

Privacy Policy

Last Changes to Privacy Policy: April 8, 2020

We are strongly committed to letting you know how we will collect and use your personal information. The policies below are applicable to data and information collected when you use the FiLMiC, Inc. or Luma-Touch LLC network of websites; all apps published by FiLMiC, Inc. or Luma-Touch LLC; and all other interactive features and communications provided by FiLMiC, Inc. or Luma-Touch LLC offerings, collectively referred to as 'Products', however accessed and/or used, that are operated by us, made available by us (collectively "FiLMiC" and "Luma-Touch" or "we", "us", or "our"). We have established this privacy policy ("Privacy Policy") to let you know the kinds of personal information we may gather during your use of our Products, why we gather your information, what we use your personal information for, when we might disclose your personal information, and how you can manage your personal information.

Please be advised that the practices described in this Privacy Policy apply only to information gathered online through our Products. It does not apply to information that you may submit to us offline or by companies or organizations to which we may link or who may link to us.

By using our Products, you are accepting the practices described in our Privacy Policy. If you do not agree to the terms of this Privacy Policy, please do not use the App. We reserve the right to modify or amend the terms of our Privacy Policy from time to time without notice. Your continued use of our Products following the posting of changes to these terms will mean you accept those changes. If we intend to apply the modifications or amendments to this Privacy Policy retroactively or to personal information already in our possession, we will provide you with notice of the modifications or amendments.

If you have any questions about this Privacy Policy or don't see your concerns addressed here, you should contact us by email at info@filmicpro.com to reach Filmic Inc or support@luma-touch.com to reach Luma-Touch.

What Information About Me Is Collected and Stored?

We collect two basic types of information from you in conjunction with your use of the App, personal information and non-personal information. Personal information is information that you supply to us, as described more fully below, i.e., when you use our Services, obtain a subscription, complete a survey, register on the App, upload content, participate in a community, or provide your e-mail address. Personal information is any information that can individually identify you and includes, among other things, your name, e-mail address, telephone number, postal address, credit card, billing and contact information. Non-personal information includes information that does not personally identify you, but it may include tracking and usage information about your location, demographics, use of the App and the Internet.

Personal Information

As a general matter, you can browse the App without submitting your personal information to us. However, there are a number of circumstances in which you may supply us or our agents with your personal information. The following lists the most common ways in which we may collect your personal information.

- Registration for an account on one of our App
- Registration for an event sponsored by FiLMiC or Luma-Touch
- Profile information that You provide for Your user profile
- Uploading Content to the App
- Submitting an application to work at FiLMiC or Luma-Touch
- Sign up to receive alerts or other information via email, text or instant message from FiLMiC or Luma-Touch
- App related communications, e.g. account verification; technical notification
- Submission of content or other data and information on any part of the App that permits it
- Any other place on the App where you knowingly volunteer personal information

Non-Personal Information

In addition, when you interact with the App, we may collect certain information that does not identify you individually and our servers may automatically keep an activity log of your use of our Products ("Non-Personal Information"). Generally, we collect and store the following categories of Non-Personal Information:

- Non-identifiable demographic data such as age, gender, and five digit zip code as part of collecting personal information
- Device information about your computer, browser, mobile device, or other device that you use to access the App. This information may include IP address, geolocation information, unique device identifiers, browser type, browser language, and other transactional information.

- Analytics and usage information about your use of the App.
- Additional “traffic data” and log files such as time of access, date of access, software crash reports, session identification number, access times, and referring App addresses.
- Other information regarding your use of the App.

Collection of Your Source IP Address/Location Information

We may collect and store location information about you on the App and associated with your account that you volunteer on the App or enable through the App or your device. We will not collect any location information that you do not volunteer or enable. We will delete any location information that you request is deleted. We do collect and store your device’s source IP address which may disclose the location of your device at the time you access the App.

Collection of Personal Information From or Through Social Media Sites or Using Your Social Media Logon

When you interact with any Service Provider page or account on a social media platform, such as Facebook, Twitter, Instagram, Snapchat, LinkedIn, YouTube, or Pinterest, we may collect the personal information that you make available to us on that page or account including your account ID or “handle.” However, we will comply with the privacy policies of the corresponding social media platform and we will only collect and store such personal information that we are permitted to collect by these social media platforms. If you publish your social media profile on our Service, we may collect personal information that you make available as part of that profile.

