

Advertising Production Resources Privacy Statement

Effective as of May 25, 2018

Purpose

APR Consulting Co. d/b/a Advertising Production Resources, Inc., including its subsidiaries and affiliates (collectively, "**APR**", "**we**" or "**us**") respects the privacy of its Clients, business partners, and visitors to its Website (as defined below). The APR Privacy Statement (the "**Privacy Statement**") describes the information that we collect, how we obtain the information, and how we may use or disclose that information. This Privacy Statement also describes the measures we take to protect the security of the information and how individuals can contact us about our privacy practices.

Scope

This Privacy Statement only covers our privacy practices with respect to the collection, use, and disclosure of information obtained: (i) through APR's website at www.aprco.com, wiki.aprco.com, theaprblog.wordpress.com and aprco.facebook.com (collectively, our "**Websites**") and (ii) in connection with the use of our hosted software applications (the "**Subscription Services**") and related support services ("**Support Services**"), as well as consulting services (the "**Consulting Services**") that we provide to Clients. In this Privacy Statement, the Subscription Services, Support Services and the Consulting Services are collectively referred to as the "**Services**."

This Privacy Statement also applies where we are acting as a data controller with respect to the Personal Data of the Visitors of our Website and our Clients and Users. This Privacy Statement does not apply where we are acting as a data processor of Client Data on behalf of our Clients and Users.

For the purposes of this Privacy Statement:

"**Client**" means any entity that purchases the Services.

"**Client Data**" means (i) the electronic data uploaded into the Subscription Services by or for Client or its Users or (ii) data otherwise collected by APR as part of its Consulting Services pursuant to a Client Agreement.

"**Personal Data**" means any information relating to an identified or identifiable natural person.

"**Visitor**" means a visitor of the Website.

"**User**" means an individual authorized by Client to access and use the Subscription Services.

Our Website

How We Obtain Information

As further described below, we collect several types of information from and about our Visitors.

Information you provide to us

- When filling out forms on our Website we collect Personal Data, including without limitation, name, email address, IP address and telephone number.

- When you post material to our Website, participate in bulletin boards, chat rooms, blogs, comment threads, forums or other interactive features of our Website.
- Request further information or services from us.
- When you register to use a demo or developer instance of the Subscription Services.
- When you report a problem with our Website via our Website or e-mail.
- When you contact us.
- When you complete our surveys.
- Other information you may submit to us related to your use of our Website.

Information from third parties

APR may collect and use information we receive from third parties in connection with your use of the Website. For instance, APR uses a third party for reporting and analytics to measure the effectiveness of our Website and marketing efforts, evaluate service levels and Website traffic, and to identify areas for improvement.

Information we collect as you navigate through the Website

As you navigate through the Website, we may also collect details about your visits to our Website including, but not limited to, your IP address, usage patterns, duration information, traffic data, location data, logs and other communication data and the resources that you access, as well as information about your computer and internet connection, including your operating system and browser type.

Cookies and Other Forms of Automated Collection

We use “cookies” to help us improve our Website. A cookie is a small file stored on the hard drive of your computer. We may use cookies to obtain information about your general Internet usage and to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize your experience.
- Speed up your searches.
- Authenticate your access to various areas of our Website.
- Recognize you when you return to our Website.

APR’s third parties may use JavaScript to collect IP addresses from our Visitors and our hosting provider may also collect server logs. Information gathered through these automated means may be associated with the Personal Data you previously submitted on our Website.

APR does not use cookies to retrieve information from a computer that is unrelated to APR or our Website.

How We Use Information Collected

We may use information that we collect about Visitors for the following purposes:

- To present our Website and their contents in a suitable and effective manner for you and for your computer.
- To diagnose and resolve technical problems with our Website.
- To improve our Website.
- To provide you with information, products or services that you request from us.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including without limitation, our Website Terms of Use.
- To notify you about changes to our Website or obtain any required consent.
- To allow you to participate in interactive features of our Website, when you choose to do so.
- For industry analysis, benchmarking, analytics, marketing, and other business purposes.

- To track your browsing behavior, such as the pages you visited over time.

If you ask us to contact you about goods and services that may be of interest to you, we may use your Personal Data or permit select third parties to use your Personal Data to provide you with such services. Visitors may withdraw consent at a later time by clicking on the “unsubscribe” link located in the emails sent by APR. For more information, see *Communication Preferences and Choices* below.

Legal Basis for Processing

In general, the legal basis for processing Personal Data collected by our Website is our legitimate interest namely the proper administration of our Website and business. In order to provide you with information, products or services that you specifically request from us, or for you to subscribe and receive our email communications, the legal basis for processing your Personal Data in these instances is consent.

