

## HELIX Privacy Policy

Last Updated April 24, 2024

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Protecting your personal information is our priority. This privacy policy ("**Policy**") describes the data processing and collection practices of Hypersonic Laboratories, Inc. and its subsidiaries (collectively, "we", "us," "our," or "**Company**"), covering the HELIX online platform ("**HELIX**") along with the websites HELIXgame.com, hypersoniclaboratories.com and any sub-domains thereof, along with any other website, software, product, application, content, data, or other services owned, operated, and/or controlled by Company. (collectively the "**Services**"). By using the Services, submitting a job application, entering into agreements with Company, or otherwise communicating with Company, you are consenting to this Policy and the processing of your data in the manner set forth in this Policy. This Policy should be read in conjunction with the HELIX End User License Agreement, which is incorporated herein by reference. If you do not agree with the terms set forth in this Policy, please do not use the Services or submit any communications to Company.

THE SERVICES ARE NOT INTENDED FOR CHILDREN UNDER 13. IF YOU ARE NOT AT LEAST 13 YEARS OLD, THEN YOU MAY NOT USE OR ACCESS SERVICES IN ANY MANNER.

We reserve the right to modify or update this Policy at any time in our sole discretion. We will provide you with notice of any such updates or modifications. Notice of any changes to the Privacy Policy will be accomplished upon Company sending you an email to the address listed in your HELIX Account (your "**Account**") notifying you of such changes and/or Company announcing such changes through the Services. Such changes will go into effect immediately upon your access to the Services after you are given notice, as described herein. Your continued use of the Services following the notice of any changes to this Privacy Policy constitutes your acceptance of such changes. Any information collected by the Services will be dealt with in accordance with the version of this Privacy Policy that was in place at the time of collection.

### 1. Information We Process

- a. **User Provided Information:** To operate the Services and to provide HELIX users including those users who create Worlds or other content within HELIX, as well as server operators (collectively "**Users**"), with the best possible experience, we may collect personally identifiable information, as described herein ("**Personal Information**"). Personal Information is any information that can be used to identify you or your household or to contact you online or offline and includes, but is not limited to, your name, address, email, account name, HELIX username, date of birth, and phone number, as well as records of your activity within the Services and your purchase history. The Services may collect Personal

Information when it is provided to us, such as when you use our Services, contact us, or connect with us on social media or via one of our partners.

- b. **Information that is Automatically Collected:** We and our analytics service providers use cookies, which are small text files that help store User preferences and activity, similar technologies such as web beacons, pixels, ad tags, logs, and SDKs, which are blocks of code provided by our service providers that may be installed within the Services, to recognize you when you visit our Services, and to collect information such as the number of visits, which features, pages, or content are popular, and to measure your browsing activities, as well as your activities within HELIX including what servers, Worlds, Creator Content, and experiences you access. These cookies also allow us to track your purchase of items from the HELIX Exchange and Add-On Exchange. These technologies allow us to optimize the operation of our Services, including by allowing us to help ensure our Services are functioning properly and ultimately improve the Services. Examples of information collected via cookies includes, but is not limited to, Personal Information such as your Internet Protocol ("IP") address and other unique User identifiers and information about your use of the Services, including the duration of time you access or use the Services, along with other information about Services performance analytics, including crashing, network, and tracing.

We may also create or collect device-identifiable information (DII), such as statistical identifiers, unique device identifiers, and similar identifiers that are linkable to a browser or device. From this information, we may also receive other information, such as your IP address, user agent, timestamps, precise and imprecise geolocation, sensor data, apps, fonts, battery life information, and screen size. We may combine this data with Personal Information.

For efficiency's sake, information about your interactions may be transmitted to our servers while you are not using the Services.

You can prevent the storage of cookies by a corresponding setting of your browser software or by opting out of the collection/storage of certain cookies via our Services; however, please note that if you do this, you may not be able to use all the features of the Services to the fullest extent possible.

