

# UTOPIA PRIVACY POLICY

Utopia Select, LLC ("Utopia") is committed to safeguarding any personal data that may be collected through our website (the "Website") and to ensuring that You ("You") are fully informed as to how your personal information will be used. The following policy describes such collection and usage.

## WHAT INFORMATION DO WE COLLECT

Our primary purpose in collecting Your personal data is to provide You with the services You request and to otherwise optimize and enhance Your use of our Service and related services. Providing us with Your information is not a requirement for using our Service, but note that if You choose not to provide us with certain information or restrict our ability to automatically collect certain information, we may not be able provide certain services or functionality of the Service.

- Contact Information, such as name, alias, address, phone number, social media user ID, email address, and similar contact data.
- Organization and Contacts Information, such as Your employer or organizations that You are a member of, information about Your colleagues or those within Your organization, Your status with an organization, and similar data.
- User Content, including filmmaker content, such as movies, key art and special features, and the content of communications, suggestions, questions, comments, feedback, and other information (including information in alerts, folders, notes, and shares of content) that You submit, upload or otherwise post on our Service, that You send to us, and that You provide to us when You contact us, and similar data.
- Device & Browser Information, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses), device and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information), advertising identifiers, cookie identifiers and information, and similar data.
- Usage Information and Browsing History, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs), content interactions (including searches, views, prints, shares, streams, watch time, and display or playback details), and user journey history (including click streams and page navigation, URLs, timestamps, content viewed or searched for, page response times, page

interaction information (such as scrolling, clicks, and mouse-overs), and download errors), advertising interactions (including when and how You interact with marketing and advertising materials, click rates, purchases or next steps You may make after seeing an advertisement, and marketing preferences), and similar data, application logs, data files, and metrics generated in the normal operation of a website. Information with respect to certain activities is sometimes associated with an IP address or other personal data.

- Location Data, such as the location of Your device, Your household, and similar location data posted by You or gathered using GPS.
- Demographic Information, such as country, preferred language, age and date of birth, marriage status, gender, physical characteristics, personal or household/familial financial status and metrics, military status, and similar data.
- Your Image, such as still pictures, video, voice, and other similar data.
- Social Media and Online Content, such as information in social media and online profiles, online posts, and similar data.
- Career-Related Information, such as job preferences or interests, credits, experience demographic data, education history (including schools attended, academic degrees or areas of study, academic performance, and rankings), biographical data and similar data.
- Government-Issued Identifiers, such as government-issued identification information, tax identifiers, social security numbers, other identity information and similar data to the extent provided directly by You.
- Financial Information, such as billing address, credit card information, billing contact details, and similar data provided by You. This information is collected and processed by our payment processor, as necessary to complete Your purchase. We do not receive or store Your credit card information directly, but we may receive information about the transaction, such as the date and time it occurred.

## **HOW DO WE COLLECT INFORMATION**

- Forms, Emails, Messages, and other Communications from You. When You complete forms on the Website for the purpose of providing information to Utopia and/or when You contact us with questions, concerns or for purposes of customer/technical support, we collect the information contained in the forms and communications which may include Your name, contact details and any other personal information You provide.

