

# Privacy Policy

For users of the Kaboom Animation Festival (hereinafter "Kaboom") online ticketing service, online submission service and/or online accreditation service.

This privacy policy is effective from: 31 January 2020.

Key Changes: see end of document.

## What this policy covers

Your privacy is important to us, and so is being transparent about how we collect, use, and share information about you. This policy is intended to help you understand:

- What information we collect about you
- How we use information we collect
- How we share information we collect
- How we store and secure information we collect
- How to access and control your information
- How we transfer information we collect internationally
- Other important privacy information

This Privacy Policy covers the information we collect about you when you access one or more of our Festival Portals, 'we' and 'us' refer to Kaboom.

Please note that the word "film" in this document also refers to other animated works that can be submitted for the festival according our submission terms and conditions.

We manage your information using Filmchief, a cloud-based film festival management tool owned and operated by ThisWayUp. We refer to this product as "Services" in this policy. This Privacy Policy does not cover any other products or services provided by Kaboom. Please see <https://www.kaboomfestival.nl> for our Privacy Policy concerning those products and services.

This policy also explains your choices about how we use information about you. Your choices include how you can object to certain uses of information about you and how you can access and update certain information about you. **If you do not agree with this policy, do not access or use our Services or interact with any other aspect of our organization.**

# What information we collect about you

We collect information about you when you provide it to us, when you use our Services, and when other sources provide it to us, as further described below.

## Information you provide to us

We collect information about you when you input it into the Services or otherwise provide it directly to us.

**Account and Profile Information:** We collect information about you when you register for an account, create or modify your profile, set preferences, sign-up for or make purchases through the Services. For example, you provide your contact information and, in some cases, billing information, when you register for the Services. You may also have the option of adding a display name, profile photo, job title, travel itinerary, hotel and other details to your profile information to be displayed in our Services. We keep track of your preferences when you select settings within the Services.

**Information you provide through our support channels:** The Services also include our customer support, where you may choose to submit information regarding a problem you are experiencing with a Service. Whether you designate yourself as a technical contact, open a support ticket, speak to one of our representatives directly or otherwise engage with our support team, you will be asked to provide contact information, a summary of the problem you are experiencing, and any other documentation, screenshots or information that would be helpful in resolving the issue.

**Payment Information:** We collect certain payment and billing information when you register for certain paid Services. For example, we ask you to designate a billing representative, including name and contact information, upon registration. Payment information, such as payment card details, are handled and stored by secure payment processing services. We can access this information, but it is not collected nor stored by us.

**Information you provide through our film submission service:** If you submit a film for our festival, we to collect and store the content that you submit, send or share with us. This includes any information about you that you may choose to include. Examples of content we collect and store include: detailed information of a submitted film project (including contact information of credited people and organizations), an accreditation request, an application to become a volunteer at the festival, a meeting request, any corrections you enter in connection with your profile or a submitted

film, and any feedback you provide to us. Content also includes the files you upload to the Services and the files behind the links you provide.

## **Information we collect automatically when you use the Services**

We collect information about you when you use our Services.

**Your use of the Services:** We keep track of certain information about you when you visit and interact with any of our Services. Depending on which service you use, this information includes the features you use; the tickets you buy; the links you click on; the type, size and filenames of attachments you upload to the Services; frequently used search terms; and how you interact with others on the Services.

**Device and Connection Information:** We collect information about your computer, phone, tablet, or other devices you use to access the Services. This device information includes your connection type and settings when you install, access, update, or use our Services. We also collect information through your device about your operating system, browser type, IP address, URLs of referring/exit pages, device identifiers, and crash data. We use your IP address and/or country preference in order to approximate your location to provide you with a better Service experience. How much of this information we collect depends on the type and settings of the device you use to access the Services.

**Cookies and Other Tracking Technologies:** Filmchief and our third-party partners, such as our analytics and email service partners, use cookies and other tracking technologies (e.g., web beacons, device identifiers and pixels) to provide functionality and to recognize you across different Services and devices.

## **Information we receive from other sources**

We receive information about you from other Service users, from third-party services and from film submission platforms.

**Other users of the Services:** Other users of our Services may provide information about you when they submit content through the Services. For example, you may be mentioned in a film entry submitted by someone else. We also receive your email address from other Service users when they provide it in order to invite you to the Services.

