

# SPLASHLIGHT PRIVACY POLICY

Last Updated: 1 June 2023

This privacy policy ("Privacy Policy") has been implemented on behalf of Splashlight Holding LLC and its Splashlight subsidiary/affiliate companies listed in Section 13 (collectively "Splashlight", "we" or "us" or "our"). This Privacy Policy describes how Splashlight collects, uses, and shares information about you and applies to your use of any online service location that posts a link to this Privacy Policy (including our website located at [www.splashlight.com](http://www.splashlight.com)); all features, content, and other services that we own, control, and make available to you; as well as when you receive and interact with online advertisements or communications from us, including emails, phone calls and texts; or register for, attend and/or otherwise take part in our events or visit our studios (collectively, our "Services and Communications").

If you are unable to access this Privacy Policy due to a disability or any physical or mental impairment, please [contact us](#) and we will arrange to supply you with the information you need in an alternative format that you can access. You can also access a printable version of this [Privacy Policy here](#).

This Privacy Policy does not apply to websites, products, or services that display or link to different privacy statements or that are operated by companies other than Splashlight, or to business activities or practices of third parties.

By engaging with our Services and Communications, you acknowledge that you have read this Privacy Policy and understand its content. Any dispute(s) over privacy are subject to this Privacy Policy, any applicable service terms (including any applicable limitations on damages and the resolution of disputes) and any applicable end user license agreement.

## Quick Links

We recommend that you read this Privacy Policy in full to ensure you are fully informed. However, to make it easier for you to review those parts of this Privacy Policy which apply to you, we have divided up the document into the following Sections:

- [1. About Splashlight](#)
- [2. Personal Information Collection](#)
- [3. How We Use Your Personal Information](#)
- [4. How We Share Your Personal Information](#)
- [5. Social Media and Technology Integrations](#)
- [6. Analytics and Advertising](#)
- [7. Security](#)
- [8. Information Pertaining to Children](#)
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## 1. About Splashlight

Splashlight is a visual content creation company headquartered in the United States. Over the years, Splashlight has built a reputation for bringing the quality standards of high-fashion and luxury photography and video into the high-velocity, high-volume world of content creation. For more information, please visit [www.splashlight.com](http://www.splashlight.com).

## 2. Personal Information Collection

### Personal Information You Provide to Splashlight

We collect different types of personal information that you voluntarily submit, which including in the preceding twelve (12) months include:

- Identifiers, such as your name, email and mailing addresses and phone number;
- Professional or employment-related information, such as your employer or company name, job title, industry, type of company and size of company;
- Registration information, such as information regarding your visit to our studios;
- Commercial information, including records of products or services purchased from us;
- Support information, such as information you provide when you contact us with questions, feedback, or otherwise correspond with us online; and
- Marketing information, including your preferences for receiving communications about our activities, events, and publications, and details about how you engage with our communications.

Please do not submit any personal information to us that we have not requested. Please note that if we have requested personal information from you and you decide that you do not want to share certain personal information with us, then this may prevent us from providing our Services and Communications to you.

### Personal Information Collected Automatically

Splashlight also automatically collects certain information about your device and how your device interacts with our Services and Communications. The categories of personal information we automatically collect and have collected in the last twelve (12) months include your device's IP address and other device identifiers, the type of internet browser you are using on your device, the type of operating system application software and peripherals you are using on your device, the domain name of the website from which your device linked to our Services and

Communications, and your browsing habits on and usage of the Services and Communications through your device.

We use various current – and later – developed technologies to collect this information (“Tracking Technologies”), including the following:

- **Cookies.** A cookie is a small data file that certain websites write to your hard drive when you visit them. We may also use web bugs, clear gifs and similar technologies that collect data similar to that collected by a cookie. A cookie file can contain various types of information, including a user ID that the site uses to track the pages you have visited. For more information, please see our [Website & Cookies Notice](#).
- **Location-identifying Technologies.** Location-aware technologies locate (sometimes precisely) you for purposes such as verifying your location and delivering or restricting relevant content based on your location.

### Information on Behalf of Our Customers

We provide marketing and advertising products and services to our customers, and may collect and process personal information about individuals at the direction of our customers (“Customer Data”). Customer Data has historically included contact data, demographic data, social handles, content, internet activity, and location data, among other information. Our processing of Customer Data is governed by the terms of our service agreements with our customers, and not this Privacy Policy. We are not responsible for how our customers treat the personal information we collect on their behalf, and we recommend you review their own privacy policies.