How We Share Information Collected

We may disclose Personal Data that you provide to us via the Website, to the following third parties:

- Our subsidiaries and affiliates (including those located outside the United States).
- Contractors, business partners and service providers we use to support our business or who provide services on our behalf.
- In the event of merger, acquisition, or any form of sale or transfer of some or all of our assets (including in the event of a reorganization, dissolution or liquidation), in which case Personal Data held by us about our Visitors will be among the assets transferred to the buyer or acquirer.

We may also disclose your Personal Data to third parties to:

- Comply with any court order or other legal obligation.
- Enforce or apply our Website Terms of Use or terms of any other agreement.
- Protect the rights, property, or safety of APR or others.

We do not sell, rent or trade information collected through the Website with third parties for their promotional purposes.

Public Forums and Blogs

Your Visitor contributions are posted on and transmitted to other users of the Website at your own risk. Please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your Visitor contributions. Therefore, we cannot and do not guarantee that your Visitor contributions will not be viewed by unauthorized persons. We are not responsible for circumvention of any privacy settings or security measures contained on the Website. You understand and acknowledge that, even after removal, copies of your Visitor contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users.

International Transfer of Personal Data

The Website is hosted in the United States. If you choose to use the Website from the European Union or other regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you may be transferring your Personal Data outside of those regions to the United States for storage and processing by our service providers. We will comply with GDPR requirements providing adequate protection for the transfer of Personal Data from Europe to the U.S. Also, we may transfer your data to the U.S., the EEA, or other countries or regions deemed by the European Commission to provide

adequate protection of Personal Data in connection with storage and processing of data, fulfilling your requests, and operating the Website. By using our Website, you consent to the collection, storage, transfer and processing of information outside of your country of residence, including in the United States.

Communication Preferences and Choices and Accessing and Correcting Your Personal Data (Website)

We provide certain choices regarding the information Visitors provide to us. We have created mechanisms to provide you with the following control over your information when using our Website. If you do not wish to have your e-mail address used for promotional purposes by APR, you may withdraw consent at a later time by clicking on the “unsubscribe” link located in the emails sent by APR.

Cookies

Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website. You may refuse to accept cookies by activating the appropriate setting on your browser. You may also set your browser to alert you when cookies are being sent. However, if you do so, please note that some parts of our Website may then be inaccessible or function improperly.

Do Not Track

While APR attempts to honor do not track (“**DNT**”) instructions we receive from a Visitor’s browser, we cannot guarantee that APR technology will always respond to such signals, in part, because of the lack of common industry standard for DNT technology. We continue to monitor developments in DNT technology and stay apprised of DNT industry standards as they evolve.

Choice

You should review this Privacy Statement carefully, because if you do not agree with our practices, your ultimate choice is not to use the Website. Remember, by using any part of our Website, you accept and agree to our privacy practices. For further detail regarding your privacy rights under the General Data Protection Regulation (“**GDPR**”), see “*Your GDPR Rights*” section below.

Our Services

How We Obtain Information

As described below, we collect several types of information from about our Clients, including:

- General information, including a Client’s company name and address and the Client’s representative’s contact information (“**General Information**”) for billing and contracting purposes.
- Information and correspondence our Clients and Users submit to us in connection with Consulting Services or other requests related to our Services.
- Information we receive from our business partners in connection with our Users use of the Subscription Services or in connection with services provided by our business partners on their behalf, including configuration of the Subscription Services.
- Quantitative data derived from our Clients and Users use of the Subscription Services, for example and without limitation, the number of active roles within a Client’s instance and duration. All data collected, used, and disclosed will be in aggregate form only and will not identify Clients or theirUsers.

- Server logs in support of the Subscription Services.
- A User’s IP address.
- A User’s location.
- A User’s browser type.

Cookies

When you use the Subscription Services, we use cookies to:

- Track session state in the Subscription Services.
- Route a browser request to a specific node when multiple nodes are assigned;
- Authenticate your access to the Subscription Services.
- Recognize you when you return to the Subscription Services.

A User may refuse to accept the “remember me” cookie, which will then require a User to provide their username and password to log into the Subscription Services. Additionally, refusal would require that a user always re-navigate back to pages or forms last visited.

Information from third parties

APR may collect and use information we receive from third parties in connection with your use of the Subscription Services. For instance, APR uses a third party for reporting and analytics to measure the effectiveness of our products, evaluate service levels, and to identify areas for improvement.