**Other services you link to your account:** We receive information about you when you integrate or

link a third-party service with our Services. For example, if you create an account or log into the Services using your Facebook credentials, we receive your name and email address as permitted by your Facebook profile settings in order to authenticate you.

**Film submission platforms:** We import information from film submission platforms such as Reelport, FestHome, FilmFreeway, FilmFestivalLife, or Withoutabox, of films submitted to Kaboom.

## How we use information we collect

How we use the information we collect depends in part on which Services you use, how you use them, and any preferences you have communicated to us. Below are the specific purposes for which we use the information we collect about you.

- **To keep a record of your relationship with us.**
- **To ensure we know how you prefer to be contacted.**
- **To provide you with tickets, products or information you bought or asked for.**
- **To administer your ticket sale or donation, including processing gift aid.**
- **For research and development:** We are always looking for ways to make our Services smarter, faster, secure, integrated, and useful to you. We use collective learnings about how people use our Services and feedback provided directly to us to troubleshoot and to identify trends, usage, activity patterns and areas for integration and improvement of the Services. For example, we automatically analyze and aggregate frequently used search terms to improve the accuracy and relevance of suggested results that auto-populate when you use the search feature. We also test and analyze certain new features with some users before rolling the feature out to all users.
- **To improve festival programming:** We use information about ticketing for collective learnings about the effectiveness of our programming and to discern audience profiles that can be relevant for future programming.
- **To communicate with you about the Services:** We use your contact information to send transactional communications via email and within the Services, including confirming your film submissions, responding to your messages, providing customer support, and sending you technical notices, updates, security alerts, and administrative messages. We send you email notifications when you or others interact with you on the Services, for example, when a task is assigned to you.
- **To sign you up to mailing lists that you've opted in to.**
- **To communicate with you about the festival:** We may send you a single request per

festival edition, to participate in a voluntary survey about your experiences at our festival.

- **Customer support:** We use your information to resolve technical issues you encounter, to respond to your requests for assistance, to analyze crash information, and to repair and improve the Services.
- **For safety and security:** We use information about you and your Service use to verify accounts and activity, to monitor suspicious or fraudulent activity and to identify violations of Service policies.
- **To protect our legitimate business interests and legal rights:** Where required by law or where we believe it is necessary to protect our legal rights, interests and the interests of others, we use information about you in connection with legal claims, compliance, regulatory, and audit functions, and disclosures in connection with the acquisition, merger or sale of a business.
- **With your consent:** We use information about you where you have given us consent to do so for a specific purpose not listed above.
- **Legal bases for processing:** We collect and process information about you only where we have legal bases for doing so under applicable EU laws. The legal bases depend on the Services you use and how you use them. This means we collect and use your information only where:
  - We need it to provide you the Services, including to operate the Services, provide customer support and personalized features and to protect the safety and security of the Services;
  - It satisfies a legitimate interest (unless it is overridden by your data protection interests), such as for research and development, promotion and to protect our legal rights and interests;
  - You give us consent to do so for a specific purpose; or
  - We need to process your data to comply with a legal obligation.

If you have consented to our use of information about you for a specific purpose, you have the right to change your mind at any time, but this will not affect any processing that has already taken place. Where we are using your information because we or a third party (e.g. your employer) have a legitimate interest to do so, you have the right to object to that use though, in some cases, this may mean no longer using the Services.

## How we share information we collect

We want our film festival management tool to work well for you. This means sharing information

through the Services and with certain third parties. We share information we collect about you in the ways discussed below. We are not in the business of selling information about you to advertisers or other third parties.

## **Sharing with third parties**

We share information with third parties that help us operate, provide, improve, integrate, customize and support our Services.

**Service Providers:** We work with third-party service providers to provide website and application development, hosting, maintenance, backup, storage, virtual infrastructure, payment processing, analysis and other services for us, which may require them to access or use information about you. If a service provider needs to access information about you to perform services on our behalf, they do so under close instruction from us, including policies and procedures designed to protect your information.

**Partners:** We work with third parties who provide consulting, sales, and technical services to deliver and implement customer solutions around the Services. We may share your information with these third parties in connection with their services, such as to assist with billing and collections, to provide localized support, and to provide customizations. We may also share information with these third parties where you have agreed to that sharing.

