

VGA Gallery Privacy Policy

Last Revised: December 7, 2018

This Privacy Policy describes what information the Video Game Art Gallery (“**VGA Gallery**,” “**we**,” or “**us**”) collects about you, how we collect it, how we use it, with whom we may share it, and what choices you have regarding it. This Privacy Policy applies information we collect through your use of our website and any other means by which we may collect information about you, include through our interactions with you offline (“Services”).

By accessing and using our Services, you agree that you have read and understand this Privacy Policy and that you accept and consent to the privacy practices (and any uses and disclosures of information about you) that are described in this Privacy Policy.

How We Collect Your Information

We collect personal information in the following ways:

- **From you when you communicate with us.** We collect information about you directly from you when you interact with us via our website, in person, by telephone, or by email. When you engage in certain activities on our website, such as ordering a product, filling out a survey, posting a review on social media, sending us or third party service providers email, requesting information about our Services, or signing up for special offers from third parties through our website, send us postal mail, or speak with us on the telephone, we may ask you to provide certain information about yourself. We also collect information from our visitors book at the Gallery.
- **From Third Party Sources.** We may collect information from our Service Providers who help us to provide services, or from other third-party Service Providers.
- **From social media.** When you interact with us over social media, we may collect information about you. If you post information or otherwise interact with us through social media websites, social media platform plug-ins, or other applications we use, we may collect or receive information that you provide or that is automatically collected by the social media platform. Information that you post on social media platforms may become public, depending on your account settings. Information collected by social media platforms when you interact with their services is governed by the social media platforms’ respective privacy policies. For more information about how you can customize your privacy settings and how third-party social media websites handle your personal information, please refer to their privacy policies. We have a presence on [Facebook](#), [Twitter](#), and [Instagram](#).

What Information We Collect

Information you provide to us.

We may collect certain information from or about you, including, but not limited to:

- Name;
- Phone Number;
- Email Address;
- Mailing Address;
- T-Shirt Size; and
- Content of messages or comments posted by you or other users, including text, photos, videos, and links (i.e., User Generated Content).

Information automatically collected using tracking technology.

We may collect data pertaining to you using cookies, web beacons, pixels or other tracking technologies. The data collected may include:

- IP Address
- Device Type
- Browser Type
- Operating System or Platform
- Name of Internet Service Provider
- Referring Website
- Exiting Website
- Pages visited on the website
- Frequency, time, data, and duration of your visit on our website
- Your location
- Whether you open emails from us
- Links you click on in our emails and on our website, including ads
- Whether you access our website from multiple devices
- Other interaction you may have on our website
- Device Unique Device Identifier (e.g., Unique Device Identifier (UDID) or International Mobile Equipment Identity (IMEI))
- Mobile device MAC or IP address
- Information about your mobile device's operating system
- Information about your mobile carrier

Information Obtained from Third Party Sources.

We may receive information about you from our third-party service providers who help us to provide products and services to you, including our website when you interact with those Service Providers.

How We Use Your Information

The VGA Gallery does not sell, rent, lend, or otherwise share your information to third-parties for marketing or any other purposes except as described below. Automatically collected information may be combined with other information that we collect directly from you or that we receive from other sources and used for the purposes described below. The following is a description of how we use the personal information we have collected about you.

- **To provide Services to you.**
- **To provide services requested by you.** For example, if you sign up for our newsletter, we will use the information you give us to send you our newsletter.
- **To provide our website, and its functionalities to you.** We may use this information to help administer the servers, generate statistical information, monitor and analyze website traffic and usage patterns, improve the website content and content delivery, including any content, materials, and services that we describe or make available on the website.
- **To respond to your requests.** If you contact us with a question or a request, we will use your information to respond to your request. For example, if you contact us via email with a question, we will use the information in that email and the email address you used to contact us to respond to you.
- **To offer and conduct promotions and contests.**
- **To conduct data analytics to support our website and operations.** Typically, these analyses are done using of aggregated or otherwise de-identified data. We use information, including automatically-collected information, to manage and improve our website and our operations. For example, we use such information to:

- **Manage our Foundation's needs, such as monitoring, analyzing, and improving the services and the website's performance and functionality.** For example, we analyze website user behavior and conduct research and analysis about the way you and other users use our website.
- **Manage risk and protect the website.** We use data to better protect our services, our website, and you by helping to detect and prevent fraud and abuse of the website and our services.
- **Develop new products, services and offers.**
- **To operate and improve our operations.**
- **To maintain our records.**
- **To market to you.** Information we collect about you and how you use and interact with the website and our services, ads, and other online content helps us to improve our website and offer additional products and services that we think might interest you. For example, we analyze information about user interactions to determine whether those communications and ads are effective, and to understand what other website functionalities, products or services may interest you.
- **For legal, contractual and safety purposes.** We will use your information as necessary to enforce the terms of our website; to comply with all applicable laws and regulations; to defend or protect us, our users, you, or third parties from harm or in legal proceedings; to protect our rights; to protect our security and the security of our users, volunteers, guests, employees, and property; to respond to court orders, lawsuits, subpoenas, and government requests; to address legal and regulatory compliance; to verify your identity or communications from you; to comply with contracts and other agreements to which we are a party; and to notify you of changes to our terms, policies, or practices.
- **To conduct internal monitoring and training.**
- **For other purposes for which you provide your consent.** For other purposes which are disclosed to you at the time your information is collected or for purposes which can be inferred from or are obvious given the circumstances of collection. For example, if you give us your personal information when entering a contest, we will use that information to facilitate your participation in that contest.

How We Share Your Information

We may disclose information we collect as described in this Privacy Policy to the following parties:

- To our affiliates.
- To contractors, service providers, and other third parties we use to support our business, as necessary.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of VGA Gallery's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding.

These third-parties are contractually restricted from using or disclosing the information except as necessary to perform services or to comply with legal requirements.

We may disclose aggregated, de-identified information, and analyses and reports derived from such information to third parties including utilities, Service Providers, advertisers, merchants, consumer and market research companies and other organizations. If we have obtained your personal information from one of our clients, they may have the same information we do.

We may disclose information that we collect or you provide as described in this privacy policy for the following purposes:

- To fulfill the purpose for which you provide it.
- To comply with any court order, law or legal process, including to respond to any government or regulatory request.

- To enforce or apply our Website Terms of Use and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of VGA Gallery, our guests, our volunteers and employees, or others.
- In connection with an investigation of a complaint, security threat, or suspected or actual illegal activity.
- In connection with an internal audit.
- In the event that VGA Gallery is subject to mergers, acquisitions, joint ventures, sales of assets, reorganizations, divestitures, dissolutions, bankruptcies, liquidations, or other types of business transactions. In these types of transactions, personal information may be shared, sold, or transferred, and it may be used subsequently by a third party.
- For any other purpose disclosed by us when you provide the information with your consent.

Your Choices

Information Collected from you.

It is optional for you to provide us with information. Depending on the activity, some of the information we ask you to provide is identified as mandatory and some is identified as voluntary. If you do not provide the mandatory information for a particular activity that requires it, you will not be permitted to engage in that activity.

Emails

You can opt-out of receiving future promotional email messages from VGA Gallery by following the opt-out instructions provided in any such message you receive. Please note that it may take up to ten (10) days to process your request. Please also be aware that we may continue to send you transactional and administrative communications, such as emails confirming your transactions with us.

Cookies

We provide a variety of services on our website using cookies. We place cookies on your device in order to provide you with access to services and enhance website and App functionality.

What is a Cookie?

A cookie is a small piece of data that a web site can send to your browser, which may then be stored on your hard drive as a “tag” that identifies your computer. Cookies help to navigate from page to page on a website, provide secure connections, gather statistics about the usage and effectiveness of our site, and remembers preferences from a previous visit when you return.