- Surveys. We may collect Your user information through surveys we may conduct from time to time with respect to our services. Participation in and providing information through such surveys is optional.
- Cookies. We may make use of "cookies" on our Service. A cookie is a small text file that can be placed and stored on Your computer's hard drive when You visit a website for record keeping purposes. A cookie itself is not designed or intended to read any information from a user's computer (other than the contents of the cookie); rather, it is an identifier used by the website that originally placed it on Your hard drive. We use cookies to allow us to automate access to and the data entry functions of our Website to tailor our Service to Your preferences or interests, or customize promotions or marketing based on Your activity on the Service and other websites. In addition, cookies allow us to track use of the Service to determine those areas, which are useful or popular and those that are not thereby enabling us to improve and update our Website effectively. Most web browsers can either alert You to the use of cookies or refuse to accept cookies entirely. If You are not sure how to do this or whether You have this option You should consult the documentation that accompanied Your web browser. You should be aware that if You elect not to accept cookies, some parts of our Service may not function properly or permit access.
- Other Tracking Technologies & Software Tools. We use Google Analytics and AddThis Tools to collect and process analytical data about users of the Service. These third-party services track Your interaction with the Site and store information about IP address, operating system, web browser, pages visited, information about demographics of our website users, the device used, URLs or domains of referring websites and more. You can learn about these services' respective practices by going to <https://www.google.com/policies/privacy/partners/> and <https://www.oracle.com/legal/privacy/addthis-privacy-policy.html>. You may opt out of collection by Google Analytics at any time by downloading and installing the Google Analytics Opt-Out Browser Add-On, available at <https://tools.google.com/dlpage/gaoptout>. You may opt out of collection by AddThis Tools at any time via the Oracle Data Cloud opt-out, available at <https://datacloudoptout.oracle.com/#optout>. We may also use software tools such as JavaScript to collect page interaction information such as clicks, drags, and hover-overs, response times, errors, and length of visits to certain pages. In addition, we may use web beacons, pixel tags, and other tracking technologies on the Service to help customize the Service and improve Your experience. A "web beacon" or "pixel tag" is a tiny object or image embedded in a web page or email. They are used to track the number of users who have visited pages and viewed

emails and acquire other statistical data. They collect only a limited set of data, such as a cookie number, time and date of page or email view, and a description of the page or email on which they reside. Web beacons and pixel tags cannot be declined. However, You can limit their use by controlling the cookies that interact with them.

## **WHAT WE MIGHT DO WITH THE INFORMATION WE COLLECT**

We may use the information provided to us to:

- Contact You from time to time with critical user or service updates or other information important for our services, or for the support of the service You requested. We may contact You to ensure that the information we have in our records is still correct and to add additional information to complete Your profile;
- Receive feedback from You and inquire about any features You would like to see in future products. We may also contact You to ask You about our products and also to inform You of upgrades, technical issues, promotions and new products that You may be interested in;
- Send out newsletters to You with articles, information and/or recommendations for Content which we believe may be of interest to You;
- Customize, measure and improve our services, content and advertising;
- Evaluate users, their preferences and trends for our own internal statistical and analytical purposes, which we may use for marketing purposes and with respect to operations and development;
- Compare information for accuracy, and verify it with third parties;
- Prevent activity we determine to be potentially illegal;
- Report or announce information about winners in association to campaigns related to Sweepstakes You may have entered;
- Enforce this Privacy Policy and/or our Terms of Use or any other purpose referenced herein or therein.

We may use automated means to implement any of the above.

Whenever we process your data for one of these purposes, we have determined that one or more of the following lawful bases apply:

- Performance of a contract;
- Legitimate commercial interest;
- Compliance with a legal obligation; or

- Consent

## **RETENTION AND STORAGE OF THE INFORMATION WE COLLECT**

We will retain Your information for a reasonable time to permit us to use it for the purposes that we have communicated to You. We may use the services of third-party companies to physically collect and store Your information on our behalf. Any such companies will have to comply with the terms of this Privacy Policy and agree to keep all personally identifiable information confidential.

## **SECURITY OF YOUR INFORMATION**

We use administrative, technical, and physical security measures to help protect Your personal information against unauthorized or unlawful access and against accidental loss, destruction or damage. While we have taken reasonable steps to secure the personal information You provide to us and we believe the measures implemented by our Service reduce the likelihood of security problems to a level appropriate to the type of data involved, please be aware that despite our efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception or other type of misuse. Any information disclosed online is vulnerable to interception and misuse by unauthorized parties. Therefore, we cannot guarantee complete security if You provide personal information. Furthermore, we have implemented procedures to ensure that Your information is only made available to such designated staff as necessary to carry out the stated purposes that we have communicated to You.

## **DISCLOSURE OF INFORMATION**

Although we make every effort to preserve user privacy, we may need to disclose personal information when required to do so by law, regulation or governmental request or when necessary to comply with a current judicial proceeding, a court order or legal process served on our Service, or when we believe in good faith that disclosure of information is necessary to prevent imminent physical harm, financial loss or to report suspected illegal activity. We may also disclose Your personal data to enforce our policies or respond to claims that a listing or other content violates the right of others. In all cases, such information will be disclosed in accordance with applicable laws and regulations.