Splashlight acknowledges that you may have rights in connection with Customer Data. If your information has been processed by Splashlight on behalf of a customer and you wish to exercise any rights you have in respect of such personal information, please inquire with our customer directly. If you wish to make your request directly to Splashlight, please provide the name of the Splashlight customer on whose behalf Splashlight processed your personal information. We will refer your request to that customer and will support them to the extent required by applicable law in responding to your request.

### Information from Other Sources

We may obtain personal information about you from other sources. The categories of other sources from which we collect and have collected personal information from in the last twelve (12) months include:

- Social networks when you reference our Services and Communications or grant permission to us to access your information;
- Vendors and service providers, including for data analytics and marketing and advertising our products and services to you;
- Partners with which we offer co-branded services or engage in joint marketing activities; and

- Publicly-available sources such as data in the public domain.

### 3. How We Use Your Personal Information

We use the personal information we collect for business and commercial purposes in accordance with the practices described in this Privacy Policy and/or in order to comply with applicable law. Our business purposes for collecting and using your personal information, including in the preceding twelve (12) months, include:

- To operate and manage our Services and Communications;
- To perform our Services and Communications for you as a customer of Splashlight, and communications requested by you, including to respond to any questions or requests and provide customer support;
- To monitor and analyze trends, usage, and activities;
- To improve our Services and Communications, including our website, marketing efforts, products and services;
- To undertake our contractual obligations to you as a customer of Splashlight;
- To manage any complaints or claims relating to services you provide to us, or our Services and Communications we provide to you;
- To send you direct marketing about our products, services, offers, promotions, rewards, and events we think you may be interested in;
- To provide you with advertisements;
- Where necessary, to comply with laws and regulations, under judicial authorization, or to exercise or defend the legal rights of Splashlight; and
- To fulfil any other business or commercial purposes disclosed to you.

We may use information that does not identify you (including information that has been de-identified) without obligation to you except as prohibited by applicable law. For information on your rights and choices regarding how we use your personal information, please see the Section ["Your Privacy Rights and Choices"](#) below.

### 4. How We Share Your Personal Information

We only share your personal information if it is necessary to do so in order to provide our services to you or enhance our relationship with you. Whenever we share your personal information with a third party provider we ensure that this is done so in accordance with applicable laws. The types of entities to whom we disclose and have disclosed information with in the last twelve (12) months, are as follows:

- **Affiliates.** We may share your personal information with our affiliates for internal business purposes. For example, for customer support, marketing, or technical operations;
- **Third-party service providers.** Our service providers may process your information in connection with their work on our behalf and are contractually prohibited from retaining, using, or disclosing your information for any purpose other than to provide this assistance, although we may permit them

to use aggregate information which does not identify you or de-identified data for other commercial purposes;

- Vendors and other third parties. We may share information with vendors and other third parties for business and commercial purposes, including analytics and advertising technology companies. Vendors may act as our service providers, or in certain contexts, independently decide how to process your personal information. For more information on advertising, see the [“Analytics and Advertising”](#) Section below;
- Merger or acquisition. We may share your information in connection with, or during negotiations of, any proposed or actual merger, purchase, sale or any other type of acquisition or business combination of all or any portion of our assets, or transfer of all or a portion of our business to another business;
- Security and compelled disclosure. We may share your information to comply with the law or other legal process, and where required, in response to lawful requests by public authorities, including to meet national security or law enforcement requirements, as required by courts or administrative agencies and to the extent necessary to permit us to investigate suspected fraud, harassment or other violations of any law, rule or regulation, the service rules or policies, or the rights of other parties or to investigate any suspected conduct which Splashlight deems improper. We may also share your information to protect the rights, property, life, health, security and safety of us, the service or any other party; and
- Consent. To any other person you have consented to us to share personal information with.

Without limiting the foregoing, we may share aggregated information which does not identify you or de-identified information with other parties or affiliates except as prohibited by applicable law. For information on your rights and choices regarding how we share your personal information, please see the Section [“Your Privacy Rights and Choices”](#) below.

## 5. Social Media and Technology Integrations

Our Services and Communications may contain content from and hyperlinks to websites, locations, platforms, and services operated, owned, and maintained by third parties. In addition, we may integrate technologies operated or controlled by other parties into parts of our Services and Communications. For example, our Services and Communications may contain hyperlink(s) to websites, social media platforms, and other services not operated or controlled by us. These other parties may use Tracking Technologies to independently collect information about you and may solicit information from you. Also, if you use one of their features, both we and the applicable other party may have access to and use information associated with your use of that feature. If you publicly reference our Services and Communications on a social network (e.g., by using a hashtag associated with Splashlight in a tweet or post), we may use your reference on or in connection with our Services and Communications.