Third-party service providers may use cookies alone or in conjunction with other tracking technologies to collect information about you when you use our website. We do not combine the information collected through the use of these services with information that directly identifies you.

For example, we use Google Analytics to help us analyze how visitors use our websites. The information generated by the cookie, including your IP address, is transmitted to Google. This information is then used to evaluate visitors’ use of the website and mobile applications and to compile statistical reports on website activity for us.

Cookie Choices

If you do not want any information to be collected and used by Google Analytics, you can install an [opt-out](#) in your web browser.

Most web browsers automatically accept cookies, but you can change your browser's settings to disable all or certain cookies if you wish. For more information on how to manage browser cookies, see <http://www.allaboutcookies.org>. Click on the links below to learn how to manage cookies on these browsers:

- [Google Chrome](#)
- [Microsoft Edge](#)
- [Mozilla Firefox](#)
- [Microsoft Internet Explorer](#)
- [Opera](#)
- [Apple Safari](#)

Please note that by disabling or deleting cookies, you may not be able to access the full functionality of our website. Disabling or clearing cookies also may affect cookie-based opt-outs by either preventing you from using such cookie-based opt-outs or clearing opt-outs that you previously set.

You may control your advertising preferences or opt-out of certain Google advertising products by visiting the Google Ads Preferences Manager, currently available at <https://google.com/ads/preferences> or by visiting NAI's online resources at <http://www.networkadvertising.org/choices>.

Some of the third parties that we may work with may participate in the Digital Advertising Alliance's (DAA) self-regulatory program, which provides consumers tools to opt-out of receiving interest-based advertising. Click [here](#) to learn more about the DAA's WebChoices tool. To help control or block certain ads in mobile applications, you may choose to download and utilize the DAA mobile app by clicking [here](#).

You also can learn more about opting out of third parties' use of cookies used to tailor ads and other content to you by visiting http://www.networkadvertising.org/managing/opt_out.asp and <http://www.aboutads.info/choices>.

Do Not Track

Because there currently is not an industry or legal standard for recognizing or honoring Do Not Track ("DNT") signals, we do not respond to them at this time.

How We Protect Your Information

We take security seriously and take numerous and reasonable precautions to protect the security of your information. Unfortunately, no data transmission over the internet or any wireless network can be guaranteed to be 100% secure. As a result, while we employ commercially reasonable security measures to protect data, and seek to partner with companies that do the same, we cannot guarantee the security of any information transmitted to or from our website, and are not responsible for the actions of any third parties that may receive any such information.

Communication with Children

Minors under the age of 13 may not use our website. No part of the Website is designed to attract anyone under the age of 13. We do not knowingly collect personally identifiable information from children under the age of 13. If a parent or guardian is made aware that a child under the age of 13 has provided us with

personally identifiable information through any point of contact, we ask to be contacted at jkinkley@vgagallery.org and we will delete the information about the child referenced from our files.

Links to Third Party Websites

This Privacy Policy addresses the use and disclosure of information we collect about you. Other websites that may be accessible through our website have their own privacy policies and data collection, use and disclosure practices. We are not responsible for the policies or practices of third parties. If you click on a link to any such website, we urge you review the website's privacy policy.

Please note that we use a payment processor to process payments on our behalf. Currently, we use Stripe to process payments. You can learn more about Stripe's privacy practices [here](#).

How Long Do We Retain Your Information?

We will keep your personal information for the period necessary to fulfil the purposes described in this Privacy Policy, unless a longer retention period is permitted or required by law.

In specific circumstances, we may store your personal information for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your personal information or dealings.

Individual Rights

You may request access to, correct, or delete your personal data. You may also receive a copy of your personal data in a commonly used and machine-readable format. You also may object to processing of your personal data, or ask that we restrict the processing of your personal data in certain instances.

To request deletion of, access to, or to make changes to your personal data, or to any of the rights in this section, please email us at jkinkley@vgagallery.org. Please note that not all requests can be honored.