- c. **Personal Information from Children**

We do not knowingly collect or maintain Personal Information from persons under 13 years of age. If we learn that Personal Information of persons under 13 years of age has been collected on or through the Services, we will take the necessary and appropriate steps to delete the Personal Information.

d. Categories of Personal Information we May Collect

Category Number	Category	Type of Information, When Processed and Purpose for Processing
1	Identifiers	<p>Your name, email address, Account name, and IP address are collected when you create an Account on HELIX and perform certain activities under that Account. We may also collect your Discord and social media handles and social media profile data, if you sign up to our Services via certain social media platforms or other third party applications and/or when you connect with us on those platforms. We will also collect this information when you make purchases on HELIX. We may collect your IP address when you access our websites or other portions of the services. Finally, when you communicate with us via email or Discord we may collect your name, email address, and Discord ID, as applicable, along with any other information contained in that communication.</p>

2	<b>Information that identifies, relates to, or can be associated with a particular individual</b>	<p>Your email address, IP address, and HELIX Account name. If you exchange LIX for U.S. dollars, our third party partners, including Tipalti, may collect your date of birth, driver's license or passport number, or other government issued ID for the sole purpose of verifying your identity. Such partners may also collect your bank account or payment card information as necessary to transfer U.S. dollars to you following a LIX exchange.</p> <p>If you purchase LIX or other materials, via real world currency, via our Services, our third party payment processors may have access to your credit card, payment card, or bank account information, for the purpose of processing such payment, as well as your name, email address, and home address, for the purpose of communication and identity verification.</p> <p>If you are an employee or a contractor or a prospective employee or contractor, we may also collect your physical address to verify your identity, send you correspondence, payment, and other materials related to your employment or work with us.</p>
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3	<b>Internet activity and electronic network information</b>	We collect login-dates as well as information related to your activity within the HELIX Platform for the purpose of 1) generating analytics to improve our Services and the User experience; 2) to monitor activities within our Services activities and enforce our EULA and Community Guidelines, and to perform content moderation; 3) to prevent fraud, spam, and abuse; and 4) to ensure our Services our secure.
4	<b>Geo-location Information</b>	Coarse (imprecise) geographical location information to determine best server location for a particular User and to provide us with analytics regarding our Users to optimize our Services.
5	<b>Commercial Activity and Information</b>	We collect information regarding your transaction and purchase history to provide you with the HELIX Items, Creator Items, or other items or materials that you purchase from the Services.
6	<b>Employment Information</b>	We process information regarding your employment history when you apply for a job with us. We also process information related to your employment or work with us if you are an employee or a contractor.

7	Profiles	We use certain information regarding your activity within HELIX for the sole purpose of providing you with personalized recommendations regarding Worlds and other Creator Content.
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**e. A Note on User Generated Content**

Certain information, materials, and content that you upload or share via the Services including your Worlds and other Creator Content, may be collected and stored by Company and may be distributed or displayed publicly within the Services and subsequently used or shared by Company and other Users. For the purposes of this Privacy Policy, such content will be referred to as "**User Generated Content**." Any User Generated Content including any Personal Information therein, is subject to this Privacy Policy. By consenting to this Privacy Policy, you hereby consent to Company's use of any Personal Information contained in the User Generated Content for the reasons set forth herein and understand and agree that other Users may have access to such Personal Information, by virtue of their access to the User Generated Content.

**f. Social Media Accounts**

Our Services allow you to create a HELIX Account via Discord, Google, Facebook, and other third party platforms. When you create an Account via these platforms, we may obtain certain Personal Information about you from the applicable platform. When you create an Account in this manner, you are authorizing the Company to collect, store, and use such Personal Information in accordance with this Privacy Policy. You acknowledge and agree that deleting your account on a third party platform, if you use such an account to access HELIX, may affect your use and enjoyment of the Services.

**2. How Company Uses Your Personal Information**

We use the information we collect from our Services to provide, fulfill, maintain, protect, and improve our Services, to develop new Services and offerings, and to protect our Services, us and our Users.

Personal Information is primarily used to provide you the Services or for legitimate business purposes, such as for sending you occasional communications and updates, hiring, responding to inquiries, logins, and providing and maintaining the Services. When you contact us, we may keep a record of your communication as well as the other information to help solve any issues you might be facing. We may use your email address to inform you about our Services, such as

letting you know about changes or improvements. For more information about how we use specific categories of your Personal Information, See Section 1(d).

