

## Privacy Policy

Effective Date: September 29, 2020

Last Updated: December 3, 2021

### **1. INTRODUCTION AND OVERVIEW.**

This Privacy Policy describes how A24 Films LLC (“A24,” “we,” “our,” or “us”) collects, uses, and shares information about you and applies to your use of any online service location that posts a link to this Privacy Policy and all features, content, and other services that we own, control and make available to you (collectively, the “Service”).

### **2. INFORMATION WE COLLECT.**

#### **A. Information You Provide to Us.**

We and our agents, vendors, consultants, and other service providers (collectively, “Service Providers”) may collect information you provide directly to us via the Service. For example, we collect information when you register an account, make a purchase, sign-up for our newsletter, access our content, or otherwise communicate or transact with us through the Service.

The information we collect may include Personal Information. "Personal Information" is information that can be used to identify you by itself or when it is combined with other information, such as your first and last name, e-mail address, postal address, and payment information, such as your credit or debit card number, security code and expiration date.

Certain areas of the Service are designed to help you share information with the world. If you make information public through our Service, other users will have access to it. We cannot guarantee information you make public through our Service will remain protected in accordance with this Privacy Policy. Please think carefully before making information public. You are solely responsible for information you make public.

Personal Information once “de-identified” or “aggregated” is not subject to this Privacy Policy and we and our Service Providers may treat it as non-Personal Information and use it without obligation to you except as prohibited by applicable law.

#### **B. Information Collected Automatically.**

We and our Service Providers may automatically collect certain information about you when you access or use the Service (“Usage Information”). Usage Information may include IP address, device identifier, browser type, operating system, data regarding network connected hardware, and information about your use of the Service. To the extent such Usage Information can be used to identify you personally, including if we combine Usage Information with other personally identifiable information, we will treat the combined information as Personal Information under this Privacy Policy.

The methods that may be used on the Service to collect Usage Information include:

- **Log Information:** Log information is data about your use of the Service, such as IP address, browser type, internet service provider, referring/exit pages, operating system, date/time stamps, and related data, which is stored in log files.
- **Information Collected by Tracking Technologies:** Cookies, web beacons (also known as "tracking pixels"), embedded scripts, location-identifying technologies, device fingerprinting, and other tracking technologies now and hereafter developed ("Tracking Technologies") may be used to collect information about your interactions with the Service or e-mails, including information about your browsing and activity behavior.
  - **Cookies:** A cookie is a small text file that is stored on a user's device, which may be a session ID cookie or tracking cookie. Session cookies make it easier for you to navigate the Service and expire when you close your browser. Tracking cookies help in understanding how you use the Service, and remain longer. The Service may associate some or all of these types of cookies with your devices. Cookies may remain on your device for extended periods of time.
  - **Web Beacons ("Tracking Pixels"):** Web beacons are small graphic images, also known as "internet tags" or "clear gifs," embedded in web pages and e-mail messages. Web beacons may be used to count the number of visitors to the Service, to monitor how users navigate the Service, and to count content views.
  - **Embedded Scripts:** An embedded script is programming code designed to collect information about your interactions with the Service. It is temporarily downloaded onto your device from our web server or a Service Provider, is active only while you are connected to the Service, and deleted or deactivated thereafter.
  - **Location-identifying Technologies:** Location-aware technologies locate (sometimes precisely) you for purposes such as verifying your location and delivering or restricting relevant content based on your location.
  - **Device Fingerprinting:** Device fingerprinting is the process of analyzing and combining sets of information elements from your device's browser, such as JavaScript objects and installed fonts, in order to create a "fingerprint" of your device and uniquely identify your device.

Some information about your use of the Service and certain Third Party Services (defined below in [Section 6](#) ("Third Party Services, Features, and Devices")) may be collected using Tracking Technologies across time and services and used by us and our Service Providers for purposes such as to associate different devices you use, and deliver relevant ads and/or other content to you on the Service and certain Third Party Services.

For further information on Tracking Technologies and your choices regarding them, please see ["Third Party Services, Features, and Devices"](#) and ["Your Choices"](#) below.

C. Information from Other Sources.

We may obtain information about you from other sources, including Service Providers and Third Party Services, and combine such information with information we have collected about you. To the extent such third party sourced information, alone or in combination with other information, can be used to identify you personally, we will treat the third party sourced information as Personal Information under this Privacy Policy.

