

## **PRIVACY POLICY**

**UPDATED – August 11, 2022**

Thank you for visiting with <https://www.lilheroes.io> or <https://lilvillains.io> (the “Site”). Your privacy is important to us. This Privacy Policy (the “Policy”) describes the types of information that the Lil’ Heroes NFT Project (“Lil’ Heroes”, “us”, “we”, or “our”) may collect from you or that you may provide when you visit the Site and the products, features, materials, and services we offer (collectively with the Site, the “Services”). This Policy also describes our policies and procedures for collecting, using, maintaining, protecting, and disclosing that information.

The Lil’ Heroes NFT Project consists of the collection of Lil’ Heroes NFTs and Lil’ Villain NFTs (each, a “Lil’ Heroes NFT”), running on the Ethereum network, named on the Site (now or in the future).

This Policy applies to information we collect on the Site and through your use of the Services generally (including when you register for an account), and through communications between you and the Site (including email, text, Discord communications, and other electronic messages).

This Policy does not apply to information collected by third parties, including any websites, services, and applications that you elect to access through the Services. It also does not apply to any information collected by the Lil’ Heroes offline or through any other means, including any other website operated by us or any third party (including our affiliates and subsidiaries).

Please review this Policy carefully. By accessing or using the Services (or by clicking on “accept” or “agree” to this Policy when prompted), you agree to the terms of this Policy on behalf of yourself or the entity or organization that you represent. If you do not agree to any term in this Policy, you should refrain from further use of our Services.

### 1. Children Using or Accessing the Services.

The Services and its content are not intended for, nor directed at, children under the age of thirteen (13). No one under the age of thirteen (13) may provide any personal information to or on the Services. Please note that we do not knowingly collect any personally identifiable information from children under the age of thirteen (13). If you are under the age of thirteen (13), please do not attempt to use or register for the Services or send any information about yourself to us, including your name, address, telephone number, or email address. If it is determined that we have inadvertently collected or received personally identifiable information from a child under the age of thirteen (13), we shall immediately take the necessary steps to ensure that such information is deleted from our system’s database. If you are a parent or legal guardian and think your child under the age of thirteen (13) has given us information, you can contact us at

privacy@lilheroes.io.

## 2. Changes to Our Privacy Policy.

This Policy was last revised on the date noted at the top of this page. We may update this Policy from time to time. If we make material changes, we will post the updated Policy on this page and notify you of such changes by means of (at our option) sending an email to the email address specified in your account, sending a message on the Services, or through a notice on the Site home page. Your continued use of the Services after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

## 3. Information We Collect.

We receive several types of information about you from various sources, including (A) information and content that you give us; (B) automatically collected information; and (C) demographic information or other aggregate information; and (D) information from other sources. Each is described in further details below.

### A. Information and Content You Give Us.

We collect personal information that you knowingly choose to disclose. This may include:

(i) Personal Information. Personal information, such as your name, address, cryptocurrency address, Discord or social media usernames, e-mail address, username, password, and any other information you directly provide us on or through the Services. This includes information you provide when you register or create an account or make a request for customer service.

(ii) Email Correspondences. Records and copies of your email messages together with your email address and our responses, if you choose to correspond with us through email.

(iii) User Content. Information or content you submit to be published or displayed on public areas of the Services or transmitted to other users of the Services or third parties (collectively, "User Content"). Your User Content is posted on and transmitted to others at your own risk. Lil' Heroes cannot control the actions of other users of the Services with whom you may choose to share your User Content. Therefore, we cannot and do not guarantee that your User Content will not be viewed by unauthorized persons.

(iv) Transaction Information. Information about any purchase or transactions made on

the Services. This includes payment information, such as your credit or debit card number and other card information; other account and authentication information; cryptocurrency transactions and wallet addresses; and billing, shipping, and contact details. We may collect information about any third-party service to conduct a payment or transaction, and that third party might additionally collect certain information.

## B. Information We Collect Automatically.

We may use a variety of technologies to collect certain information about your equipment, browsing actions, and patterns whenever you interact with the Services, including:

(i) Activity Information. Details of your visits to our Services, including the types of content you view or engage with; the features you use; the actions you take; the people or accounts you interact with; the time, frequency, and duration of your activities; and other information about your use of and actions on the Services.

