

# Privacy Policy - OVERSUMO

## 1. General Information

Dojo Madness GmbH, domiciled in Axel-Springer-Str. 54b, 10117 Berlin ("Dojo Madness" or "we"), takes the protection of your personal data very seriously and therefore makes available to you the following information.

Dojo Madness is a developer and publisher of apps, mobile apps and web based app services (each the "App" or together the "Apps") that are made available either via App Stores, including the Apple Appstore and the Google Play Store, or directly by Dojo Madness on or via its websites. In addition to the use of the Apps, we also provide related services (e.g. support, information requests and others) (collectively with the App, the "Service").

Whenever you use the Service, we will be processing personal data, as described in the Processing Procedure section of this Privacy Policy. By processing the General Data Protection Regulation ("GDPR") references a very broad spectrum of operations executed on personal data - basically, whenever we or others get in contact with your personal data, we process it, according to the GDPR definition. Personal data is information that we or others can use to identify a person, i.e. information that can be linked to a particular individual.

As a company based in the European Union, we treat all personal data in compliance with GDPR, no matter where you are from or where you are currently located.

### 1.1. Scope of the privacy policy

The following Privacy Policy will provide you with information about the type of personal data that is collected and how it is processed and used during your use of the Service. Unless otherwise provided in this Privacy Policy, this Privacy Policy exclusively regulates how Dojo Madness, including the companies that help us provide the Service (the "Vendors"), processes your personal data. In case you make use of services provided by third parties other than the vendors, the privacy policies of these third parties apply exclusively.

### 1.2. Contact details of the provider

Contact Detail of the controller according to Art. 4 GDPR:

Dojo Madness GmbH, Axel-Springer-Str. 54b, 10117 Berlin,  
Managing Director: Jens Hilgers, Markus Fuhrmann, Christian Gruber,  
email: [privacy@dojomadness.com](mailto:privacy@dojomadness.com), telephone: 030 6098 4686;  
District Court Berlin Charlottenburg: HRB 163226 B.

Unless otherwise provided in this Privacy Policy and in case you want to exercise any right pursuant to this privacy policy or applicable data protection laws and regulations or if you have any questions concerning privacy policy issues, please contact [privacy@dojomadness.com](mailto:privacy@dojomadness.com). At this address, you can inquire about privacy issues and issue a request to review, change or delete your personal data stored by Dojo Madness, as described below. Alternatively, you can also contact Dojo Madness using the above postal address or by

phone. This will cause you no other costs than the transmission costs stated in the base rates (i.e. the costs of your Internet, e-mail, mobile phone or telephone connection).

You can reach Dojo Madness' data protection officer at the following contact details:

ClixOn GmbH, Oranienburger Straße 70, 10117 Berlin  
Email [privacy@dojomadness.com](mailto:privacy@dojomadness.com)

### 1.3. Rights

In accordance with the requirements pursuant to the GDPR, you may exercise the following rights:

