

## VIDCON US PRIVACY POLICY STATEMENT

The VidCon Privacy Policy Statement applies to the use of personal information by VidCon LLC and its subsidiary, VidCon International LLC, mailing address PO Box 8147, Missoula, MT 59807, USA (jointly and separately referred to as "**VidCon**" or "**we**"). This Privacy Policy Statement explains how we use personal information collected or processed via <http://vidcon.com> and <https://www.con-tix.com> in connection with the organization and marketing of the VidCon conferences and ancillary services (the "**Services**").

### "Personal Information"

The VidCon Privacy Policy Statement concerns the use by VidCon of 'personal Information'. Personal Information, or "personally identifiable information or PII", as it is sometimes known, is generally a reference to data that can be linked to or identified with a specific living individual including data identifying a specific computer or mobile device belonging to or used by an individual.

This Privacy Policy Statement does not apply to any data insofar as it is held, processed, disclosed or published in a form which cannot be linked to a specific individual or specific device and which cannot be used to single out an individual (such as anonymized data or aggregated data, or which, in a given form, cannot be used to extract personal information, and which does not qualify as personal data) ("**Generic Data**"). VidCon reserves the right to generate Generic Data out of any databases containing personal information and to use and/or share such Generic Data as it sees fit, taking into account the applicable privacy rules.

### Who is responsible for the processing of personal information

Both VidCon LLC and VidCon International LLC are the entities responsible (data controllers) for the processing of personal information we collect.

If you contact VidCon, we may keep a record of your correspondence or comments. We may ask for your name, e-mail address and contact information in order to send you a reply and keep a record of the inquiry.

### Personal Information collected in connection with the Service

In order to provide the Services, VidCon collects certain details of personal information relevant to the Services from individuals who register with us and/or purchase tickets for the VidCon conferences ("**Customers**") and any other persons using our website ("**Users**"). These details typically include the Customer's name, age, email address, mailing address, telephone number, user name and password for using our service online, gender, T-Shirt size and payment details. Customers may be asked to provide other details as may be required from time to time in order to enable us to carry on our business and to provide the Services. Unless indicated otherwise in this Privacy Policy Statement or through other communications or notices, VidCon only processes personal information collected from Customers which the Customer knowingly provides to us on request (for example, by completing a registration form or by providing personal details orally).

Please also be informed that photographs and/or audio/video recordings will be taken at an event by VidCon, or others on behalf of VidCon. Such photographs or recordings may include the event visitor's image, name, voice and/or likeness. When attending and/or participating in the relevant event, the relevant personal information may be processed with the consent of the event visitor or its parent / legal representative for (direct) marketing/ promotion of our products and services.

### The purposes and legal basis for the collection of Customers' and Users' personal information

We use personal information that we collect from Users and Customers on the basis that it is necessary for the purposes of our legitimate interests or where the processing is permitted or required by law, including:

- to administer the sale and delivery of tickets to Customers, including payments;
- to process and respond to Customer inquiries (including ticket returns/cancellations);
- to send Customers information in relation to the Service;
- to allow Customers to participate in surveys;
- to analyze the accuracy, effectiveness, usability or popularity of the Services and our website;
- to provide technical and other support to Customers;

- to create Generic Data, which we may use for any purpose, included targeted marketing campaigns;
- to monitor, audit and improve our Service and our website;
- to prevent fraudulent transactions, monitor against theft and otherwise protect our Customers, our Users and our business;
- to discharge our legal and regulatory obligations; and
- as otherwise stated in this Privacy Policy Statement or as may be communicated on our publications including our website from time to time.

VidCon may also use the e-mail addresses of its Customers (insofar as permitted under applicable law) to communicate with Customers in relation to its own similar Services, if VidCon has obtained the e-mail address of the Customer in the context of a concluded (ticket) sale. VidCon may continue such email communications unless the Customer indicates that this should be discontinued ('opt-out'), or if otherwise required by law.

Where a Customer gives us an opt-out notice, VidCon will not use his or her personal information for direct marketing purposes but may continue to use the personal information in our possession to deliver our Services, and to administer, maintain and improve our website and our Services and for the other purposes described above.

Where an opt-in is required by applicable law as a prerequisite for sending direct marketing communications or for providing personal data to third parties, VidCon will not use a Customer's personal information for such purposes unless the Customer provides the requisite opt-in.

Where the processing of any personal information is based on the Customer's consent (or 'opt-in') that consent can be withdrawn by that person at any time by giving us written notice.