(ii) Equipment Information. Information about your computer and internet connection, including your computer operating system, IP address, browser type, and browser language.

(iii) Location Information. Information about the location of your device, including GPS location, for purposes of enhancing or facilitating the Services. For example, such information may be used to enable the functionality or features of the Services that provide you with geographically relevant information or enable you to remotely order and pay for the Services. We may also use information about the location of the device you are using to help us understand how the Services and functionality are being used and to deliver more relevant information or advertising.

The gathering of this information may be used for maintaining the quality of the Services we provide, as well as providing overall general statistics related to the use of the Services. The technologies we use for this automatic data collection may include:

(i) Cookies. A cookie is a small data file stored on the hard drive of your computer either for only the duration of your visit on a website (“session cookies”) or for a fixed period (“persistent cookies”). Cookies contain information that can later be read by a web server. We may use cookies to provide you with a more personal and interactive experience on the Services.

(ii) Web Beacons. Web beacons are small files that are embedded in webpages, applications, and emails (also known as “clear gifs”, “pixel tags”, “web bugs”, and “single-pixel gifs”). Web beacons allow Lil’ Heroes, for example, to track who has visited those webpages or opened an email, to test the effectiveness of our marketing, and for other related website

statistics.

(iii) JavaScripts. JavaScripts are code snippets embedded in various parts of websites and applications that facilitate a variety of operations including accelerating the refresh speed of certain functionality or monitoring usage of various online components.

(iv) Entity Tags. Entity Tags are HTTP code mechanisms that allow portions of websites to be stored or “cached” within your browser and validates these caches when the website is opened, accelerating website performance since the web server does not need to send a full response if the content has not changed.

(v) HTML5 Local Storage. HTML5 local storage allows data from websites to be stored or “cached” within your browser to store and retrieve data in HTML5 pages when the website is revisited.

(vi) Resettable Device Identifiers. Resettable device identifiers (also known as “advertising identifiers”) are similar to cookies and are found on many mobile devices and tablets (for example, the “Identifier for Advertisers” or “IDFA” on Apple iOS devices and the “Google Advertising ID” on Android devices), and certain streaming media devices. Like cookies, resettable device identifiers are used to make online advertising more relevant.

This Policy does not cover the use of tracking technologies by third parties. The Services may contain links, content, advertising, or references to other websites by third parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies or other tracking technologies to collect information about you when you use the Services. The information they collect may be associated with your personal information or they may collect information about your online activities over time and across different websites. Please be aware that we do not control these third parties' tracking technologies or when and how they may be used. Therefore, Lil' Heroes does not claim nor accept responsibility for any privacy policies, practices, or procedures of any third party. We encourage you to read the privacy statements and terms and conditions of linked or referenced websites you enter. If you have any questions about an ad or other targeted content, you should contact the responsible provider directly.

#### C. Demographic Information.

We may collect demographic, statistical, or other aggregate information that is about you, but individually does not identify you. Some of this information may be derived from personal information, but it is not personal information and cannot be tied back to you. Examples of such aggregate information include gender, age, race, household income, and political affiliation.

#### D. Information from Other Sources.

We may receive information about you from other sources and add it to our account information.

We protect this information according to the practices described in this Policy, plus any additional restrictions imposed by the source of the data. These sources may include online and offline data providers, from which we obtain demographic, interest-based, and online advertising related data; publicly available sources such as open government databases or social networks; and service providers who provide us with information, or updates to that information, based on their relationship with you. By gathering additional information about you, we can correct inaccurate information, enhance the security of your transactions, and give you product or service recommendations and special offers that are more likely to interest you.