- 1.3.1. **Right to be informed** (Art. 12 GDPR) - You have the right to be informed about how Dojo Madness processes personal data. To this end this privacy policy will provide you with descriptions of the purpose (why we use your data), the retention policy (how long we process data) and who we share personal data with (our processors).
- 1.3.2. **Right of access** (Art. 15 GDPR) - You have the right to know what personal data about you we use and process. Please have a look at the Processing Procedure sections below for a comprehensive overview. If you want to know more, get in contact with us using the contact details provided above.
- 1.3.3. **Right to rectification** (Art. 16 GDPR) - You have the right to request, that we correct inaccurate data we process about you or that we add data, where it is incomplete. Some of the information we process is being provided by you during the account creation or during the use of the App and may be modified through the App itself. If you feel that other personal data may be incorrect, simply get in touch with us, as described above.
- 1.3.4. **Right to erasure** (Art. 17 GDPR) - In some instances, we may ask for your consent before processing your data. If you change your mind later, you can simply change the respective setting in the App and we will no longer process any consent based data. Please note that we automatically erase your data, if it no longer necessary for the purpose we collected or processed it for. We will also ensure that data is erased from Vendor Systems. If, for example, you have contacted the customer support and requested help, we will erase all personal data once your request has been solved, since your personal data is no longer needed for the purpose of providing you with customer support. If beyond that you believe that you have a right to have your personal data deleted, please contact us as described above.
- 1.3.5. **Right to restrict processing** (Art. 18 GDPR) - When you exercise your right to rectification, to object or to erasure you may ask Dojo Madness to restrict the processing of personal information to the extent necessary to review your request. If you continue using the App(s) during such a request, we will also process your personal data to provide you with the Service. If beyond that you believe that you have the right to have your personal data use restricted, please contact us as described above.
- 1.3.6. **Right to data portability** (Art 20 GDPR) - You may ask us to export for you the personal data that you provided us with during the Service. This does however not include any data we have created based on the personal data you provided us with. You may also ask us to have your personal data transmitted from us to another controller. Please note that we will consider the technical feasibility on a request by request basis. If you choose to exercise this right, simply get in contact with us using the contact information provided above.
- 1.3.7. **Right to object** (Art. 21 GDPR) - To the extent that Dojo Madness' data processing is based on legitimate interest, you can object the processing of data we engage into at any

point. Please check the Processing Procedures below to see if the processing you are objecting to is based on legitimate interest. You can find this information under the Legal Basis sections. If you choose to exercise this right, simply get in contact with us using the contact information provided above.

- 1.3.8. **Rights in relation to automated decision making and profiling** (Art. 22 GDPR) - We do not engage in automated decision making or profiling according to the definitions provided under GDPR.
- 1.3.9. **The right to lodge a complaint** (Art. 77 GDPR) - You may get in contact with the supervisory authority if you believe that the data concerning you is being processed by Dojo Madness in breach of data protection provisions. The Berlin Commissioner for Data Protection and Freedom of Information is responsible for Dojo Madness and may be contacted as provided [here](#).

In each case mentioned in this Rights section please always ensure that provide us with all the necessary information to process your request.

Once we receive all necessary information, we will usually get back to you no later than a month after you completed your request.

Please note, that we may require that you provide means of authentication, if we are not sure about your identity.

## 2. Processing procedures

In this section, we will provide you with a complete overview of all the processing procedures that we engage into, when you use the App.

### 2.1. Accessing and using the App

DOJO MADNESS provides you with a smartphone application called OVERSUMO (the “App”) that provides features like real time guides, match analysis and performance ratings. As of today, all version of the App can be used free of charge. The core service can be used without additional registration. You can register an OVERSUMO account (the “Account”) in order to connect to other users of the App. The App will aggregate data in Dojo Madness’ owned databases and combine this information with the information gathered from third parties, as provided below.

#### 2.1.1. Your Data

Each time you access this App, we automatically process a series of data in order to provide you with information like real time guides, match analysis and performance ratings. Unless otherwise provided in this privacy policy, we only process this information, including any personal data, in order to provide you with the information relevant to the request you made through the App.

The data processed includes:

- IP address,
- user identification token and numeric user id,
- operating system and version,
- the time and date of your use of the Service,

together the “App Data”.

## 2.1.2. Data disclosure

2.1.2.1. Other group entities - Internally, App Data is processed for the purpose of completing an order or answering an in app service request, and to improve the Service of Dojo Madness. We may also use App Data to develop new products and may provide such App Data to other products that we offer.

2.1.2.2. Vendors - Vendors provide applications and services, e.g. host computers, database monitoring, error monitoring, sales tracking, account registration and usage monitoring and usage analytics.

These Vendors include: **Amazon Web Service, Inc., Librato, Inc., Airbrake Technologies, AppAnnie, Inc. and Google, Inc.**

We have contractually agreed with these vendors that they may only use your data as instructed by Dojo Madness and for the services. Any other use - including contact by one of these service providers - is only permitted with your prior consent.

2.1.2.3. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action, preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.

2.1.2.4. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

## 2.1.3. Legal basis

Your App Data will be processed pursuant to Art. 6 para. 1 lit. b GDPR, which allows for the processing of personal data for the purpose of fulfilling a contract.