### **3. HOW WE MAY USE YOUR INFORMATION.**

We may use information about you, including your Personal Information, for any purposes consistent with our statements under this Privacy Policy or as permitted by applicable law, including to:

- Manage our Service, including your registration and account;
- Process and facilitate your transactions, including purchases made through our online store;
- Provide access to free and/or purchased downloads and other similar content;
- Respond to your comments, questions, and requests, and provide customer service;
- Send you technical notices, updates, security alerts, information regarding changes to our policies, and support and administrative messages;
- Prevent and address fraud, breach of policies or terms, and threats or harm;
- Monitor and analyze trends, usage, and activities;
- Conduct research, including focus groups and surveys;
- Improve the Service or other A24 websites, applications, marketing efforts, products and services;
- Send you advertisements and communicate with you regarding our and third party products, services, offers, promotions, rewards and events we think you may be interested in (for information about how to manage these communications and marketing efforts, please see [“Third Party Services, Features, and Devices”](#) and [“Your Choices”](#) below); and
- Fulfill any other purpose disclosed at the time you provide Personal Information.

We will not use information we’ve collected from you for purposes that are materially different, unrelated, or incompatible with this Privacy Policy without providing you with prior notice.

### **4. HOW WE MAY SHARE OR DISCLOSE YOUR INFORMATION**

We may share your information, including Personal Information and Usage Information, with our Service Providers in order for them to perform the activities listed above in Section 3 (“How We May Use Your Information”) at our instruction or on our behalf. These Service Providers are prohibited from using or disclosing your Personal Information for any other purpose, although we may permit them to use aggregate information which does not identify you or de-identified data for other purposes. We do not sell your Personal Information.

We may also share information about you with third parties for any purposes consistent with our statements under this Privacy Policy or as permitted by applicable law, including as follows:

- To comply with the law or other legal process, and where required, in response to lawful requests by public authorities, including to meet national security or law enforcement requirements;
- To protect the rights, property, life, health, security and safety of us, the Service or any third party;
- In connection with, or during negotiations of, any proposed or actual merger, purchase, sale or any other type of acquisition or business combination of all or any portion of our assets, or transfer of all or a portion of our business to another company;
- With our affiliates for internal business purposes;
- For purposes disclosed at the time you provide Personal Information; and
- With your consent or at your direction.

Without limiting the foregoing, in our sole discretion, we may share aggregated information which does not identify you or de-identified information about you with third parties or affiliates for any purpose.

## **5. SWEEPSTAKES, CONTESTS, PROMOTIONS.**

We may offer sweepstakes, contests, surveys, and other promotions (each, a “Promotion”) jointly sponsored or offered by third parties that may require submitting Personal Information. If you voluntarily choose to enter a Promotion, your Personal Information may be disclosed to third parties for administrative purposes and as required by law (e.g., on a winners list). By entering, you agree to the official rules that govern that Promotion, and may, except where prohibited by applicable law, allow the sponsor and/or other parties to use your name, voice and/or likeness in advertising or marketing materials.

## **6. THIRD PARTY SERVICES, FEATURES, AND DEVICES.**

Our Service contains content from and hyperlinks to websites, locations, platforms, and services operated and owned by third parties (“Third Party Services”). In addition, our Service contains features that allow you interact with, connect to, or access our Service through certain Third Party Services and third party devices (“Third Party Features”). For example, you interact with a Third Party Service when you “like” or “share” content over social media through our Service, or when you purchase merchandise from our online store. Remember that third parties may use Tracking Technologies to independently collect information about you and may solicit Personal Information from you. Also, if you use a Third Party Feature, both we and the applicable third party may have access to and use information associated with your use of the Third Party Feature.

Our Service also contains Tracking Technologies operated by third parties. For example, analytics services, such as Google Analytics, may use Tracking Technologies on our Service to help us analyze your use of the Service, compile statistic reports on the Service’s activity, and

provide other services relating to Service activity and internet usage. Similarly, ad serving services, advertisers, and other third parties may use Tracking Technologies on our Service and Third Party Services to track your activities across time and services, and tailor ads to you based on your activities, which may include sending you an ad on a Third Party Service or third party device after you have left the Service (“Interest-based Advertising”).

The information collected and stored by third parties, whether through our Service, a Third Party Service, or a third party device, remains subject to their own policies and practices, including what information they share with us, your choices on their services and devices, and whether they store information in the U.S. or elsewhere. We are not responsible for and make no representations regarding third party policies and practices, and encourage you to familiarize yourself with and consult their privacy policies and terms of use. To the extent we combine information we receive from third parties with Personal Information we collect directly from you on the Service, we will treat the combined information as Personal Information under this Privacy Policy.