**Links to Third Party Sites:** The Services may include links that direct you to other websites or services whose privacy practices may differ from ours. If you submit information to any of those third-party sites, your information is governed by their privacy policies, not this one. We encourage you to carefully read the privacy policy of any website you visit.

**Social Media Widgets:** The Services may include links that direct you to other websites or services whose privacy practices may differ from ours. Your use of and any information you submit to any of those third-party sites is governed by their privacy policies, not this one.

**Third-Party Widgets:** The Services may contain widgets and social media features, such as the Twitter "tweet" button. These widgets and features collect your IP address, which page you are visiting on the Services, and may set a cookie to enable the feature to function properly. Widgets and social media features are either hosted by a third party or hosted directly on our Services. Your interactions with these features are governed by the privacy policy of the company providing it.

**Compliance with Enforcement Requests and Applicable Laws; Enforcement of Our Rights:** In

exceptional circumstances, we may share information about you with a third party if we believe that sharing is reasonably necessary to (a) comply with any applicable law, regulation, legal process or governmental request, including to meet national security requirements, (b) enforce our agreements, policies and terms of service, (c) protect the security or integrity of our products and services, (d) protect Kaboom, our customers or the public from harm or illegal activities, or (e) respond to an emergency which we believe in good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person.

## How we store and secure information we collect

### Information storage and security

We use data hosting service providers in the Netherlands to host the information we collect, and we use technical measures to secure your data.

While we implement safeguards designed to protect your information, no security system is impenetrable and due to the inherent nature of the Internet, we cannot guarantee that data, during transmission through the Internet or while stored on our systems or otherwise in our care, is absolutely safe from intrusion by others.

### How long we keep information

How long we keep information we collect about you depends on the type of information, as described in further detail below. After such time, we will either delete or anonymize your information or, if this is not possible (for example, because the information has been stored in backup archives), then we will securely store your information and isolate it from any further use until deletion is possible.

**Account information:** We retain your account information for as long as your account is active and a reasonable period thereafter in case you decide to re-activate the Services. We also retain some of your information as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our Services. Where we retain information for Service improvement and development, we take steps to eliminate information that directly identifies you, and we only use the information to uncover collective insights about the use of our Services, not to specifically analyze personal characteristics about you.

**Information you share on the Services:** If your account is deactivated or disabled, some of your information and the content you have provided will remain in order to allow your team members or other users to make full use of the Services. For example, we continue to display film details you provided, if the film has been included in our festival programming.

## How to access and control your information

You have certain choices available to you when it comes to your information. Below is a summary of those choices, how to exercise them and any limitations.

### Your Choices:

You have the right to request a copy of your information, to object to our use of your information, to request the deletion or restriction of your information, or to request your information in a structured, electronic format. Below, we describe the tools and processes for making these requests. You can exercise some of the choices by logging into the Services and using settings available within the Services or your account. You may contact us as provided in the Contact Us section below to request assistance.

Your request and choices may be limited in certain cases: for example, if fulfilling your request would reveal information about another person, or if you ask to delete information which we are permitted by law or have compelling legitimate interests to keep. Where you have asked us to share data with third parties, for example, by installing third-party apps, you will need to contact those third-party service providers directly to have your information deleted or otherwise restricted. If you have unresolved concerns, you may have the right to complain to a data protection authority in the country where you live, where you work or where you feel your rights were infringed.

**Access and update your information:** Our Services give you the ability to access and update certain information about you from within the Service. For example, you can access your profile information from your account and modify content that contains information about you using the editing tools associated with that content.

**Deactivate your account:** If you no longer wish to use our Services, you may be able to deactivate your Services account. That setting is available to you in your account settings. Please be aware that deactivating your account does not delete your information; your information remains visible to other Service users based on your past participation within the Services. For more information on how to delete your information, see below.

**Delete your information:** Our Services give you the ability to delete certain information about you from within the Service. For example, you can remove content that contains information about you using the editing tools associated with that content, and you can remove certain profile information within your profile settings. Please note, however, that we may need to retain certain information for record keeping purposes, to complete transactions or to comply with our legal obligations.