## 2.1.4. Data retention

The personal data stored in your account will be deleted if you or we delete the account or if you have been inactive on the App for longer than 90 days.

## 2.2. Oversumo Account

The App offers you the possibility to create an Account on a voluntary basis. For clarity, the Account is not necessary in order to access any of the core features of the App. The Account allows you to connect with other users of the App.

### 2.2.1. Your Data

If you register an Account, you will be asked to choose a name under which other Oversumo users can find you (the "Oversumo Account Name"). In order to use your Oversumo Account Name, we will verify your identity via your telephone number.

The data processed when creating an Account includes:

- Phone number

- Oversumo Account Name together the “Account Data”.

## 2.2.2. Data transfer

- 2.2.2.1. Vendors - Vendors provide applications and services, in this case authentication through a phone number.  
Dojo Madness' Vendor for Account Data is the **Google LLC**. through their Firebase service.  
We have contractually agreed with this vendor that it may only use your data as instructed by Dojo Madness and for the services. Any other use - including contact by one of these service providers - is only permitted with your prior consent.
- 2.2.2.2. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action, preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.
- 2.2.2.3. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

## 2.2.3. Legal basis

Your Account Data will be processed pursuant to Art. 6 para. 1 lit. b GDPR, which allows for the processing of personal data for the purpose of fulfilling a contract.

## 2.2.4. Data retention

The Account Data will be deleted no later than 14 months after either you or we delete the Oversumo Account. If you would like us to delete your Account Data earlier than that, please let us know and we will remove it immediately.

## 2.3. Push Notifications

From time to time, Dojo Madness may send you push notifications through the App. These push notifications are provided through an internal token and will show up on your home- , lock- or notifications screen of your mobile device.

### 2.3.1. Your Data

When sending push notifications, the following personal data is processed:

- Push Token,
- Timestamp of push notifications and next use of the App,
- App Version,
- Operating System and version,

(together the “Push Notification Data”).

### 2.3.2. Data transfer

- 2.3.2.1. Vendors - Vendors provide applications and services, in this case host computers, technical evaluation, metrics, monitoring, analysis and alerts.

These Vendors include: **Amazon Web Service, Inc., Airbrake Technologies, Inc., Amplitude, Inc. and Librato, Inc.**

We have contractually agreed with these vendors that they may only use your data as instructed by Dojo Madness and for the services. Any other use - including contact by one of these service providers - is only permitted with your prior consent.

2.3.2.2. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action, preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.

2.3.2.3. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

### 2.3.3. Legal basis

The data processing for the purpose of providing push notifications is based on your consent, which you gave (a) with the first use of the App or (b) at a later point through the mobile device's settings. Pursuant to Art. 6 para. 1 lit. a GDPR, data processing is permitted if you have given your consent for data processing for one or more specific purposes. Within the scope of the opt in you have given a declaration of consent with which you have agreed to the subscription of push notifications. A revocation is possible at any time free of charge, through the mobile devices settings.

### 2.3.4. Data retention

The Push Notification Data stored will be deleted no later than 90 days, if you revoke the permission in your mobile device's settings.

## 2.4. Customer Surveys

From time to time, Dojo Madness may ask you to take part in surveys regarding the App and the Service through the App. You are of course free to just ignore these surveys. Generally no personal data is collected when you take part in such a survey. We do not engage in call backs and we do not associate the survey data with other personal data, e.g. App Data.

### 2.4.1. Your Data

When engaging in customer surveys, in some instances, we may ask you to provide an

- email address,

(the "Survey Data") so we can follow up or so you can take part in giveaways. As with the survey itself, the provision of the email address is completely voluntary.

## 2.4.2. Data transfer

2.4.2.1. Vendors - Vendors provide applications and services, in this case host computers, technical evaluation and statistical analysis. The Vendor is the **Google LLC**, through their Google Form service.

We have contractually agreed with this vendor that it may only use your data as instructed by Dojo Madness and for the services. Any other use - including contact by this service provider - is only permitted with your prior consent.