For further information on Tracking Technologies and your choices regarding them, please see “[Information Collected Automatically](#)” above and “[Your Choices](#)” below.

## **7. YOUR CHOICES.**

### **A. Accessing Your Information.**

You may access, update, or remove certain account information that you have voluntarily submitted to us through the Service by sending an e-mail to us [here](#). We may require additional information from you to allow us to confirm your identity. Please note that we will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

### **B. Tracking Technologies Generally.**

Regular cookies may generally be disabled or removed by tools available as part of most commercial browsers, and in some instances blocked in the future by selecting certain settings. Browsers offer different functionalities and options so you may need to set them separately. Please be aware that if you disable or remove cookies some parts of the Service may not work and that when you revisit the Service your ability to limit browser-based Tracking Technologies is subject to your browser settings and limitations.

Your browser settings may allow you to automatically transmit a “Do Not Track” signal to online services you visit. Note, however, there is no industry consensus as to what site and app operators should do with regard to these signals. Accordingly, we do not monitor or take action with respect to “Do Not Track” signals or other mechanisms. For more information on “Do Not Track,” visit <http://www.allaboutdnt.com>.

### **C. Analytics and Advertising Tracking Technologies.**

You may exercise choices regarding the use of cookies from Google Analytics by going to <https://tools.google.com/dlpage/gaoptout> or downloading the Google Analytics Opt-out Browser Add-on.

You may choose whether to receive Interest-based Advertising by submitting opt outs. Some of the advertisers and Service Providers that perform advertising-related services for us and our partners may participate in the Digital Advertising Alliance ("DAA") Self-Regulatory Program for Online Behavioral Advertising. To learn more about how you can exercise certain choices regarding Interest-based Advertising, visit <http://www.aboutads.info/choices>. Some of these companies may also be members of the Network Advertising Initiative ("NAI"). To learn more about the NAI and your opt-out options for their members, see <http://www.networkadvertising.org/choices/>. Please be aware that, even if you are able to opt out of certain kinds of Interest-based Advertising, you may continue to receive other types of ads. Opting out only means that those selected members should no longer deliver certain Interest-based Advertising to you, but does not mean you will no longer receive any targeted content and/or ads (e.g., from other ad networks). A24 is not responsible for effectiveness of, or compliance with, any third-parties' opt out options or programs or the accuracy of their statements regarding their programs.

#### D. Communications.

You can opt out of receiving certain promotional e-mails from us at any time by following the instructions as provided in e-mails to click on the unsubscribe link or by sending an e-mail to us [here](#) with the word UNSUBSCRIBE in the subject field of the e-mail. Please note that your opt out is limited to the e-mail address used and will not affect subsequent subscriptions or non-promotional communications, such as those about your account, transactions, servicing, or A24's ongoing business relations.

### **8. YOUR GDPR PRIVACY RIGHTS**

This Section of our Privacy Policy applies solely to visitors and users who are located in the European Economic Area ("EEA"). Our processing of Personal Information of individuals within the EEA is governed by the General Data Protection Regulations ("GDPR"). Under GDPR, we are required to provide you with certain information regarding your Personal Information.

#### A. Data Controller

We are the data controller for the Services. For our contact information, see Section 13 ("Contact Us"). You can contact our data protection officer ("DPO") at [DPO@A24films.com](mailto:DPO@A24films.com).

#### B. Purpose and Legal Basis for Processing

We process Personal Information you provide to us voluntarily in order to provide you with information regarding our Services, events, and other programming, to respond to your inquiries, or to otherwise communicate with you as described herein and as described within our [Terms of Use](#). Personal Information gathered through cookies is used for the purposes described in Section 2(B) ("Information Collected Automatically") and Section 6 ("Third Party Services, Features, and Devices") of this Privacy Policy.

We may process Personal Information on the following bases. When you opt-in to receive cookies, we process your Personal Information on the basis of consent. When you visit an affiliated website or otherwise use our Services or participate in our events or programming, we may also process your Personal Information pursuant to a contract. We may also process your

Personal Information for our own legitimate interests including, without limitation, any of those interests contained within this Privacy Policy and our [Terms of Use](#), such as in the effective and lawful operation of our business and in promoting our Services and operating, protecting, and customizing our websites. We may also process your Personal Information when such processing is necessary for us to comply with any legal obligations.