We use DII to operate our Services and manage User sessions, including analyzing usage of our Services, preventing malicious behavior and fraud, improving the content, to link your identity across devices and browsers, to provide you with a more seamless experience online, and helping third parties provide relevant advertising and related metrics. We share DII with service providers and processors primarily for advertising and analytics purposes, for external processing, and for security purposes.

### **3. How Company Shares Your Personal Information**

WE ARE NOT A DATA BROKER. WE DO NOT SELL OR LEASE YOUR PERSONAL INFORMATION OR SHARE YOUR PERSONAL INFORMATION FOR THE PURPOSE OF CROSS-CONTEXTUAL BEHAVIORAL OR TARGETED ADVERTISING. FURTHER, WE DO NOT USE YOUR INFORMATION TO CREATE PROFILES INCLUDING PROFILES FOR THE PURPOSE OF AUTOMATED DECISION MAKING, EXCEPT FOR THE SOLE PURPOSE OF RECOMMENDING WORLDS AND OTHER CREATOR CONTENT WE THINK YOU WILL ENJOY BASED ON YOUR ACTIVITY WITHIN THE SERVICES.

However, there are certain circumstances, as described below, in which we may transfer your Personal Information to third parties, without further notice to you.

We share Personal Information with companies, outside organizations, and individuals for the following purposes:

- a. User Generated Content: With respect to Personal Information contained in your User Generated Content, such Personal Information may be disclosed to other Users as part of our provision of your User Generated Content to such Users. Generally speaking, this will be limited to your Account name as the creator of the applicable content. However, for these reasons, we recommend that you do not include any additional Personal Information in your User Generated Content.
- b. Service Providers and Data Processors: We provide Personal Information to our affiliates, service providers, processors, or other trusted businesses or persons to process it for us, based on our instructions and in compliance with this Policy and any other appropriate confidentiality and security measures. In that respect, we may share Personal Information with companies that provide services to us, including companies that assist us with hosting, payment processing services, providing data process services, providing analytics services, account management, technical support, marketing, communication, measurement, and similar services.
- c. For Legal Reasons: We will use and/or share Personal Information with companies, outside organizations or individuals if we have a good-faith belief

that access, use, preservation or disclosure of the information is reasonably necessary to meet any applicable law, regulation, legal process or enforceable governmental request, detect, prevent, or otherwise address fraud, security or technical issues or protect against harm to the rights, property or safety of our Users or the public as required or permitted by law.

- d. Sale of Company: If we become involved in a merger, acquisition or other transaction involving the sale of some or all our assets, User information, including Personal Information collected from you through your use of our Services, could be included in the transferred assets. Should such an event occur, we will use reasonable means to notify you, either through email and/or a prominent notice on the Services.
- e. Aggregated Form: We may use or share aggregated information (Personal Information that has been aggregated or anonymized such that it can no longer be used to identify you even when combined with other information) and DII with our partners such as businesses with whom we have a relationship, advertisers or connected sites. For example, we may share information to show trends about the general use of our Services.
- f. We may disclose your Personal Information to our owners, employees, and third-party contractors for the purpose of understanding User behavior and using such information to improve the Services and for communicating with Users. All such individuals may not use the Personal Information for any other purpose.
- g. We may disclose your Personal Information, without notice, if required to do so by law or in the good faith belief that such action is necessary to: i) conform to the edicts of the law or comply with legal process served on Company; ii) protect and defend the rights or property of Company; and/or iii) act under exigent circumstances to protect the personal or economic safety of Users, or the general public.
- h. In circumstances not described above, we may disclose your Personal Information to other third parties with your consent or if you provide us with direction to do so.

In the past 12 months, we have disclosed the following Personal Information for the purposes described herein:

- Category 1: Identifiers
- Category 2: Information that identifies or can be associated with a particular individual
- Category 3: Internet or electronic network activity information
- Category 4: Geolocation
- Category 5: Commercial Activity and Information



- Category 6: Employment Information
- Category 7: Users Profiles

#### **4. More on Third Parties**

While we strive to work with reputable companies with good privacy practices, this Policy does not apply to services offered by other companies or individuals, including products or sites that may be displayed or linked to you on the Services. We also do not control the privacy policies and your privacy settings with third parties, including social networks. We encourage you to be aware when you leave the Services and to read the privacy statements of any other site or application that collects Personal Information.