2.4.2.2. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action, preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.

2.4.2.3. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

## 2.4.3. Legal basis

Survey data is processed pursuant to Art. 6 para. 1 lit. f GDPR, which allows the processing of personal data based on a "legitimate interest" of the controller, provided that your fundamental rights, freedoms or interests do not prevail. Dojo Madness' legitimate interest in this instance is to improve the Services and to develop new features or services. You may object to this data processing at any time if you think there may be particular reasons regarding your particular situation which result in your interest prevailing against this data processing.

## 2.4.4. Data retention

The Survey Data will be automatically anonymized 30 days after the the customer survey was first sent through the Services. The anonymization will take place through the removal of all stored email addresses.

## 2.5. Customer Support

You may contact Dojo Madness via email under [support-oversumo@dojomadness.com](mailto:support-oversumo@dojomadness.com) for the purpose of providing you with customer support.

### 2.5.1. Your Data

When contacting the Customer Support, the following personal data is processed:

- Email address,  
the "Customer Support Data".

### 2.5.2. Data transfer

2.5.2.1. Vendors - Vendors provide applications and services, in this case email hosting services. The Vendor in this case is the **Google LLC**.

We have contractually agreed with this vendor that it may only use your data as instructed by Dojo Madness and for the Services. Any other use - including contact by the service provider - is only permitted with your prior consent.

- 2.5.2.2. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action, preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.
- 2.5.2.3. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection

### 2.5.3. Legal basis

Your Customer Support data will be processed pursuant to Art. 6 para. 1 lit. b GDPR, which allows for the processing of personal data for the purpose of fulfilling a contract.

### 2.5.4. Data retention

The Customer Support Data will be deleted 40 days after the ticket you opened with customer support has been closed.

## 2.6. Server Log Files

Each time you access this App, we automatically collect a series of technical data and store them in the systems ("Server Log Files"), some of which is considered personal data. We use Server Log Files to monitor and secure the Services we offer to you and in order to improve and better the Services.

### 2.6.1. Your Data

The data processed in Server Log Files includes:

- IP Address,
- User identification token and numeric user id,
- device ID,
- device name,
- operating system version,
- the configuration of the app when utilizing the Service,
- the time and date of your use of the Service.

This data is not combined with other personal data that you provide Dojo Madness during the use of the Service - e.g. in your profile. We collect Server Log files for the purpose of administering and developing the App and being able to recognize and prevent unauthorized access.

### 2.6.2. Data disclosure

- 2.6.2.1. Vendors - Vendors provide applications and services, e.g. host computers, backup services, database services, error tracking, usage evaluation and technical analysis and anti intrusion and fraud protection.

These Vendors include: **Amazon Web Service, Inc., Airbrake Technologies, Inc. and Librato, Inc.**

We have contractually agreed with these vendors that they may only use your data as instructed by Dojo Madness and for the services. Any other use - including contact by one of these service providers - is only permitted with your prior consent.

2.6.2.2. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.

2.6.2.3. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

### 2.6.3. Legal basis

Server Log Files are processed pursuant to Art. 6 para. 1 lit. f GDPR, which allows the processing of personal data based on a "legitimate interest" of the controller, provided that your fundamental rights, freedoms or interests do not prevail. Dojo Madness' legitimate interest in this instance is to make administration easier, to improve the Services and to detect and to track unauthorised access attempts, errors and attacks on the Service. You may object to this data processing at any time if you think there may be particular reasons regarding your particular situation which result in your interest prevailing against this data processing.

### 2.6.4. Data retention

Unless otherwise provided herein, personal data contained in Server Log Files is automatically deleted and generally not processed longer than 90 days. We reserve the right to store the server log files for longer if there is evidence suggesting that an incident (such as an attempt at hacking, a database error or a so-called DDOS attack) has taken place. In this case the Server Log Files in question will be deleted, once the investigation regarding the incident has been closed.

## 2.7. Payments

An earlier version of the App provided the possibility to purchase additional functions, providing you with additional content. While today all features are available to all users, some users continue to pay for the additional features. These payments are executed through Apple App Store or the Google Play Store (together the "Payment Provider"), depending from the mobile device you are using.