How We Share Information Collected

We may disclose Personal Data that our Clients and Users provide as part of our Services, to the following third parties:

- Our subsidiaries and affiliates (including those located outside the United States).
- Contractors, business partners and service providers we use to support our Services and business partners who provide services on behalf of our Clients.
- In the event of merger, acquisition, or any form of sale or transfer of some or all of our assets (including in the event of a reorganization, dissolution or liquidation), in which case Personal Data held by us about our Clients will be among the assets transferred to the buyer or acquirer.

We may also disclose your Personal Data to third parties to:

- Comply with any court order or other legal obligation.
- Enforce or apply the terms of the definitive agreement between Client and APR pursuant to which the Client purchased our Services (the “***Client Agreement***”).
- Protect the rights, property, or safety of APR, our Clients, Users or others.

We do not share, sell, rent or trade information collected through the Services with third parties for their promotional purposes.

Client Data

As part of our Consulting Services, data is collected during the advertising pre-production, production, and post-production process. Client Data collected includes qualitative and quantitative measures as related to production details including financials, deliverables, production characteristics, schedules, and vendors.

We use your Client Data to provide the Services to you, including updating and maintaining the Subscription Services and providing Support and Consulting Services. Notwithstanding anything else to the contrary in this Privacy Statement, we will not use, disclose, review, share, distribute, transfer or reference any Client Data except as permitted in the Client Agreement or as required by law, provided that we may use aggregate and anonymized Client Data to:

- Collect and analyze general and specific trends and benchmarks relating to the Client Data.
- Disclose the anonymized Client Data solely in aggregate with other client, agency or production-house data in connection with our business offerings.
- To improve your User experience.

Data Processor of Client Data

Under GDPR, a data processor is a third party who processes Personal Data on behalf of and in line with instructions from the data controller and for no reasons of its own. APR does not own or control any of the Client Data that is stored or processed by (i) APR at the request of a Client or (ii) a Client or User via the Subscription Service. Because APR does not determine the purposes for which such Personal Data is collected, the means of collecting such Personal Data, or the uses of such Personal Data, APR is not acting in the capacity of data controller in terms of the GDPR and does not have the associated responsibilities under the GDPR. APR should be considered only as a processor on behalf of its Clients and Users as to any Client Data containing Personal Data that is subject to the requirements of the GDPR.

Except as provided in this Privacy Statement, APR does not independently cause Client Data containing Personal Data stored in connection with the Services to be transferred or otherwise made available to third parties, except to third party subcontractors who may process such data on behalf of APR in connection with APR’s provision of Services to Clients. The Client or the User is the data controller under the GDPR for any Client Data containing Personal Data, meaning that such party controls the manner such Personal Data is collected and used as well as the determination of the purposes and means of the processing of such Personal Data.

APR has no direct relationship with the Client’s customers or third party whose Personal Data it may process on behalf of a Client. An individual who seeks access, or who seeks to correct, amend, delete inaccurate data or withdraw consent for further contact should direct his or her query to the Client or User they deal with directly. If the Client requests APR to remove the data, we will respond to its request within thirty (30) days. We will delete, amend or block access to any Personal Data that we are storing only if we receive a written request to do so from the Client who is responsible for such Personal Data, unless we have a legal right to retain such Personal Data. We reserve the right to retain a copy of such data for archiving purposes, or to defend our rights in litigation. Any such request regarding Client Data should include sufficient information for APR to identify the Client or its customer or third party and the information to delete or amend.

If you need a signed Data Processing Addendum in addition to the Terms of Services and Privacy Statement, please send written request to the address listed below in the *Contact Information* section.

Legal Basis for Processing

In general, the legal basis for processing Personal Data collected by our Services, whether as part of Client Data or otherwise, is the performance of a contract between you and us and/or taking steps, at your request, to enter into such contract.

International Transfer of Client Data

We may transfer, process and store Personal Data we collect through the Services in centralized databases and with service providers located in the U.S. The U.S. may not have the same data protection framework as the country from which you may be using the Services. When we transfer Personal Data to the U.S., we will protect it as described in this Privacy Statement. The Subscription Services is hosted in the United States. If you choose to use the Subscription Services from the European Union or other regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you may be transferring your Personal Data, or the Personal Data of third parties, outside of those regions to the United States for storage and processing by our service providers. We will comply with GDPR requirements providing adequate protection for the transfer of Personal Data from Europe to the U.S. Also, we may transfer your data to the U.S., the EEA, or other countries or regions deemed by the European Commission to provide adequate protection of Personal Data in connection with storage and processing of data, fulfilling your requests, and operating the Services. By using our Services, you consent to the collection, storage, transfer and processing of information outside of your country of residence, including in the United States.

