.

## **6. How Long Will the Personal Data Be Processed and Stored by Chessreach?**

Your personal data will be stored by Chessreach no longer than is necessary for the purposes for which the personal data is processed.

Generally, Chessreach retains your personal data as long as your account is active. In case your account expires or you decide to delete your account Chessreach retains your personal data no longer than 180 days after the account is expired.

However, in case of conflict situations in progress Chessreach may store personal data for 360 days period or more if the processing is necessary for the establishment, exercise or defense of legal claims and for compliance with a legal obligation that requires processing by Union or Member State law to which the controller is subject in case of an expired account or in case data subject requested to delete his personal data. Upon the expiry of this period or earlier, if a conflict situation is settled, all personal data gets deleted.

Personal Data collected when you registered on our mailing list or for the newsletter will be stored as long as you are interested in receiving our emails. We consider that you're interested in this until you unsubscribe from the mailing list or the newsletter by clicking the respective link contained in each of our emails.

Lists of participants of the sweepstakes including those who entered the sweepstakes via the alternative method of entry (mail-in) will be deleted in 30 days after the close of the sweepstakes. The names of the sweepstakes winners published on our Website will remain publicly available till the withdrawal of your consent.

After the expiration of the retention period, Chessreach shall terminate the processing of your personal data, unless otherwise is set by the relevant legislation.

## **7. Your Rights as Data Subject Regarding Your Personal Data Chessreach Processes**

### **(1) Right of Confirmation**

You can obtain confirmation from Chessreach as to whether personal data concerning you is being processed.

## **(2) Right of Access**

You can access your personal data processed by Chessreach.

## **(3) Right to Rectification**

You can ask Chessreach to have incomplete personal data requiring corrections completed.

## **(4) Right to Erasure (Right to Be Forgotten)**

You can request Chessreach to erase personal data. In most cases, Chessreach will erase it unless otherwise required by legislation.

### **To delete your personal data, you can:**

- Contact us by email at [support@chessreach.com](mailto:support@chessreach.com). We will respond to your request to delete your information within 30 days and notify you of the outcome.
- Delete specific items from your account (such as your payment method, etc.) by going to your account “Settings” page at <https://chessreach.com/>.
- Delete your entire account by going to your account “Settings” page at <https://chessreach.com/> and following the instructions for deleting your account.

## **(5) Right of Restriction of Processing**

You can contest the accuracy of your personal data or in case Chessreach is not interested in processing your personal data any longer, but you want Chessreach to do this for different reasons, for example, to bring a claim against somebody and, instead of the erasure of information, its processing will be restricted.

## **(6) Right to Data Portability**

You can have your personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

## **(7) Right to Object to Processing of Your Personal Data by Chessreach**

You can object to our processing of your personal data when the processing is related to the performance of our task carried in the public interest or the exercise of official authority vested in us. The other case is if we process your data for the purposes of the legitimate interests pursued by us or by a third party and you believe that such interests are overridden by your interests or fundamental rights and freedoms. If you make a request with objection to processing, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing.

## **(8) Right to Withdraw Consent at any Time by Contacting Us**

After we at Chessreach receive a withdrawal request from you, we will process it in a timely manner and we will no longer process your personal data unless otherwise is set by law.

If one of the aforementioned reasons applies, please contact us, as instructed at the end of this Privacy Policy. We shall promptly ensure that the request is complied with immediately. These requests are free of charge.

If you believe that our use of your data violates your rights, you can lodge a complaint with the competent data protection authority.

Please note that when the processing of your personal data is carried for direct marketing purposes, you have the right to object at any time to such processing without providing any justification and we will no longer process your data with such direct marketing purposes.

## **8. Other Privacy Commitments**

### **(1) Cross-border Transfers**

We process your personal data both within the United States and outside the United States. Although countries, where we process data, may have different laws, we take measures to ensure high privacy compliance (namely, as provided in Section 5 of this Privacy Policy).

### **(2) Time for Reply and Reaction**

Chessreach will provide information on action taken on your request related to your rights specified above within one month of receipt of the request for the longest. That period may be extended by two further months if Chessreach is overwhelmed by the number of requests or the request at issue is complicated and requires a lot of action. Chessreach will inform you of any such extension within one month of receipt of the request, together with the reasons for such delay.

### **(3) Security**

Chessreach takes technical and organizational measures to ensure the information is processed in a manner that ensures appropriate security of information, including protection against unauthorized or unlawful processing and accidental loss, destruction, or damage. For example, Chessreach uses verified contractors that might have access to the data with which the relevant data processing agreements are signed.

### **(4) Accessing Account to provide support**

In exceptional circumstances, such as required customer support, our support specialists may need to access your account. When such an occasion occurs, they will be able to see the personal data submitted to your account, including your scheduled personal events, if your Google Calendar is connected.

We undertake to always ask for your permission to access your account before we start troubleshooting. Prior to granting us your permission, you might also consider editing your Google Calendar privacy settings with Google Calendar Help Center to hide your personal events from us.

Please note that if you do not want to grant your permission to access your account, it may affect the time and quality of the provision of customer support

## **(5) Children's Privacy**

The privacy of children is one of our concerns. Chessreach Services are not intended for use by children under the age of 18 without the express permission of their parent or legal guardian. If you are under the age of 18 you will need to get your parent's/legal guardian's permission before submitting any personal data to Chessreach. We may process the personal data of children under the age of 18, provided that data has been consensually provided by parents/legal guardians for the express purpose of using Chessreach Services.

Chessreach is acting in compliance with COPPA. It requires us to inform parents and legal guardians about how we collect, use, and disclose personal information from children under the age of 13. We do not knowingly collect information from children and minors. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide information on our Website without their permission.

## **(6) Breach Notifications**

If any personal data of yours would be under the breach, we would inform you and the respective data protection agencies as to the accidents without undue delay, if there are high risks of violation of your rights as the data subject. We would also do our best to minimize any such risks.

## **(7) "DoNotTrack" Requests**

Chessreach does not share personal data with third parties for their direct marketing purposes. Also, our Services do not support "Do Not Track" requests.

## **(8) California Privacy Rights**

In case you are a resident of California, the California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal data by Chessreach LLC or its subsidiaries to a third party for the third party's direct marketing purposes. This right granted to California residents applies only to their activities within the State of California.

To make such a request, please send an email to [legal@chessreach.com](mailto:legal@chessreach.com).

## **9. Legal Matters**

Chessreach considers your use of its Service to be private. However, we may disclose your personal data stored in our databases, in order to:

- (1) comply with the law or legal process served on us.
- (2) enforce and investigate potential violations of this Privacy Policy.

including use of this Service to participate in, or facilitate activities that violate the law;

- (3) investigate potential fraudulent activities; or
- (4) protect the rights, property, or safety of Chessreach, its employees, its customers or the public.

## **10. Governing Law**

This Privacy Policy is governed by and construed with the laws of the State of Delaware, USA, and, when applicable, Regulation 2016/679 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data and repealing Directive 95/46/EC (“GDPR”), effective as of 22 April 2022.

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*We hope this Privacy Policy helped you to understand how your personal data will be dealt with here at Chessreach. We will take care of your personal data, so you can use our Services and not be concerned about your privacy. Should you have anything to tell us, e-mail us at [support@chessreach.com](mailto:support@chessreach.com). We will be happy to receive any information or comment from you to make our platform better for our users.*

**Your Chessreach Team**