### 2.7.1. Your Data

The personal data processed includes a

- Transaction ID.

This Payment Identifier can be linked to a purchase, and therefore to you, only by the respective Payment Provider.

## 2.7.2. Data transfer

- 2.7.2.1. Other group entities: Data on purchase orders may be shared with other group entities for the purpose of providing bookkeeping, tax and consulting services.
- 2.7.2.2. Vendors: Vendors provide applications and services, in this case hosting, backup and database services. The current Vendor is: **Amazon Web Service, Inc.** We have contractually agreed with this vendor that it may only use your data as instructed by Dojo Madness and for the Services. Any other use - including contact by this service provider - is only permitted with your prior consent.
- 2.7.2.3. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.
- 2.7.2.4. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

## 2.7.3. Legal basis

Data on previous purchase orders will be processed pursuant to Art. 6 para. 1 lit. b GDPR, which allows for the processing of personal data for the purpose of fulfilling a contract. In order to fulfil the contract, it is strictly necessary to process payments.

## 2.7.4. Data retention

Data on previous purchase orders will only be deleted after 10 years due to the commercial and tax retention period imposed by applicable law and regulations.

## 2.8. Blizzard Entertainment® API Data

We receive information about you from third parties, sometimes even, if you have never used the App. Whenever you use a Blizzard Entertainment, Inc. ("Blizzard®") game, like Overwatch(™), you provide Blizzard® with statistical data about you and the game you play. This data is aggregated and made publically available by Blizzard® through an application program interface ("API") for use by third parties. The use of this data is subject to the [Blizzard® End User License Agreement](#) and the [API Terms and Conditions](#).

Blizzard Entertainment is a trademark or registered trademark of Blizzard Entertainment, Inc., in the U.S. and/or other countries.

## 2.9. Your Data

This data may be linked to you by the

- Blizzard® Battletag(™),
- Blizzard® session data,

which you are currently using or have been using in the past (the "API Data").

## 2.10. Data transfer

- 2.10.1.1. Other group entities - The API data we gather during your use of the App or the Services, may be processed internally and by other group entities to improve the offers of the apps and the websites offered by Dojo Madness and other group entities. We may also use API Data to develop new products and may provide such API Data to other products that we offer.
- 2.10.1.2. Vendors - Vendors provide applications and services, in this case hosting, backup services and database services. The current Vendors is: **Amazon Web Service, Inc.**  
We have contractually agreed with this vendor that it may only use your data as instructed by Dojo Madness and for the Services. Any other use - including contact by this service provider - is only permitted with your prior consent.
- 2.10.1.3. Authorised public authorities - Law enforcement authorities or public authorities (e.g. tax authorities, social insurance), supervisory authorities in the event of requests for or obligations to provide information in the event of legal action preliminary proceedings and to Dojo Madness' own tax advisors, auditors and lawyers in order to exercise rights and legal obligations.
- 2.10.1.4. Change in ownership - In the event of a takeover or merger with another company, we will pass on your data to that company. In such a case, we will ensure that the applicable data protection regulations are complied with and that the data will only be processed to the same extent as described in this policy.

## 2.10.2. Legal basis

Your API Data will be processed pursuant to Art. 6 para. 1 lit. b GDPR, which allows for the processing of personal data for the purpose of fulfilling a contract. The contract that any user of the App enters into, has the purpose of providing him or her access to statistical data of Overwatch(™) games played in the past and the performance of different users of this game, to which end processing of Blizzard® API data is strictly necessary.

## 2.10.3. Data retention

As the API data is publicly available as described above, you and other users may initiate a request of API Data from Blizzard®, as long as Blizzard® stores this information. The retention period of the API Data is subject to the [Blizzard® End User License Agreement](#) and the [API Terms and Conditions](#). If you want your API Data deleted on Dojo Madness' end, please request deletion of the data stored under your user account with Blizzard® and inform us as soon as the deletion has gone through. We will then delete all data stored under your Blizzard® Battletag(™).