## **How personal information is disclosed to third parties**

### Subsidiaries and Affiliates

We may share personal information of Users and Customers with our subsidiaries and affiliates for purposes consistent with this Privacy Policy Statement. Our subsidiaries and affiliates will be required to maintain that information in accordance with this Privacy Policy Statement. If it concerns transfer of personal data to outside the EEA, the requirements of the applicable privacy law will be met.

### Sponsors

We do not share our Customers' or Users' personal information with sponsors of our conferences.

### Support services and subcontractors

We may use third parties to perform functions in connection with our Services and our website such as administration services, technical services relating to the maintenance, servicing and upgrading of the products, software or services provided or used by VidCon, hosting services, data migration services, and analytical services. We may share Customers' and Users' personal information that these third parties need to perform their functions and in accordance with our agreements with them. VidCon enters into data processing agreements with its service providers and partners that meet the requirements of applicable privacy law, ensuring that such third parties use the personal information of our Customers and Users for the sole purpose of providing services to us in connection with our Services and that they keep that data secure and do not use it for any other purposes, nor disclose it to any third parties nor retain copies of such data except as necessary to provide their services to VidCon or to its Customers or as may be required by law.

### Business Changes

We may disclose and transfer personal information of our Customers and Users to purchasers or potential purchasers of our business or those business activities relating to our Services and to their advisors (including, where necessary, in negotiations towards such sale or transfer). Such purchase of our business could take the form of a purchase of assets or shares, a merger or other form of corporate reorganization and consolidation. We shall ensure that any such disclosure meets the requirements of the applicable privacy law. It will, for instance, be ensured that the recipients of the personal data use it only for the purposes specified in this Privacy Policy Statement in the operation

of the Services (or, prior to a sale being concluded, for the purpose of evaluating the transaction), and not for any other services, and that the data is kept secure and is not transferred to other third parties.

### Investigations and Law

Regardless of the choices Customers and Users make regarding their personal information, we may disclose information to third parties where required for the purpose of:

- enforcing or applying our terms of conditions, terms of use or contracts with our Customers;
- protecting our rights, reputation, integrity, safety and property, or that of our Users and Customers;
- protecting against liability of VidCon, its partners or others;
- investigating, preventing or taking action regarding suspected illegal activities, fraud, violation of our terms and conditions, or as otherwise required by law; or
- complying with law, in response to subpoenas, warrants or court orders, or in connection with any legal process or cooperate with government or law enforcement officials.

VidCon will fully cooperate with law enforcement, investigation and security agencies and regulators to identify anyone who uses its Service or website for illegal activities. We may report to law enforcement, investigation and security agencies and to regulators any activities that are believed to be unlawful.

### Aggregated Information

We may share Generic Data relating to our Customers and Users with affiliated or unaffiliated third parties.

### **Storage, security, retention and transfer of personal data to other countries**

Personal information that VidCon collects is stored on its servers or on the servers of its hosting or cloud service provider (which may be located outside the EEA). Where personal information is stored on servers located outside the EEA, we will ensure that such data exports are secure and lawful through the use of data exporting agreements or by implementing other safeguards as permitted by law. Further information regarding our data exporting agreements or other safeguards we put in place in relation to the transfer of data outside the EEA may be available on request at [datacontroller@vidcon.com](mailto:datacontroller@vidcon.com).

We implement and maintain (and ensure that our hosting and cloud services provider maintain) adequate security measures to protect your personal information, and we seek to comply with all local rules in respect of storage of data. We collect no more personal information from Users and Customers than is required for the purpose for which it is collected.

Personal information collected from Customers through their registration and/or purchasing tickets process is kept on our servers indefinitely.

We note that the sending of information via the internet is not highly secure and on occasion such information can be intercepted. Whilst we shall use reasonable efforts to protect the security of personal information about Customers and Users, we cannot guarantee the security of data that Customers choose to send us electronically. Sending such data is at the risk of the sender.

### **Notification in the event of breach**

In the event of a breach in the security of personal information, VidCon may be obliged under applicable law to notify the relevant authorities within 72 hours and the data subjects without undue delay. Subject to the applicable law, VidCon may also on its own accord decide to notify Customers or Users who are actually or potentially affected (and VidCon may consult with relevant data regulators as to the appropriate course of action in the circumstances). VidCon may elect to give notice of the breach to its affected Customers via email (if such data is available to VidCon) or other electronic means. Notice of data breach may also be given via publication including on our website. Subject to the applicable law and its regulatory requirements, VidCon reserves the right to decide whether or not to give

notice of a data breach to any specific Customer or User and to decide which individuals should be notified, and reserves the right to delay notification if it is asked to do so by law enforcement or other authorities, or if VidCon believes that giving notice will increase the risk of harm to its Customers.

