

Privacy Policy for Nintendo's Licensed Tournament Application Form

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Nintendo of Europe SE, Goldsteinstrasse 235, 60528 Frankfurt am Main, Germany ("**Nintendo**", "**we**", "**us**" or "**our**") respects the privacy rights of data subjects and recognises the importance of protecting their personal data.

This Privacy Policy (the "**Privacy Policy**") provides information about how Nintendo obtains and processes your personal data if you apply for a tournament license via Nintendo's Tournament Form (<https://www.nintendo.com/en-gb/Legal-information/Licensed-Tournament-Application-2480361.html>).

Nintendo is the controller within the meaning of the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 – "**GDPR**").

If you are a UK resident applying for a tournament license via Nintendo's Tournament Form, references to "GDPR" should be read as references to the UK General Data Protection Regulation ("UK GDPR").

1 What Information We Obtain and Process

1.1 Access to Nintendo's Tournament Form

You can access Nintendo's Tournament Form via Nintendo's website. If you would like to learn more about the personal data we process when you use our website or about the cookies Nintendo may place, please see our Nintendo Website Privacy Policy (<https://www.nintendo.com/en-gb/Legal-information/Website-Privacy-Policy/Website-Privacy-Policy-637785.html>).

1.2 Register your tournament

To apply for a tournament license via Nintendo's Tournament Form, we collect the following types of personal data from you:

- **organiser information:** name of the person submitting the application, name and e-mail address of the tournament organiser and if the tournament takes place online, the city where the organiser resides;
- **tournament information:** tournament name, date(s) of the tournament, country, city where the tournament will take place, website URL of the tournament, tournament description, summary of ruleset, planned announcement date, the number of tournaments held, any exceptions (i.e. to the tournament player cap, participation fee, spectator fee, sponsorships and any other changes), and website/social media account where the tournament will be announced;
- **additional information:** in case organiser requests on behalf of a company: company name, address and website.

2 How the Information Is Used – Purposes of Processing

2.1 The processing of your personal data when applying for a tournament license via Nintendo's Tournament Form is necessary for the purpose of processing the application and for contacting the organiser about the tournament (performance of contract, Art. 6 para 1 (b) GDPR).

2.2 We may also process the collected information as far as necessary to prevent fraud, potentially illegal or offensive activities, or to enforce our rights or the rights of our users. The legal basis for this processing is Art. 6 para. 1 (f) GDPR. The legitimate interest we pursue is the prevention of fraudulent and illegal activities; the protection of our systems and networks; and the enforcement of our legitimate rights and rights of our users. **You have the right to object, on grounds relating to your particular situation, at any time to such processing. To exercise this right you may at any time contact us as provided in Section 6 of this Privacy Policy.**

3 Who Has Access to the Personal Data

3.1 We may share your information with other entities of the Nintendo group to be used in accordance with this Privacy Policy; in particular, with:

- our parent company Nintendo Co., Ltd. located in Japan

- our European affiliate Nintendo Ibérica SA, and our European branches in France, the Netherlands, Belgium, Italy, Germany, Austria, Switzerland and the United Kingdom, depending on the countries you plan to host a tournament.

Where we share your personal data with Nintendo Co., Ltd., appropriate safeguards for an adequate level of data protection are provided for by standard data protection clauses that have been adopted by the European Commission and that have been entered into between Nintendo and Nintendo Co., Ltd.

The legal basis for Nintendo sharing your personal data with its parent company Nintendo Co., Ltd. and its European affiliate and branches is Art. 6 para. 1 (f) GDPR. We and our parent company both have a legitimate interest in sharing such data to inform our parent company that a tournament is to take place and that copyrights, trademarks or other IP rights owned by Nintendo Co., Ltd. might be affected. We have a legitimate interest to inform our European affiliate and branches that a tournament is to take place in their country. **You have the right to object, on grounds relating to your particular situation, at any time to such processing. To exercise this right you may at any time contact us as provided in Section 6 of this Privacy Policy.**

3.2 In compliance with applicable data protection requirements, we may also use third-party data processors and may share your personal data about with such third party data processors acting on our behalf (such as host and IT service providers). Where such third party processors are located outside the European Union respectively the European Economic Area, such third party processors are either located in a third country where the European Commission has decided that this country ensures an adequate level or appropriate safeguards for an adequate level of data protection are provided for in compliance with GDPR, such as standard data protection clauses that have been adopted by the European Commission and that have been entered into between Nintendo and the third party data processor.