**Request that we stop using your information:** In some cases, you may ask us to stop accessing, storing, using and otherwise processing your information where you believe we don't have the appropriate rights to do so. For example, if you believe a Services account was created for you without your permission or you are no longer an active user, you can request that we delete your account as provided in this policy. Where you gave us consent to use your information for a limited purpose, you can contact us to withdraw that consent, but this will not affect any processing that has already taken place at the time. When you make such requests, we may need time to investigate and facilitate your request. If there is delay or dispute as to whether we have the right to continue using your information, we will restrict any further use of your information until the request is honored or the dispute is resolved. If you object to information about you being shared with a third-party app, please disable the app.

**Opt out of communications:** You may opt out of receiving promotional communications from us by using the unsubscribe link within each email, updating your email preferences within your Service account settings menu, or by contacting us as provided below to have your contact information removed from our promotional email list or registration database. Even after you opt out from receiving promotional messages from us, you will continue to receive transactional messages from us regarding our Services. You can opt out of some notification messages in your account settings.

**Send "Do Not Track" Signals:** Some browsers have incorporated "Do Not Track" (DNT) features that can send a signal to the websites you visit indicating you do not wish to be tracked. Because there is not yet a common understanding of how to interpret the DNT signal, our Services do not currently respond to browser DNT signals. You can use the range of other tools we provide to control data collection and use.

**Data portability:** Data portability is the ability to obtain some of your information in a format you can move from one service provider to another (for instance, when you transfer your mobile phone number to another carrier). Depending on the context, this applies to some of your information, but possibly not to all of your information. Should you request it, we will provide you with an electronic file of your basic account information.

# How we transfer information we collect internationally

## International transfers of information we collect

We collect information globally and primarily store that information in the Netherlands. We transfer, process and store your information outside of your country of residence, to the Netherlands for the purpose of providing you the Services. Whenever we transfer your information, we take steps to protect it.

***International transfers to third parties:*** Some of the third parties described in this privacy policy, which provide services to us under contract, are based in the United States. Without exception, those companies make use of the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, European Commission-approved standard contractual data protection clauses, binding corporate rules for transfers to data processors, or other appropriate legal mechanisms to safeguard the transfer. Please see our Privacy Shield Notice below.

## Privacy Shield Notice

SendGrid, Inc., Google LLC, and Facebook, Inc. participate in and comply with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks and the Privacy Shield Principles regarding the collection, use, and retention of information about you that is transferred from the European Union or Switzerland (as applicable) to the U.S.

Under the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, those companies are responsible for the processing of information about you they receive from the EU and Switzerland and onward transfers to a third party acting as an agent on our behalf. They comply with the Privacy Shield Principles for such onward transfers and remain liable in accordance with the Privacy Shield Principles if third-party agents that they engage to process such information about you on our behalf do so in a manner inconsistent with the Privacy Shield Principles, unless they prove that they are not responsible for the event giving rise to the damage.

To learn more about the Privacy Shield Program, and to view those companies' certifications, please see here [www.privacyshield.gov](http://www.privacyshield.gov).

# Other important privacy information

## Our policy towards children

The Services are not directed to individuals under 16. We do not knowingly collect personal information from children under 16. If we become aware that a child under 16 has provided us with personal information, we will take steps to delete such information. If you become aware that a child has provided us with personal information, please contact us at [info@kaboomfestival.nl](mailto:info@kaboomfestival.nl).

## Changes to our Privacy Policy

We may change this privacy policy from time to time. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice by adding a notice on the Services homepages, login screens, or by sending you an email notification. We will also keep prior versions of this Privacy Policy in an archive for your review. We encourage you to review our privacy policy whenever you use the Services to stay informed about our information practices and the ways you can help protect your privacy.

If you disagree with any changes to this privacy policy, you will need to stop using the Services and deactivate your account(s), as outlined above.

## Contact Us

Your information is controlled by Kaboom. If you have questions or concerns about how your information is handled, please direct your inquiry to Kaboom.

Kaboom Animation Festival De Wittenstraat 25 1052 AK Amsterdam The Netherlands E-Mail: [info@kaboom.nl](mailto:info@kaboom.nl)

## Key Changes

January 2020

We have updated the text under *Payment Information* so that it better reflects the way we can access payment information, such as payment card details.

August 2019

We have adapted the policy so that it also covers the privacy issues of our online ticketing service and guest accreditation. A Dutch language version has been made available.