The information collected and stored by third parties, whether through our Services and Communications, or another parties' service or device, remains subject to their own policies and practices, including what information they share with us, your rights and choices on their services and devices, and whether they store information in the U.S. or elsewhere. Splashlight is not responsible for and makes no representations regarding the privacy practices of third parties. You should carefully read their own privacy policies before providing any information to such parties.

## 6. Analytics and Advertising

Our Services and Communications also contain Tracking Technologies, some which are operated by vendors or other parties. For example, analytics services, such as Google Analytics, may use Tracking Technologies on our Service to help us analyze your use of the Services and Communications, compile statistic reports on the service's activity, and provide other services relating to Services and Communications activity and internet usage. Similarly advertisers, and other parties may use Tracking Technologies on our service and other services to track your activities across time and services, and tailor ads to you based on your activities, which may include sending you an ad on other websites or devices after you have left the Service.

For further information on Tracking Technologies and your rights and choices regarding them, please see ["Personal Information Collected Automatically"](#) above and ["Your Privacy Rights and Choices"](#) below.

## 7. Security

We take reasonable steps to help protect the security of your personal information. To help prevent unauthorized access, maintain data accuracy, and ensure the appropriate use of personal information, we have put into place physical, electronic, and managerial procedures. However, due to the inherent open nature of the Internet, we cannot guarantee the security of your personal information.

## 8. Information Pertaining to Children

Our Services and Communications are not intended for users under the age of 13, and we do not knowingly collect personal information as defined by the U.S. Children's Online Privacy Protection Act ("COPPA") in a manner that is not permitted by COPPA. If a parent or guardian learns that a child has provided us with personal information, that child's parent or guardian should email us at [privacy@splashlight.com](mailto:privacy@splashlight.com).

## 9. Additional Disclosures for U.S. Residents in Certain States (Including California)

In addition to the data protection laws referred to in this Privacy Policy, we also comply with the relevant privacy laws in the United States, including, where

applicable, the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020, and its implementing regulations (collectively, "CCPA").

## Collection of Personal Information

Throughout this Privacy Policy, we discuss in detail the specific pieces of information we collect from you or your device and discuss how we use and share such information. In particular, the categories of personal information we collect and the sources from which we collect it are described in detail in Section 2 above, entitled "[Personal Information Collection](#)".

We have collected within the last 12 months the following categories of personal information:

- Identifiers, such as your name, alias, postal address, email address, IP address or other similar identifiers;
- Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)), such as your contact information;
- Characteristics of protected classifications under California or federal law, such as your gender;
- Commercial information, such as transaction information;
- Internet or network activity information, such as your interactions with our website;
- Geolocation data, such as your approximate location based on your IP address;
- Audio, electronic, visual, and similar information, such as call or video recordings, and imagery that we create for our customers;
- Professional or employment-related information, such as your title or industry;
- Sensitive personal information as defined in the CPRA, such as your account log-in in combination with the password or credentials to access the account (if you have an account with us); and
- Inferences drawn from any of the above personal information to create a summary about you, for example of your preferences and characteristics.

In accordance with applicable privacy laws, personal information does not include:

- Publicly available information, such as government records or information that has lawfully been made available to the general public by the consumer or from widely distributed media; and
- De-identified or aggregated information.

## Sources of Personal Information

Section 2 above, entitled "[Personal Information Collection](#)", describes the sources of personal information that we collect.

## Purposes of Processing Personal Information

The business and commercial purposes for which we collect this information are described in Section 3 above, entitled [“How We Use Your Personal Information”](#).

Notwithstanding the purposes described above, we do not use or disclose of sensitive personal information beyond the purposes authorized by applicable law (including the CCPA). Accordingly, we only use and disclose sensitive personal information as reasonably necessary (i) to perform our services requested by you, (ii) to help ensure security and integrity, including to prevent, detect, and investigate security incidents, (iii) to detect, prevent and respond to malicious, fraudulent, deceptive, or illegal conduct, (iv) to verify or maintain the quality and safety of our services, (v) for compliance with our legal obligations, and (vi) to our service providers who perform services on our behalf.

## Disclosure of Personal Information

The categories of third parties to whom we “disclose” this personal information for a business purpose are described in Section 4 above, entitled [“How We Share Your Personal Information”](#).

Certain US state privacy laws (such as the CCPA) define a “sale” as disclosing or making available to a third-party personal information in exchange for monetary or other valuable consideration, and also define “sharing” broadly, including as disclosing or making available personal information to a third party for purposes of cross-context behavioral advertising.