Use of Cookies and Other Tracking Technologies

We do not use any cookies for any purpose, including “session” cookies, “persistent” cookies, flash cookies, web storage, web beacons or other technology that tracks you. We may also use certain technologies to monitor traffic, improve the Apps and make it easier and/or relevant for your use, but none of these technologies track you or identify you.

We do not deliver advertising on or through the App. If you are concerned about mobile app tracking by advertising networks, you can learn about your options to opt-out of mobile app tracking by certain advertising networks through your device settings. For more information about how to change these settings for Apple, Android or Windows devices, see:

Apple: <http://support.apple.com/kb/HT4228>

Android: <http://www.google.com/policies/technologies/ads/>

Windows: <http://choice.microsoft.com/en-US/opt-out>

How Do We Use Your Information?

We use the information we learn from you to help us personalize and continually improve your experience on the App. We may use your Personal and Non-Personal Information in the following ways:

General Uses

- To upload your content to our Apps or other Products as you request
- To permit you to update, edit, and manage your content on our Apps or other Products
- To communicate with you about your account or transactions with us (including service related announcements) and send you information about features and enhancements on our Apps or other Products
- To communicate with you about changes to our policies
- To personalize content and experiences on our App or other Products, including providing you reports, recommendations and feedback based on your preferences
- To analyze, optimize or improve our products, services and operations
- To automatically update the App or other Products on your device
- To detect, investigate, and prevent activities that may violate our policies or be illegal

Use of Your Location Information

Specifically, we may use your location information to:

- Personalize content on our App or other Products, including providing you reports, recommendations and feedback based on your preferences
- Optimize or improve our products, services and operations
- Detect, investigate, and prevent activities that may violate our policies or be illegal
- Perform statistical, demographic, and marketing analyses of users of the App

- As necessary to authenticate use of software and functionality embedded in the App that is provided by third parties.

Who Do We Provide Your Information To?

Except as disclosed in this Privacy Policy, we do not disclose information about your Personal Information collected online to any companies not part of FiLMiC, Luma-Touch, their subsidiaries or related entities.

Third-Party Agents

We have third party agents, subsidiaries, affiliates and partners that perform functions on our behalf, such as hosting, billing, push notifications, storage, bandwidth, content management tools, analytics, customer service, fraud protection, etc. These entities have access to the Personal Information needed to perform their functions and are contractually obligated to maintain the confidentiality and security of that Personal Information. They are restricted from using, selling, distributing or altering this data in any way other than to provide the requested services to the App.

Emergency Situations

We may also use or disclose Personal Information if required to do so by law or in the good-faith belief that such action is necessary to (a) conform to applicable law or comply with legal process served on us or the App; (b) protect and defend our rights or property, the App or our users, and (c) act under emergency circumstances to protect the personal safety of us, our affiliates, agents, or the users of the App or the public. This includes exchanging information with other companies and FiLMiC or Luma-Touch for fraud protection.

What Steps Are Taken To Keep Personal Information Secure?

We are concerned about ensuring the security of your Personal Information. We exercise great care in providing secure transmission of your information from your device to our servers. Personal Information collected by our Products are stored in secure operating environments that are not available to the public. Our security procedures mean that we may occasionally request proof of identity before we disclose your Personal Information to you. Please understand, however, that while we try our best to safeguard your Personal Information once we receive it, no transmission of data over the Internet or any other public network can be guaranteed to be 100% secure.

How Can We Transfer Your Personal Information?

Your information collected through the App may be stored and processed in the United States or any other country in which FiLMiC and/or Luma-Touch its Clients, Affiliates or service providers maintain facilities. FiLMiC and/or Luma-Touch, its Clients, Affiliates, or service providers may transfer information that we collect about you, including personal information across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you are located in the United States or other regions with laws governing data collection and use that may differ from US law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction. Wherever your personal information is transferred, stored, or processed by FiLMiC and/or Luma-Touch, FiLMiC and/or Luma-Touch will take reasonable steps to safeguard the privacy of your personal information. By registering for and using the App you consent to the transfer of information to the US or to any other country in which FiLMiC and/or Luma-Touch, its Clients, Affiliates or service providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.