#### 4. How We Use Your Information.

We may use the information we collect about you in a variety of ways, including to:

- (i) provide the Services and its content to you;
- (ii) respond to comments and questions, and provide customer service;
- (iii) fulfill any other purpose for which you provide such information;
- (iv) communicate with you about your transaction, order, purchase, account, or subscription;
- (v) inform you about important changes to, or other news about, the Services or any of its features or content;
- (vi) operate, maintain, improve, personalize, and analyze the Services;
- (vii) monitor and analyze trends, usage, and activities for marketing or advertising purposes;
- (viii) detect, prevent, or investigate security breaches, fraud, and other unauthorized, prohibited or illegal activity;
- (ix) carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection;
- (x) maintain appropriate records for internal administrative purposes;
- (xi) allow you to participate in interactive features on the Services;

(xii) send promotional communications, such as information about features, newsletters, offers, promotions, contests, and events;

(xiii) share information across Lil' Heroes' products and devices to provide a more tailored and consistent experience on all Lil' Heroes products you use; and

(xiv) develop, test and improve new products or services, including by conducting surveys and research, and testing and troubleshooting new products and features.

## 5. How We Share Your Information.

We may disclose aggregated or anonymized information about our users without any restrictions. We will not share your personal information that we collect or you provide as described in this Policy except in the following circumstances:

(A) With subsidiaries and affiliates for business purposes. To our subsidiaries and affiliated companies for purposes of management and analysis, decision-making, and other business purposes.

(B) When we work with service providers. To service providers, contractors, and other third parties that provide us with support services, such as development or maintenance of the Service, credit card processing, website hosting, email and postal delivery, location mapping, product and service delivery, or analytics services, and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.

(C) When we become involved in a sale or transfer of Lil' Heroes. If we become involved with a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Lil' Heroes' assets (whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding), to business entities or people involved in the negotiation or transfer.

(D) When we are required by law. To comply with any court order, law, or legal process, including to respond to any government or regulatory request.

(E) When we enforce our rights. To enforce or apply this Policy, our Terms of Service <https://www.lilheroes.io/tos>, and other agreements, including for billing and collection purposes.

(F) To help protect lawful interests. If we believe disclosure will help us protect the rights, property, or safety of Lil' Heroes, our users, partners, agents, and others. This includes exchanging information with other companies and organizations for fraud protection, and spam

and malware prevention.

(G) To fulfill the purpose for that information or with your consent. To fulfill the purpose for which you provide the information, for any other purpose disclosed by us when you provide the information, or with your consent.

(H) When we work with marketing service providers. To marketing service providers to assess, develop, and provide you with promotions and special offers that may interest you, administer contests, sweepstakes, and events, or for other promotional purposes.

Information that you post on or through the public areas of the Services (e.g., chat rooms, bulletin boards, and discussion groups) are generally accessible to, and may be collected and used by, others and may result in unsolicited messages or other contact from others. Users of the Services are encouraged to exercise caution when providing personal information about themselves in public or interactive areas.

## 6. Your Choices.

### A. Mechanisms to Control Your Information.

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

(i) Cookies & Other Tracking Technologies. You may be able to set your browser to reject cookies and certain other technologies by adjusting the appropriate settings in your browser. Each browser is different, but many common browsers have preferences that may be adjusted to allow you to either accept or reject cookies and certain other technologies before they are set or installed or allow you to remove or reject the use or installation of certain technologies altogether. We recommend that you refer to the Help menu in your browser to learn how to modify your browser settings.

(ii) Promotional Communications from Lil' Heroes. If you do not wish to have your contact information used by Lil' Heroes to promote our own or third-party products or services, you can opt-out by (i) informing us of your preference at the time you sign up for our newsletter, or complete any other form on or through the Services which we collect your data; (ii) modifying your user preferences in your account profile by checking or unchecking the relevant boxes; (iii) following the opt-out instructions in the promotional emails we send you; or (iv) sending us an email stating your request. Please note that if you opt out of receiving promotional communications from us, we may still send you transactional communications, including emails about your account or purchases.

## B. How We Respond to Do Not Track Signals.

“Do Not Track” is a privacy preference you can set in most web browsers. When you turn on this preference, it sends a signal or message to the websites you visit indicating that you do not wish to be tracked. Please note that we currently do not respond to Do Not Track browser settings.

## 7. Accessing and Correcting Your Information.

You may send us an email to request access to, correct, or remove any personal information that you have provided to us. You may also access, correct, or remove your personal information by logging into the Site and visiting your account profile page. We may not be able to delete your personal information except by also deleting your account.

We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Content from the Services or your account, copies of your User Content may remain viewable in cached and archived pages or might have been copied or stored by other users of the Services.