Splashlight does not sell information as the terms “sale” or “sell” are traditionally understood (i.e. for money). However, because making personal information (including IP addresses and cookies IDs) available to third parties as described above may broadly be considered “selling” or “sharing” under certain US state privacy laws (such as the CCPA), given their broad definition of “sale.” The definition is broad enough to include the sharing of personal information with third parties for any form of benefit, even if no money changes hands. According to this broad definition, in the year before this Section was last updated, we have shared the following categories of personal information with third parties: identifiers (like your IP address) and other electronic network activity (such as browsing history) with our advertising and analytics partners and social networks. We have shared these categories of personal information with the third parties listed in Section 4 above, entitled [“How We Share Your Personal Information”](#). We may do so for the purposes described in Section 4 above, entitled [“How We Share Your Personal Information”](#), including (i) to provide, analyse and improve our website, products, and other services and (ii) develop and manage our relationships with you and our business partners.

In these circumstances, we rely on the CCPA marketing exemption allowing us to: (i) store marketing information on third party systems, provided applicable terms are in place with our service provider; (ii) provide opt-outs from marketing



communications, as opposed to requiring an opt-in; and (iii) follow applicable cookie consents on our website.

### California Do Not Track Notice

California law requires us to let you know how we respond to web browser "Do Not Track" ("DNT") signals. Because there currently isn't an industry or legal standard for recognizing or honoring DNT signals, we do not respond to them at this time. For more information on DNT signals, visit <http://www.allaboutdnt.com>.

### California's Shine the Light law

If you are a California resident, you are entitled once a year, free of charge, to request and obtain certain information regarding our disclosure, if any, of certain categories of personal information to third parties for their direct marketing purposes in the preceding calendar year. To request the above information, please e-mail us at [privacy@splashlight.com](mailto:privacy@splashlight.com) or write to us at [privacy@splashlight.com](mailto:privacy@splashlight.com) with a reference to "CA Disclosure Information" and include your name, street address, city, state, and ZIP code. Please note that Splashlight is not required to respond to requests made by means other than through the provided e-mail address or mail address.

## 10. Your Privacy Rights and Choices

Splashlight provides ways for you to access and delete your personal information as well as exercise other rights that give you certain control over your personal information.

### A. All Users

- Email Subscriptions. You can always unsubscribe from our commercial or promotional emails by clicking unsubscribe in those messages. We make every effort to promptly process all unsubscribe requests. If you choose to no longer receive marketing information, we may still communicate with you regarding such things as your security updates, product functionality, responses to service requests, or for other transactional, non-marketing related reasons.
- You may exercise choice regarding the use of cookies from Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout> downloading the Google Analytics Opt-out Browser Add-on.
- Website cookies. You may modify your cookie preferences in respect of cookies that are used on our Splashlight website. For further information please see [Splashlight's Website & Cookie Notice](#).

### B. Privacy Rights for Residents in Certain U.S. States (including California)

Subject to certain limitations and exceptions under applicable law, verified residents in certain U.S. states (including California) may have, pursuant to applicable law, the following additional privacy rights with respect to their personal information:

- **Right to Know**. You have the right to request access to, or a copy of the personal information we have collected, used, disclosed and sold about you, including:
  - The categories of personal information we have collected, used, disclosed and sold about you;
  - The categories of sources from which the personal information is collected;
  - The business or commercial purpose for collecting your personal information;
  - The categories of third parties with whom we have disclosed your personal information; and
  - The specific pieces of personal information we have collected about you.
- **Right to Access**. You have a right to ask us to provide you with a copy of the specific pieces of personal information that we retain about you.
- **Right to Correct**. Subject to certain conditions and exceptions, you have a right to request that we correct inaccurate personal information that we maintain about you, taking into account the nature and purposes of the processing of the personal information.
- **Right to Delete**. You have the right to request that we delete the personal information we have collected from you (and direct our service providers to do the same), subject to certain limitations under applicable law.
- **Right to Limit Use and Disclosure**. Subject to certain conditions and exceptions, you have the right to limit the use and disclosure of sensitive personal information (as defined under applicable local laws). However, as stated above, we do not use or disclose your sensitive personal information for purposes except as described herein (and as permitted pursuant to applicable law, including where applicable, the CCPA).
- **Right to Non-Discrimination**. You have the right not to be subject to discriminatory treatment for exercising rights under the applicable privacy laws.
- **Right to Opt-Out**. Subject to applicable laws, you have the right to opt out of certain types of processing, including:
  - to opt out of the "sale" (as such term is defined under applicable law) of your personal information;
  - to opt out of targeted advertising by us (or for California residents, to opt out of the "sharing", as defined by the CCPA, of your personal information); and

- to opt out of any processing of personal information for purposes of making decisions that produce legal or similarly significant effects.