3.3 Nintendo uses the “Microsoft Forms” tool to collect the information via Nintendo’s Tournament Form. The processing is carried out on behalf of Nintendo by: Microsoft Corporation, one Microsoft Way, Redmond, WA 98052-6399, USA (“**Microsoft**”).

Personal data of users from European Union member states or from other states contracting to the Agreement on the European Economic Area will generally be processed on Microsoft servers within

the European Economic area. Nevertheless, it may be necessary for the provision of the service and in the context of support that data is processed at the headquarters of Microsoft Inc. in the USA.

Standard data protection clauses that have been adopted by the European Commission are contractually agreed for such a data transfer to a third country

Please note that this Privacy Policy informs you about the processing of your personal data by Nintendo when using a Microsoft Forms survey to apply for a tournament license. Insofar as the Microsoft website www.office.com or "Microsoft Forms" uses cookies, Microsoft is responsible and the use of Microsoft cookies is not controlled by the Nintendo Cookies Settings. Microsoft cookies are used on the survey page to provide the Microsoft Forms service. Further information on data protection at Microsoft can be found at <https://privacy.microsoft.com/de-de/privacystatement>.

4 Storage Time

We will only store your personal data as long as necessary to fulfil the purposes for which the data is collected and processed (which is usually two months following the end of the tournament) or – where the applicable law provides for longer storage and retention period – for the storage and retention period required by law. After that the personal data will be deleted.

In particular, if you exercise your right to object to the processing of your personal data, we will delete the personal data that we processed for the purpose to which you objected without undue delay, unless another legal basis for processing and retaining this data exists or unless applicable law requires us to retain the data.

5 Rights under GDPR

In particular, but without limitation, you may have the following rights under GDPR:

- Right of access: You have the right to obtain confirmation from us as to whether or not we process personal data about you and you also have the right to at any time obtain access to your personal data stored by us. To exercise this right you may at any time contact us as provided in Section 6 of this Privacy Policy.
- Right to rectification of personal data: If we process personal data about you, we endeavour to ensure by implementing suitable measures that the personal data is accurate and up-to-date for the purposes for which the personal data was collected. If the personal data about

you is inaccurate or incomplete, you have the right to obtain the rectification of such data. To exercise your right you may at any time contact us as provided in Section 6 of this Privacy Policy.

- **Right to erasure of personal data or right to restriction of processing:** You may have the right to obtain the erasure of your personal data or the restriction of processing of your personal data. To exercise this right you may at any time contact us as provided in Section 6 of this Privacy Policy.
- **Right to data portability:** You may have the right to receive the personal data concerning you and which you have provided to us, in a structured, commonly used and machine-readable format or to transmit those data to another controller. To exercise this right you may at any time contact us as provided in Section 6 of this Privacy Policy.
- **Right to object:** You may have the right to object to the processing of your personal data as further specified in this Privacy Policy.
- **Right to lodge a complaint with supervisory authority:** You have the right to lodge a complaint with a data protection supervisory authority located in the European Union. You may contact the Hesse Data Protection Supervisor.

6 Contact

6.1 If you are located in a country of the European Union or in the UK and if you have any questions about this Privacy Policy or about Nintendo's data processing activities or if you want to exercise any of your rights under GDPR, you may contact us at any time: By mail to Nintendo of Europe SE, Goldsteinstrasse 235, 60528 Frankfurt am Main, Germany or via the contact form available under nintendo-europe.com/contact.

6.2 You can also contact our data protection officer at any time: By mail to Nintendo of Europe SE, Attn.: Legal Department, Goldsteinstrasse 235, 60528 Frankfurt am Main, Germany or via email dataprotectionofficer@nintendo.de.