### **Special categories of personal data**

VidCon does not collect personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data, data concerning health or sex life, data relating to criminal convictions and offences or related security measures, or a national identification number or any other identifier of general application. VidCon does not wish to receive any such data and will not request it.

### **Data on children**

Persons under the age of 13/16 - depending on the applicable law - should not purchase tickets for our conferences, use our Services or our website, or otherwise transfer personal information to us unless they have the consent of their parent(s) or guardian(s). We do not knowingly collect, nor do we want to receive, personal information about children who are under 13/16 years old.

### **Third party links**

On occasion we include links to third parties on this website. Where we provide a link it does not mean that we endorse or approve that site's policy towards visitor privacy. Users of our website should review the privacy policy statements of any third party website to which we may provide a link before sending any personal information to that website.

### **Right to access, correction and rectification**

#### Access to information

In accordance with the European Union and Dutch data protection legislation, Customers and Users may exercise their right to access at reasonable intervals. VidCon will then inform them without excessive delay and in line with the applicable law of the purposes of the processing, the categories of data concerned, and the recipients or categories of recipients to whom the data are disclosed. Where permitted by applicable law, we reserve the right to charge a fee to a person making a request for such information to cover our costs in providing it.

#### Rectification or deletion of personal information

Where personal data is collected in connection with our Services in the European Union, a person may request that we:

- (1) rectify his or her personal information held by VidCon, for instance if it is inaccurate or incomplete or
- (2) erase such data from our records if:
  - a. it is no longer necessary,
  - b. it was collected on the basis of an opt-in/consent and the Customer's or User's consent has been withdrawn, or
  - c. if the Customer or User has a legitimate reason under applicable law to object to the processing of his data.

A person affected may contact us or our representative in relation to such request either via email or by sending a written notice to the address provided above.

We will rectify or erase all personal information we hold on a person, upon receiving a justified request, save that:

- (1) VidCon reserves the right (insofar as permitted or required by law) to retain records of a person's personal information if we reasonably require to maintain such records for legal or administrative purposes including to process payments and refunds, to comply with our legal or regulatory duties, to investigate and respond to complaints (including from other Customers), to maintain compliance records, to enforce our terms and conditions, or for the establishment, exercise or defense of legal claims; and
- (2) VidCon shall be entitled to retain any Generic Data which may have been extracted or obtained from a person's personal information including any aggregated, anonymized or otherwise de-personalized data.

### **Complaints**

Complaints and enquiries relating to the processing of personal information can be sent to us at the email address and mailing address provided above. Complaints can also be made:

In relation to the processing of personal information in connection with our Services in the European Union, to the relevant Data Protection Authority (for the Netherlands: *Autoriteit Persoonsgegevens*).

### **Your California Privacy Rights (California residents)**

California Civil Code §1798.83 permits users of our Service that are California residents to request from a business, with whom the California resident has an established business relationship, certain information about the types of personal information the business has shared with third parties for those third parties' direct marketing purposes and the names and addresses of the third parties with whom the business has shared such information during the immediately preceding calendar year. To make such a request, please email Us at [info@vidcon.com](mailto:info@vidcon.com) or write us at VidCon, PO Box 8147, Missoula, MT 59807. We note that, in accordance with this Privacy Policy Statement, we do not permit third parties who have access to our Customers' or Users' personal information to use it for direct marketing purposes.

An Internet user's browser may offer a "Do Not Track" option, which allows the user to signal to operators of websites and mobile applications and services (including behavioral advertising services) that the user does not wish such operators to track certain of his or her online activities over time and/or across different websites and mobile applications and services. Our website supports "Do Not Track" requests at this time, which means that if the "Do Not Track" option is chosen, we (and our service providers) do not collect information about Users' online activity while the User is using our website and/or after the User leaves the website.

### **Privacy Policy Statement changes**

This Privacy Policy Statement was last changed on **October 2, 2017**. If VidCon makes changes to the Privacy Statement, the new version will be posted on our website or published or made available to Customers in connection with our Service. VidCon may change, modify, add or remove portions of this Privacy Policy Statement at any time, and any changes will become effective immediately upon being posted unless stated otherwise.