As mentioned above, Splashlight does not sell information as the terms “sale” or “sell” are traditionally understood (i.e. for money). However, making personal information (including IP addresses and cookies IDs) available to third parties as described above may broadly be considered a “sale” under certain US state privacy laws (including the CCPA), given its broad definition of “sale.” The definition is broad enough to include the sharing of personal information with third parties for any form of benefit, even if no money changes hands. As discussed in this Privacy Policy, our advertising and analytics partners may collect your personal information such as identifiers (like your IP address) and other electronic network activity (such as browsing history) and may further share your information to provide similar advertising or analytics services to their other customers. You can request to opt out of such “sale” of your personal information by visiting our [Website & Cookies Notice](#) and following its instructions. You can also opt out of such “sale” by e-mailing us at [privacy@splashlight.com](mailto:privacy@splashlight.com).

- **Right to Appeal.** If we deny your privacy rights request, you may, depending on applicable law, also appeal our decision by submitting your appeal by contacting us at [legal@splashlight.com](mailto:legal@splashlight.com).
- **Other Rights.** You can request certain information about our disclosure of personal information to third parties for their own direct marketing purposes during the preceding calendar year. This request is free and may be made once a year. You also have the right not to be discriminated against for exercising your rights under California law.

California’s “Shine the Light” law (Civil Code Section § 1798.83) also permits California residents to request, once a year and free of charge, certain information regarding our disclosure of personal information to third parties for their direct marketing purposes in the preceding calendar year.

Please note that the rights described above are not absolute, and where an exception under applicable law applies, we may be entitled to refuse requests in whole or in part. You may exercise any of the above privacy rights by contacting us by email at [privacy@splashlight.com](mailto:privacy@splashlight.com). Please include your full name and email address along with why you are writing so that we can process your request in a timely manner.

We will take steps to verify your request by matching the information provided by you with the information we have in our records. In particular, your request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient details that allows us to properly understand, evaluate, and respond to it.

Please note, in some cases, we may request additional information in order to verify your request or where necessary to process your request.

Authorized agents may initiate a request on behalf of another individual through one of the above methods; authorized agents will be required to provide proof of their authorization and we may also require that the relevant consumer directly verify their identity and the authority of the authorized agent.

This Section applies only to California consumers. The CCPA provides California residents with the additional rights listed below. To exercise these rights, please reach out to us at [privacy@splashlight.com](mailto:privacy@splashlight.com) with your request.

## 11. Updates to this Privacy Policy

We may amend our Privacy Policy at any time and will post those changes on this page. Any changes will be effective immediately upon posting of the revised Privacy Policy. We reserve the right to update or modify this Privacy Policy at any time and without prior notice. Any modifications will apply only to the personal data we collect after the posting of the Privacy Policy. If we make material changes to how we collect, use and disclose the personal data we have previously collected about you, we will endeavor to provide you prior notice, such as by emailing you or posting prominent notice through on our website, and where required by applicable law provide you with the opportunity to opt-out.

## 12. Contact Us

If you have any questions about this Privacy Policy, our privacy practices, or your dealings with our Services and Communications, you can contact us at [privacy@splashlight.com](mailto:privacy@splashlight.com). In addition, our mailing address is Attn: Legal Department, 75 Varick Street, 3rd Floor, New York, NY 10013.

If you are unable to access this Privacy Policy due to a disability or any physical or mental impairment, please contact us and we will arrange to supply you with the information you need in an alternative format that you can access. [You can also access a printable version of this Privacy Policy here.](#)

## 13. Splashlight Group Entities

We have set out below the Splashlight Group Entities that we share personal information with.

Splashlight, LLC, a New York limited liability company with offices located at 75 Varick Street, New York, NY 10013, USA.

Splashlight Photographic & Digital Studios, LLC, a Delaware limited liability company with offices located at 75 Varick Street, New York, NY 10013, USA.

Splashlight Canada Studios Limited, a Canadian company with a registered office located at 3665 Boulevard Poirier Saint Laurent, Quebec, H4R 3J4, Canada.

Splashlight Technologies, LLC, a Delaware limited liability company with offices located at 75 Varick Street, New York, NY 10013, USA.