We may also share Your information with:

- A third party performing services on our behalf that has agreed to keep such information confidential (such as excluding threats from potential cyber attacks or trolls or other security purposes, the processing of Your credit card payment, if applicable, or the conduct of an online survey, for example).
- One of our partners or a filmmaker using the Service, but only where You have elected to do so (e.g., by clicking “Join Newsletter” on a filmmaker’s page). When You elect to join a filmmaker’s newsletter, we will provide that filmmaker with certain information about You, such as Your email address, country of residence and zip/postal code. Filmmakers are only authorized by us to use such information to send email to You and may not rent or sell the information to others or share the information with others for any other purpose.
- Please note that in any event this Privacy Policy will not cover the information practices of any third parties, and we will not be responsible for the privacy practices exercised by any such partners or filmmakers.

## **BUSINESS TRANSFERS**

The information that is collected by Utopia is considered to be an asset. In the event that Utopia, any affiliated company, division or portions of its assets are acquired by another company, such information may be one of the transferred assets. We will take reasonable steps to place a notification of such a transfer on our Website.

## **LINKS**

We may offer links from our Website to other websites, which may be hosted by our partners or by unrelated companies, which we think may be of interest to You, and users may include links from our Website to other websites. Such websites are not governed by this Privacy Policy and Utopia makes no representation as to their practices for dealing with Your personal information. Utopia is not responsible for how third-party websites use and share Your personal information. We recommend that You check the privacy policy of any website at the beginning of Your visit.

## **CHILDREN**

This Service is a general audience Service, which is neither designed to be used by, nor intended to collect personal information from, children who are under the age of thirteen (13). In order to ensure compliance with the provisions of the Children's Online Privacy Protection Act (COPPA), in accordance with our Terms of Use, children under the age of thirteen (13) are not permitted to access or use the Service, and children under the age of thirteen (13) should not provide any personal information to the Website. We ask that

parents supervise their children while online and/or using mobile devices. Use of the Service by those under the age of 18 shall be only with involvement and permission of a parent or guardian. Pursuant to 47 U.S.C. Section 230(d) as amended, Utopia hereby notifies You that parental control protections (such as computer hardware, software, or filtering services) are commercially available that may assist You in limiting access to material that is harmful to minors. Information identifying current providers of such protections is available at the Electronic Frontier Foundation Web site, <http://www.eff.org>.

## **INTERNATIONAL DATA TRANSFERS**

Utopia is based in the United States. We provide services globally using computer systems, servers, and databases located in the U.S. and other countries. When You use our services from outside of the U.S., Your information may be transferred to and processed outside Your country of residence, including in the U.S. and other countries. This is necessary to provide the Services and for the purposes outlined in this Privacy Policy. Data privacy laws vary from country to country and they may not be equivalent to, or as protective as, the laws in Your home country. Residents of certain countries may be subject to additional protections as set forth here in below. We take steps to ensure that reasonable safeguards are in place with an aim to ensure an appropriate level of protection for Your information, in accordance with applicable law. By providing us with Your information, You acknowledge any such transfer, storage or use.

## **CERTAIN USER RIGHTS**

In certain circumstances, local data protection laws (such as the GDPR) may give You rights with respect to personal information if You are located in or are a resident of that country, state, or territory (including if You are located in the EU/EEA). Please review our California Statement below in compliance with the California Consumer Privacy Act of 2018 ("CCPA") for more information.

PLEASE NOTE: WE ARE ONLY REQUIRED TO HONOR RIGHTS TO THE EXTENT THAT THESE RIGHTS HAVE BEEN GRANTED TO YOU AND APPLY TO YOU UNDER APPLICABLE DATA PROTECTION LAWS AND YOU MAY BE REQUIRED TO PROVIDE VERIFIABLE EVIDENCE THEREOF UPON REQUEST. IMPORTANTLY, THESE RIGHTS ARE NOT ABSOLUTELY GUARANTEED AND THERE ARE SEVERAL EXCEPTIONS AND LIMITATIONS WHERE WE MAY NOT HAVE AN OBLIGATION TO FULFILL YOUR REQUEST. PLEASE CONSULT YOUR LOCAL DATA PROTECTION LAWS TO DETERMINE WHAT RIGHTS MAY BE AVAILABLE TO YOU AND WHICH EXCEPTIONS AND LIMITATIONS MAY BE APPLICABLE WITH RESPECT TO YOUR INFORMATION.