Communication Preferences and Choices and Accessing and Correcting Your Personal Data (Services)

Client is in control of what information, including any Personal Data, it provides through the Subscription Services and has access to correct Personal Data contained in Client Data. To access, correct or delete any Personal Data provided as part of the General Information, the Client should contact their account representative. For further detail regarding your privacy rights under the General Data Protection Regulation (“**GDPR**”), see “*Your GDPR Rights*” section below.

GDPR

Your GDPR Rights

This section applies to individuals based in the European Economic Area (“**EEA**”). In this section, we have summarized the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

Your principal rights under data protection law are:

- the right to access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to object to processing;
- the right to data portability;
- the right to complain to a supervisory authority; and
- the right to withdraw consent.

You have the right to confirmation as to whether or not we process your Personal Data and, where we do, access to the Personal Data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of Personal Data concerned and the recipients of the Personal Data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your Personal Data at no charge.

You have the right to have any inaccurate Personal Data about you rectified and, taking into account the purposes of the processing, to have any incomplete Personal Data about you completed.

In some circumstances you have the right to the erasure of your Personal Data without undue delay. Those circumstances include: the Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the Personal Data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defense of legal claims.

In some circumstances you have the right to restrict the processing of your Personal Data. Those circumstances are: you contest the accuracy of the Personal Data; processing is unlawful but you oppose erasure; we no longer need the Personal Data for the purposes of our processing, but you require Personal Data for the establishment, exercise or defense of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your Personal Data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defense of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

You have the right to object to our processing of your Personal Data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the Personal Data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defense of legal claims.

You have the right to object to our processing of your Personal Data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your Personal Data for this purpose.

You have the right to object to our processing of your Personal Data for statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

To the extent that the legal basis for our processing of your Personal Data is:

- (a) consent; or

- (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,

and such processing is carried out by automated means, you have the right to receive your Personal Data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

If you consider that our processing of your Personal Data infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

To the extent that the legal basis for our processing of your Personal Data is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

You may exercise any of your rights in relation to your Personal Data by written notice to us at the address below. APR will respond to all requests to access, correct or delete Personal Data within (30) days.

GENERAL

Navigation Information

You may opt out from the collection of navigation information about your visit to the Site by Google Analytics by using the [Google Analytics Opt-out feature](#).

Opting out from Commercial Communications

If you receive commercial emails from us, you may unsubscribe at any time by following the instructions contained within the email or by sending an email to aprco@aprco.com. Please be aware that if you opt-out of receiving commercial email from us or otherwise modify the nature or frequency of promotional communications you receive from us, it may take up to ten (10) business days for us to process your request. Additionally, even after you opt-out from receiving commercial messages from us, you will continue to receive administrative messages from us regarding the Services.

Retention of Personal Data

Personal Data that we process for any purpose or purposes shall not be kept for longer than is necessary for the purpose or those purposes.

Security & Compliance Statement

APR maintains reasonable and appropriate measures to protect the Personal Data obtained through the Website and in connection with the Services from loss, misuse and unauthorized access, disclosure, alteration and destruction. Please also see our Statement of Compliance with respect to GDPR which can be found at http://www.aprco.com/wp-content/uploads/2018/05/APR-GDPR_Compliance_Statement-22-May-18-SS.pdf.

Third Party Websites and Applications

This Website may link to or provide a platform from websites that are not owned or controlled by APR (e.g. Facebook). As such, this Privacy Statement does not apply to information collected on any third-party site or by any third-party application that may link to or be accessible from the Website. In addition, Clients and other third parties, including our business partners and consultants, may develop applications or provide services to you or other third parties using our Services. This Privacy Statement does not apply to information collected by Clients, our business partners and other third parties or third-party applications or services, even if this information is collected using our Website or Services. This Privacy Statement also does not cover the use or disclosure of any information stored in the Subscription Services when hosted by the Client (if applicable).

Changes to Our Privacy Statement

APR reserves the right to update or change this Privacy Statement from time to time. If we make material changes to this Privacy Statement, we will notify you through an appropriate online notice (and obtain your consent where required by applicable law). Your continued use of the Website or Services is deemed to be acceptance of any updates or changes we make to this Privacy Statement and as such, we ask that you review the Privacy Statement periodically for any updates or changes that we may have made.

Contact Information

To ask questions or comment about this Privacy Statement and our privacy practices or if you need to update, change or remove your information, contact us at aprco@aprco.com.

or

Advertising Production Resources
Attn: Privacy
3001 Brighton Blvd., #789
Denver, CO 80216

All other feedback, comments, requests for technical support and other communications relating to the Website should be directed to: aprco@aprco.com

This website is operated by APR Consulting Co, a Colorado corporation located at 3001 Brighton Blvd., Suite 789, Denver, Colorado 80216.