Funding and transaction information related to your use of certain services may be recorded on a public blockchain. Public blockchains are distributed ledgers, intended to immutably record transactions across wide networks of computer systems. Many blockchains are open to forensic analysis which can lead to deanonymization and the unintentional revelation of private financial information, especially when block chain data is combined with other data.

You accept and acknowledge that by accessing our Site and Services, you may make your personal accessible on a public blockchain.

Because blockchains are decentralized or third-party networks that are not controlled or operated by us, we are not able to erase, modify, or alter your personal information from such networks.

## 8. Legal Bases for Processing Your Information and Your Rights

- We may process personal information under the following conditions:
  - Consent: You have given your consent for processing personal information for



one or more specific purposes.

- Performance of a contract: Provision of personal information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof.
- Legal obligations: Processing personal information is necessary for compliance with a legal obligation to which Lil' Heroes is subject.
- Vital interests: Processing personal information is necessary in order to protect your vital interests or of another natural person.
- Public interests: Processing personal information is related to a task that is carried out in the public interest or in the exercise of official authority vested in Lil Heroes.
- Legitimate interests: Processing personal information is necessary for the purposes of the legitimate interests pursued by Lil Heroes.

In any case, Lil Heroes will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of personal information is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

- Lil Heroes undertakes to respect the confidentiality of your personal information and to guarantee you can exercise your rights. You have the right under this Privacy Policy, and by law depending on your location, to:
  - Request access to your personal information. The right to access, update or delete the information we have on you. Whenever made possible, you can access, update or request deletion of your personal information directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you. This also enables you to receive a copy of the personal information we hold about you.
  - Request correction of the personal information that we hold about you. You have the right to have any incomplete or inaccurate information we hold about you corrected.
  - Object to processing of your personal information. This right exists where we are relying on a legitimate interest as the legal basis for our processing and there is something about your particular situation, which makes you want to object to our processing of your personal information on this ground. You also have the right to object where we are processing your personal information for direct marketing

purposes.

- Request erasure of your personal information. You have the right to ask us to delete or remove your personal information when there is no good reason for us to continue processing it.
  - Request the transfer of your personal information. We will provide to you, or to a third-party you have chosen, your personal information in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which You initially provided consent for us to use or where we used the information to perform a contract with you.
  - Withdraw your consent. You have the right to withdraw your consent on using your personal information. If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of the Service.
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- You may exercise your rights of access, rectification, cancellation and opposition by contacting us. Please note that we may ask you to verify your identity before responding to such requests. If you make a request, we will try our best to respond to you as soon as possible.
  - Notwithstanding the foregoing, because block chains are decentralized or third-party networks that are not controlled or operated by us, we are not able to erase, modify, or alter your personal information from such networks.

## 9. California Privacy Rights.

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, please submit a written request to [privacy@lilheroes.io](mailto:privacy@lilheroes.io).

## 10. How We Protect Your Information.

We take reasonable precautions to secure your personal information. We have implemented technical, physical, and administrative security measures designed to reduce the risk of loss, misuse, unauthorized access, disclosure, or modification of your information. We have put in place appropriate physical, electronic, and managerial procedures to safeguard the information we collect. All information you provide to us is stored on our secure servers behind firewalls. When you transmit highly sensitive information (such as a credit card number) through the Services, we encrypt the transmission of that information using Secure Sockets Layer (SSL)

technology.

The safety and security of your information also depend on you. Where we have given you (or where you have chosen) a password for access to certain parts of the Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

For conducting cryptocurrency transactions, we use third-party electronic wallet extensions such as MetaMask or Coinbase Wallet; your interactions with MetaMask or Coinbase Wallet and/or any third-party electronic wallet extensions are governed by the applicable privacy policies.

While we have employed security technologies and procedures to assist safeguarding your personal information, no system or network can be guaranteed to be 100% secure. Unauthorized entry or use, hardware or software failure, and other factors may compromise the security of user information at any time. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Site or any other Services.

## 11. Terms of Service.

If you choose to visit the Services, your visit and any dispute over privacy is subject to this Policy and our Terms of Service <https://www.lilheroes.io/tos>, including limitations on damages, resolution of disputes, and application of the law of the state of Delaware.