The rights available to You differ based upon local data protection laws in Your country, state, province or territory, but such rights may include one or more of the following:

- Access to Personal Information. You may have the right to obtain confirmation from us that we process Your personal information and, if so, You may have the right to request access to Your personal information. Please note that, to the extent permitted by law, we may charge a reasonable fee based on administrative costs for the first or further copies of Your personal information requested by You. Please also note that we will take reasonable steps to verify Your identity, including authenticating You through the email address we have on file. We may require further documentation such as a password and user ID before granting access to Your personal information. You may have the right to obtain confirmation from us that we process Your personal information and, if so, You may have the right to request access to Your personal information. Please note that, to the extent permitted by law, we may charge a reasonable fee based on administrative costs for the first or further copies of Your personal information requested by You. Please also note that we will take reasonable steps to verify Your identity, including authenticating You through the email address we have on file. We may require further documentation such as a password and user ID before granting access to Your personal information.
- Rectification. You may have the right to request that we rectify inaccurate personal information concerning You and, depending on the purposes of the processing, You may have the right to have incomplete personal information completed.
- Restriction of Processing. You may have the right to require us to restrict the further processing Your personal information. In such cases, the respective information will be marked as restricted, and may only be processed by us for certain purposes.
- Object. You may have the right to object, on grounds relating to Your particular situation, to the processing of Your personal information by us, and we may be required to no longer process some or all of Your personal information.
- Data Portability. You may have the right to receive a copy of Your personal information which You have provided to us, in a structured, commonly used, and machine-readable format, and You may have the right to transmit that personal information to another entity without hindrance from us.
- Withdraw Consent. You may have the right to withdraw consent You have provided to us where we rely solely on Your consent to process Your personal information. You can always provide Your consent to us again at a later time.

- **Complain.** You may have the right to lodge a complaint to an applicable supervisory authority or other regulator if You have an unresolved concern or if You are not satisfied with our responses to Your requests or how we manage Your personal information. For example, if You are located in the EU/EEA, a list of and more information about the EU/EEA Data Protection Authorities can be found here:  
[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm). We encourage You to first or also reach out to us at [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com), so we have an opportunity to address Your concerns directly.
- **Do Not Sell.** You may have the right to request that we do not sell Your personal information. If You have such right and You would like to request that we do not sell Your personal information pursuant to applicable law, You or someone acting on Your behalf can send an email with such request to [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com). You will also need to clear Your cookies.

## NEVADA RESIDENTS

This Section applies only to residents of the State of Nevada (for the purpose of this section only, "You" or "Your" shall be limited accordingly). Nevada residents have the right opt out of the future sale of their information to a third party by emailing us at [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com). However, Utopia does not sell personal information and we have never done so. If we begin to do so, we will update this notice and provide a mechanism to opt out of any such sale. For clarity, we may share Your data as explained in this Privacy Policy, such as to enhance Your experiences and our services, and those activities will be unaffected by a Nevada do not sell request.

## CALIFORNIA RESIDENTS

This Section applies only to residents of the State of California (for the purpose of this section only, "You" or "Your" shall be limited accordingly). Under the California Consumer Privacy Act ("CCPA"), if You are a California resident, You have the following rights, which can be exercised directly or in certain cases, through an authorized agent:

- **Right to Know.** You have the right to request information about the categories and sources of personal information we collect and share, our purposes for collecting the information, and the types of third parties that receive that information, including the names and email addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2020 will receive information regarding 2019 sharing activities, if any), and descriptions of the likely types of marketing the third

parties would send. In addition, You have the right to request a copy of Your personal information. You may exercise this right once per 12-month period by emailing us at [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com).

- Do Not Sell. You have the right to opt out of the sale of Your personal information, and to request information about whether we have sold Your personal information in the past twelve (12) months for the purpose of allowing such third parties to directly market their products and services. For clarity, Utopia does not sell personal information and we have never done so. However, if we begin to do so, we will update this notice and provide a mechanism to opt out of any such sale.
- Non-Discrimination. We won't discriminate against You because You exercise any rights herein.