#### **5. How Long Will Your Information Be Stored**

We will not use your Personal Information for any longer than is necessary to accomplish the purpose for which such data is processed, as described herein. Upon that purpose being complete, we will promptly remove such Personal Information. However, we will keep any removed Personal Information on our backup systems, solely for the purpose of archival storage and retrieval, for up to **ninety (90)** days or as otherwise required by law.

#### **6. More on Cookies and Do Not Track Signals**

Generally, we use cookies to collect additional service usage data, to improve the Services, and to personalize your experience, as further described above. Using cookies helps ensure a safe experience; prevent spam, scammers, and phishing; and facilitate User-to-User interactions, such as chatting, posting and sharing content, and providing links to third-party services.

Like most companies, we will not follow any browser, extension, or other application's Do Not Track signal or any other similar anti-tracking signals. We do not track your Personal Information for the purpose of targeted or cross contextual advertising. However, depending on your browser settings, your activity online may still be tracked. Many third parties participate in self-regulation to offer you a choice regarding receiving targeted ads. Please note that you'll still see generic ads after opting out, but they won't be based on your activities online. On the web, you can opt out of participating companies by visiting the following sites:

- <http://optout.networkadvertising.org>
- <http://optout.aboutads.info>
- <http://youonlinechoices.eu/>
- <https://tools.google.com/dlpage/gaoptout>
- <https://support.apple.com/en-us/HT202074>

If you wish to similarly opt out of cross-app advertising on mobile devices, you can enable the Limit Ad Tracking flag on the device. Enabling Limit Ad Tracking sends a flag to third parties that you wish to opt out of targeted advertising on that device, and major mobile platforms require

companies to honor this flag. Screenshots on how to find these options on various devices are available here: <http://www.networkadvertising.org/mobile-choices>. To learn how to opt out on other devices, please visit the platform/device's privacy policies for more information.

## **7. Security of your Personal Information.**

We will take reasonable and appropriate security measures to protect your Personal Information from unauthorized access, disclosure, alteration, or destruction. Unfortunately, no data transmission over the Internet or any mobile or wireless network is 100% secure. As a result, while we strive to protect your Personal Information, you agree and acknowledge that: i) there are security and privacy limitations inherent to the Internet and wireless and mobile networks which are beyond our control; and ii) security, integrity, and privacy of all information and data exchanged between you and Company cannot be guaranteed. We recommend that you do your part in protecting your Personal Information. This includes guarding against unauthorized access to your email and social media accounts; implementing 2-factor authentication where possible; ensuring no one else uses your device or computer when you are logged in; logging off from the Services when they are not in use; keeping your password and other Personal Information confidential; and by taking precautionary steps to guard the physical safety and security of your device or computer.

## **8. International Transfer**

Our Services are located in the United States and your Personal Information may be transferred or stored in the United States. The data protection laws and rules in the United States may be different from those where you live. We rely on various legal mechanisms to help lawfully support transfers of information outside the country of collection where appropriate.

## **9. Email Communication**

From time to time, we may contact you via email for the purpose of providing announcements, promotional offers, alerts, confirmations, surveys, and/or other general communication regarding the Services. To improve the Services, we may receive a notification when you open an email from Company or click on a link therein.

If you would like to stop receiving such communications via email from Company, you may opt out of such communications by clicking on the UNSUBSCRIBE button.

## **10. Merger or Sale**

The information collected pursuant to this Policy, including Personal Information, is considered an asset of Company. In the event Company or some or all of the assets related to the Services are acquired by another entity through a sale, merger, or some other change of ownership

transaction, Company reserves the right to transfer or assign the information, collected pursuant to this Privacy Policy.

## **11. Contact Information**

We welcome your questions or comments regarding this Privacy Policy. If you believe that we have not adhered to this Privacy Policy, or if you have any other questions or concerns regarding this Privacy Policy please contact [privacy@hypersoniclabs.co](mailto:privacy@hypersoniclabs.co).