How Long Do We Keep Your Information?

Following termination or deactivation of your account, FiLMiC and/or Luma-Touch, its Clients, Affiliates, or its service providers may retain information (including your profile information) and user Content for a commercially reasonable time for backup, archival, and/or audit purposes. If you have any questions about termination or deactivation of your account, please contact FiLMiC at info@filmicpro.com and/or Luma-Touch at support@luma-touch.com.

What Happens When I Link To or From Another App?

Our Products may contain links to other Apps operated by third parties. Please be advised that the practices described in this Privacy Policy for FiLMiC and Luma-Touch do not apply to information gathered through these other Apps. We are not responsible for the actions and privacy policies of third parties and other Apps.

Governing Law

Our products are published in the United States. We attempt to protect the Personal Information of all users of our Products and we attempt to comply with local data protection and consumer rights laws to the extent they may apply to the FiLMiC and Luma-Touch services, but our Products are located and targeted to United States citizens and our policies

are directed at compliance with those laws. If you are uncertain whether this privacy policy conflicts with the applicable local privacy laws where you are located, you should not submit your Personal Information to FiLMiC or Luma-Touch.

Assignment

We may change our ownership or corporate affiliation while providing the App. We may also sell certain assets associated with the App. As a result, please be aware that in such event we may transfer some or all of your information to another entity acquiring all or part of our assets or to another entity with which we have merged. Under such circumstances we would, to the extent possible, require the acquiring party to follow the practices described in this Privacy Policy, as it may be amended from time to time. Nevertheless, we cannot promise that an acquiring entity or the merged entity will have the same privacy practices or treat your information the same as described in this Privacy Policy.

Changes to This Policy

As our Products continue to develop, we may add new services and features to our Products. In the event that these additions affect our Privacy Policy, this document will be updated appropriately. We will post those changes prominently so that you will always know what information we gather, how we might use that information and whether we will disclose it to anyone. We do, however, recommend that you read this Privacy Policy each time you use our Products in case you missed our notice of changes to the Privacy Policy. We will not, however, materially change our policies and practices to make them less protective of Personal Information we have previously collected from you without your express consent.

What Are Your Choices and How Do You Opt-Out?

We believe you should have choices about the collection, use and sharing of your information. Although you cannot opt-out of all data collection when you visit our Products, you can limit the collection, use and sharing of your personally identifiable information.

Collection of Personal Information. All personally identifiable information is provided on a voluntary basis. If you do not want FiLMiC and/or Luma-Touch to collect such information, you should not submit it to the App. However, doing so will restrict your ability to access some content and use some of the functionality of the App.

Emails and Other Communications. If you would like to opt-out of receiving promotional or informational communications from us, you can either opt-out by clicking on the “unsubscribe” link on the promotional communication and follow the instructions or you may contact FiLMiC directly at info@filmicpro.com or Luma-Touch at support@luma-touch.com. Please note that this may affect your ability to access certain products and services, and we may continue to send non-promotional communications such as staffing confirmations, surveys, and other information about your use of the Service. If you refer others to us using our email functionality, please note that they may choose not to receive any promotional emails from us in the future by following the opt-out instructions in the email invitation.

Accessing and Correcting Your Information. If you would like to determine what personal information we have on file for you or to correct your information please contact FiLMiC at info@filmicpro.com or Luma-Touch at support@luma-touch.com. We may not accommodate a request to change or delete Personal Information if we believe the request is fraudulently submitted and/or doing so would violate any law or legal requirement, or cause the information to be incorrect.

If you have any questions about this Privacy Policy, you should contact FiLMiC by email at info@filmicpro.com or Luma-Touch at support@luma-touch.com.

Your California Privacy Rights

California Civil Code Section 1798.83 permits customers of FiLMiC or Luma-Touch who are California residents to request certain information regarding its disclosure of their personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to FiLMiC at info@filmicpro.com or Luma-Touch at support@luma-touch.com.

Information for Users in Europe and Elsewhere Outside The U.S.

If you use our Products outside of the United States, you understand that we may collect, process, and store your personal information in the United States and other countries. The laws in the U.S. regarding personal information may be different from the laws of your state or country. Any such transfers will comply with safeguards as required by relevant law. If applicable, you may have a right to claim compensation for damages caused by a breach of relevant data protection laws.