## **EUROPEAN ECONOMIC AREA (EEA) RESIDENTS**

This Section applies only to natural persons residing in the European Economic Area (for the purpose of this section only, "You" or "Your" shall be limited accordingly). It is Utopia's policy to comply with the EEA's General Data Protection Regulation ("GDPR"). In accordance with the GDPR, we may transfer Your personal information from Your home country to the U.S. (or other countries) based upon the following legal bases:

Performance of a contract: where use of Your information is necessary to provide You with the Services under a contract, for example the terms of service.

Legitimate interest: where use of Your information is necessary for our or others' legitimate interests and where the use is not outweighed by Your rights and interests.

Below are some examples of such interests:

- providing the Services
- improving the Services and developing new ones
- building and managing business relationships
- recognizing and better understanding our users, including across platforms
- conducting compliance and risk management activities
- conducting security and fraud prevention activities
- providing and managing access to our systems
- marketing and promoting our content and services

Legal obligation: where use of Your information is necessary to comply with laws and regulations such as those relating to anti-bribery and corruption and anti-money-laundering, complying with requests from government bodies or courts, or responding to litigation.

With consent: we may ask for Your consent to process Your information in a certain way. Where we rely on this basis, You have the right to withdraw Your consent at any time.

You have the right to: opt out of non-essential cookies; access, correct, delete, restrict, or object to our use of Your personal information; be forgotten; port Your data; and withdraw consents. We enable exercise of these rights primarily through our services (which we reserve the right to modify). We also fulfill our obligations in response to direct requests. We will endeavor to process requests within one month. Please note that we may not be able to comply with requests to the extent that they would cause us to violate any law or infringe any other person's rights. We reserve the right to request appropriate identification to confirm that You are entitled to exercise these rights. We will process requests free of charge unless they would impose an unreasonable cost on us.

We are committed to working with You to obtain a fair resolution of any issue. You also have the right to file a complaint with the supervisory data protection authority of Your jurisdiction.

## **CHANGES TO THIS PRIVACY POLICY**

We may change the terms of this Privacy Policy from time to time in order to reflect our practices and provide greater protection for Your information. Any change to this Privacy Policy will be clearly displayed on the Website. Information collected by us will be dealt with in accordance with the provisions of our Privacy Policy, which were in effect at the time of collection. However, if at any time in the future we plan to use personally identifiable information in a way that materially differs from this Privacy Policy, including sharing such information with more third parties, we will post such changes here. Your continued use of the Website following the posting of any changes to this Privacy Policy means You accept such changes.

## **ACCEPTANCE OF THESE TERMS**

By using our Service, accessing our Website or purchasing our products, You are consenting to the practices relating to information collection and use that are described in this Privacy Policy. Please note that the Service is controlled and offered by Utopia from its facilities in the State of California in the United States of America. The laws of other states and countries may differ regarding the access and use of Utopia and how personally identifiable information may be handled. Utopia makes no representations that the Service is appropriate or available for use in other locations. Those who access or use the Service from other jurisdictions do so at their own volition and consent to

Utopia's collection, storage and use of their personally identifiable information as set forth in this Privacy Policy.

## **CONTACTING US**

Unless where otherwise indicated in this Privacy Policy, any requests for access to Your information, modification of Your information or questions in respect of this Privacy Policy should be sent to the following email address: [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com) or mail to 8850 Cloudview Way, Anaheim, CA 92808. To exercise Your rights with respect to Your information, we must be able to verify Your identity. In general, we verify identity by confirming that You are the owner of the email address associated with the account. An authorized agent submitting a request on Your behalf must also have access to the email address associated with the account, along with sufficient evidence that You have authorized that person to submit the request on Your behalf. Please specify the subject of Your request on the subject line and in the body of Your message (e.g. "Request for access to my personal data", "California Privacy Rights"). We will provide the requested information and make every effort to resolve Your concerns.

## **UNSUBSCRIBING**

If You wish to no longer receive our newsletters or emails, You can unsubscribe anytime by clicking the link in the footer of all our emails, or by contacting us at [contact@utopiadistribution.com](mailto:contact@utopiadistribution.com)

(Privacy Policy last updated: March 28, 2022)