You are under no statutory or contractual requirement or obligation to provide Personal Information to us via our websites.

#### C. Categories of Personal Information: What We Collect and to Whom We Disclose

Please see Section 2 (“Information We Collect”) of this Privacy Policy for a description of the categories of Personal Information we collect and process.

Please see Section 4 (“How We May Share or Disclose Your Information”) of this Privacy Policy for descriptions of the categories of recipients to whom we disclose your Personal Information.

#### D. Transfer of Personal Information Outside the EEA

A24’s main administrative offices are based in the United States and that is where we process Personal Information which you may submit to us. When you provide Personal Information to us, you are consenting to the transfer of your Personal Information outside of the EEA, by both A24 and its Service Providers and through your use of Third Party Services, including to countries that do not have an adequacy decision from the European Commission. This means that the Commission has not determined that the laws of those countries provide legal protection equivalent to European Union data protection laws.

We safeguard your Personal Information by treating it in accordance with our Privacy Policy and according to the policies and procedures more generally discussed herein. When we transfer Personal Information outside of the EEA, we enter into contracts, including Standard Contractual Clauses, with our data processors, sub-processors, and Service Providers, that require them to treat Personal Information in a manner that is consistent with our Privacy Policy and in compliance with applicable law.

#### E. Retention Period for Personal Information

How long we retain your Personal Information varies according to the type of information collected and the purposes for which it is used. We delete Personal Information within a reasonable period after we no longer need to use it for the purpose for which it was collected (or for any subsequent purpose that is compatible with the original purpose). We may archive Personal Information for a certain period prior to its final deletion, as part of our ordinary business continuity procedures.

#### F. Your Rights to Access, Correct, Restrict or Delete Personal Information and to Data Portability

Subject to certain limitations under GDPR, you have the right to request access to and correction or deletion of your Personal Information, restrict processing concerning your Personal Information and/or object to such processing. You also have the right to data portability, which means that you can request that we provide you (or a third party you designate) with a transferable copy of the Personal Information you have provided to us. Where we process your



Personal Information on the basis of consent, you have the right to withdraw your consent. Where we process your Personal Information on the basis of our legitimate interests, you can object to such processing.

If you wish to exercise any of these rights, or if you have any questions or concerns regarding our processing of your Personal Information, please contact us as described in Section 13 (“Contact Us”) or contact our DPO as described above.

Please note that once your information has been shared with a Service Provider, the information received becomes subject to that Service Provider’s own privacy practices. Certain of our Service Providers, including, without limitation, Twitter, Facebook, and Google, may currently be unable to comply with deletion requests under GDPR. We will however, ensure that after we receive a valid deletion request, Service Providers with access to your Personal Information will no longer use Tracking Technologies for any of the purposes stated herein in connection with your use of the Service.

If you have a concern regarding our processing of your Personal Information, you have the right to file a complaint with your national data protection authority (also known as a Supervisory Authority). You can find your Supervisory Authority here: [http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm).

## **9. CHILDREN.**

The Service is intended for a general audience and not directed to children under eighteen (18) years of age. A24 does not knowingly collect personal information from children under eighteen (18).

## **10. DATA SECURITY.**

We take reasonable measures to help protect information about you from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. Nevertheless, transmission via the internet is not completely secure and we cannot guarantee the security of your information collected through our Service.

## **11. INTERNATIONAL TRANSFER.**

We are based in the U.S. and the information we and our Service Providers collect is governed by U.S. law. If you are accessing the Service from outside of the U.S., please be aware that information collected through the Service may be transferred to, processed, stored and used in the U.S. Data protection laws in the U.S. may be different from those of your country of residence. Your use of the Service or provision of any information therefore constitutes your consent to the transfer to and from, processing, usage, sharing and storage of your information, including Personal Information, in the U.S. as set forth in this Privacy Policy.

## **12. CHANGES TO THIS PRIVACY POLICY.**

We reserve the right to revise and reissue this Privacy Policy at any time. Any changes will be effective immediately upon posting of the revised Privacy Policy. Your continued use of our Service indicates your acknowledgment of the Privacy Policy then posted. If the changes are material, we may provide you additional notice, to your e-mail address.

## **13. CONTACT US.**



If you have any questions or comments about this policy, or would like to make a complaint about how we handle your information, please e-mail us here or send us a letter to 31 W. 27<sup>th</sup> Street, 11<sup>th</sup> Floor, New York, NY 10001. We will seek to address any questions, comments or complaints as soon as possible.