Additional Information for Users in the European Union (EEA) and Switzerland

If you are a resident of the EEA or Switzerland, the following information applies.

Purposes of processing and legal basis for processing

As explained above, we process personal data in various ways depending upon your use of our Products, Apps and Services. We process personal data on the following legal bases: (1) with your consent; (2) as necessary to perform our agreement to provide Services; and (3) as necessary for our legitimate interests in providing the Apps and Services where those interests do not override your fundamental rights and freedom related to data privacy.

Right to lodge a complaint

Users that reside in the EEA or Switzerland have the right to lodge a complaint about our data collection and processing actions with the supervisory authority concerned. Contact details for data protection authorities are available [here](#).

Transfers

Personal information we collect may be transferred to, and stored and processed in, the United States or any other country in which we or our affiliates or subcontractors maintain facilities. Upon the start of enforcement of the General Data Protection Regulation (GDPR), we will ensure that transfers of personal information to a third country or an international organization are subject to appropriate safeguards as described in Article 46 of the GDPR.

Individual Rights

If you are a resident of the EEA or Switzerland, you are entitled to the following rights once the GDPR becomes effective:

- The right to request data erasure – you have the right to have your data erased from our Products and Apps if the data is no longer necessary for the purpose for which it was collected, you withdraw consent and no other legal basis for processing exists, or you believe your fundamental rights to data privacy and protection outweigh our legitimate interest in continuing the processing.
- The right to restrict or object to our processing – you have the right to restrict or object to our processing if we are processing your data based on legitimate interests or the performance of a task in the public interest as an exercise of official authority (including profiling); using your data for direct marketing (including profiling); or processing your data for purposes of scientific or historical research and statistics.
- The right to object to automated decision making – you have a right to avoid being subject to automated decision making and insist on human intervention if we make an automated decision that produces a legal or a similarly significant effect on you.

What Are Your Choices and How Do You Opt-Out?

We believe you should have choices about the collection, use and sharing of your information. Although you cannot opt-out of all data collection when you visit our Products and Apps, you can limit the collection, use and sharing of your personally identifiable information.

Collection of Personal Information. All personally identifiable information is provided on a voluntary basis. If you do not want Company to collect such information, you should not submit it to the Apps or our other Product offerings. However, doing so will restrict your ability to access some content and use some of the functionality of the Apps.

Emails and Other Communications. If you would like to alter the type of communications you receive from us, including opting out of promotional communications from us, you may do so at any time by updating the communication preferences specified in your account profile through the Apps. Please note

that this may affect your ability to access certain products and services, and we may continue to send non-promotional communications such as staffing confirmations, surveys, and other information about your use of the Service. If you refer others to us using our email functionality, please note that they may choose not to receive any promotional emails from us in the future by following the opt-out instructions in the email invitation.

Tracking. You also have choices to limit some tracking mechanisms that collect information when you use the Apps. Many web browsers automatically accept cookies, but you can usually modify your browser's setting to decline cookies if you prefer. If you choose to decline cookies, certain features of our Apps, including the Apps themselves, may not function properly or remain accessible to you. In addition, you may also render some web beacons unusable by rejecting or removing their associated cookies. Note that if you choose to remove cookies, you may remove opt-out cookies that affect your advertising preferences. For more detail on your ability to opt out, see **Use of Cookies and Other Tracking Technologies** above.

Please note that while you may opt out of online behavioral advertising and other targeted advertising served by participating companies through Apps you may still see other types of advertising on the Apps, it just may not be as relevant or targeted to your interests.

Accessing and Correcting Your Information. If you have an account with Company, you may review and change your information by logging into your account and editing your profile. Be advised that we may not be able to delete your Personal Information without also deleting your user account. You will not be permitted to examine the Personal Information of any other person or entity and may be required to provide us with Personal Information to verify your identity prior to accessing any records containing information about you. We may not accommodate a request to change or delete Personal Information if we believe doing so would violate any law or legal requirement, or cause the information to be incorrect.

If you have any questions about this Privacy Policy, you should contact us by emailing FiLMiC at info@filmicpro.com or Luma-Touch at support@luma-touch.com.