Individuals Within the European Union

Controllers of Personal Data

VGA Gallery
2418 W Bloomingdale #102
Chicago, IL 60647

is the data controller of the personal data processed through the website.

Legal Bases for Processing Personal Data

If you are an individual located in the European Union (EU), we collect and process personal data about you where we have a legal basis for doing so under applicable EU laws. This means we collect and process your data only when:

- It is necessary for a legitimate interest (which is not overridden by your individual privacy interests), such as preventing fraud, improving our website, and increasing the security of the website and network infrastructure;
- You have consented to this collection and processing for a specific purpose;
- It is necessary to fulfil our contractual obligations; or
- It is necessary to comply with a legal obligation.

Where we rely on your consent to process your personal data, you have the right to withdraw or decline consent at any time. An example of where we rely on your consent to process your personal data includes sending you our newsletter and marketing emails. If you wish to withdraw your consent, please contact us at jkinkley@vgagallery.org.

Some examples of our legitimate interests for processing personal data include:

- Website and network security;
- Customer support;
- Soliciting support from our supporters;
- Marketing to our customers, visitors, and donors;
- Fraud prevention; or
- Improving our website.

Where we rely on our legitimate interests to process your personal data, you may have the right to object. More information on exercising this right can be found in the Individual Rights section below.

If you have any questions about or need further information concerning the legal basis on which we collect and use your personal data, please contact us at jkinkley@vgagallery.org.

Transfers, Storage, and Processing

Our website is operated from and hosted on servers located in the United States. If you access and use our website from a location outside of the United States, any personal data you provide to us or that is otherwise collected may be transferred to and processed in the United States or any other jurisdiction in our sole discretion. Users of our website should be aware that the laws that apply to the use and protection of personal data in the United States or other countries or jurisdictions to which we transfer, or in which we process, personal data may differ from those of your country of residence. Users who access or use our website from jurisdictions outside of the United States do so at their own choice and risk, and are solely responsible for compliance with local law. While we take steps to safeguard your personal data, the United States has NOT been deemed by the European Commission to ensure an adequate level of protection for personal data. Accordingly, the level of protection provided in the United States or other non-EU countries and jurisdictions from which you may access our website may not be as stringent as that under EU data protection standards or the data protection laws of some other countries, possibly including your home jurisdiction.

By checking the box agreeing to allow your personal data to be transferred to the United States, you consent to allow your personal data to be transferred across borders to the United States or to other countries or jurisdictions in which we or our third-party associates may process personal data.

If you are a resident of the EU and your inquiry with us has not been satisfactorily addressed, or if you believe we are processing your personal data not in accordance with the law or this Privacy Policy, you may file a complaint with the supervisory authority in your country of residence.

Your California Privacy Rights

Individual customers who reside in California and who have an existing business relationship with us may request information about our disclosure of certain categories of personal information to third parties for the third parties' direct marketing purposes, if any.

To make such a request, send an email with the subject heading "California Privacy Rights" to jkinkley@vgagallery.org. In your request, please attest to the fact that you are a California resident and provide a current California address for our response. Please be aware that not all information sharing is covered by these California privacy rights requirements and only information on covered sharing will be included in our response. This request may be made no more than once per calendar year.

If you are a California resident under the age of 18, and have a registered account on the Website, you have the right to request and obtain removal of content or information you have publicly posted. To make a request, please send an email with a detailed description of the specific content or information to jkinkley@vgagallery.org. Please note that a request does not ensure complete or comprehensive removal of the information you have posted. There may be circumstances in which the law does not require or allow removal even if requested.

Changes to this Privacy Policy

From time to time, we may change this Privacy Policy because of changes in relevant and applicable legal or regulatory requirements, our business practices, or in our attempts to better serve your needs and those of our other customers. When we do so, a revised policy will be posted and made available through the our website. We encourage you to regularly review the current version of this Privacy Policy on our website.

Any questions?

For any questions, or to request further information regarding this Privacy Policy or our use and disclosure of Collected Information, please contact us at jkinkley@vgagallery.org.