

Kayak Session Publishing PRIVACY POLICY

This privacy policy applies only to the websites and applications controlled by EURL Kayak Session Publishing, and/or their subsidiary and affiliated entities (collectively, “KSP,” “we” or “us”) where this privacy policy is posted (collectively, the “Sites”). This privacy policy applies only to the websites and applications controlled by Kayak Session Publishing, and/or their subsidiary and affiliated entities (collectively, “KSP,” “we” or “us”) where this privacy policy is posted (collectively, the “Sites”).

OVERVIEW

A. Who We Are:

We are Kayak Session Publishing. We provide a range of free and paid-for content services, which are available through our websites or our mobile and television applications worldwide (with content availability subject to geographic territories) (the “Services”).

We are based in the France. Our company details are in « who we are section » below.

If you have any questions or need any help in relation to our privacy policy, please contact our Data Protection Officer at privacypolicy@kayaksession.com

B. Our Values And What This Privacy Policy Is For:

We value your privacy and want to be accountable and fair to you as well as transparent with you in the way that we collect and use your personal information. Our overall aim is to ensure that our collection and use of personal information is appropriate to the provision of the Services to you, and is in accordance with applicable data protection laws. We also want you to know your rights in relation to your information which you can find here, in « your rights » section.

In line with these values, this privacy policy tells you what to expect when we collect and use personal information about you. We have tried to make it easy for

you to navigate so you can find the information that is most relevant to you and our relationship with you.

We are always looking to improve the information we provide to our customers and contacts so if you have any feedback on this privacy policy, please let us know using our contact details in the « contact » section.

C. Who This Privacy Policy Applies To:

This privacy policy applies to all users of our Services.

D. What This Privacy Policy Contains:

This privacy policy describes the following important topics relating to your information:

Who We Are

Children

The Personal Information We Collect About You

How We Store And Use Your Personal Information

How We Share Your Personal Information And Who We Share It With

International Transfers

Cookies

Security

Data Retention

Your Rights

Third Party Sites

Dispute Resolution

Choice Of Law; Choice Of Forum

Changes To This Privacy Policy

Contact, Complaints, Questions And Suggestions

E. Your Rights To Object: You have various rights in respect of our use of your personal information as set out in « your rights » section. Two of the fundamental rights to be aware of are that you may:

1. Ask us to stop using your personal information for direct marketing purposes. If you exercise this right, we will stop using your personal information for this purpose; and

2. Ask us to consider any valid objections which you have to our use of your personal information where we process your personal information on the basis of our, or another person's, legitimate interest.

You can find out more information in « your rights » section 10.

F. What You Need To Do And Your Confirmation To Us: Please read this privacy policy carefully to understand how we handle your personal information.

THE DETAIL

Who We Are

We are EURL Kayak Session Publishing, registered in France with offices at 1 rue des rivières, 69009 Lyon (France). ("KSP") and we are the data controller of the personal information that we collect from you.

You can contact us in relation to this privacy policy by e-mail to our Data Protection Officer at privacypolicy@kayaksession.com

Children

We do not and will not knowingly collect information from any unsupervised child under the age of 13. If you are under the age of 13, you may not use the Services unless your parent or guardian has provided us with their consent for your use of the Services.

The Personal Information We Collect About You

Information That You Share With Us

When you make an account and log in to access and browse the Services, we collect the following information from you:

- Your name;
- Your e-mail address;
- If provided by you, your date of birth;
- If provided by you, your gender;
- Any e-mail communications, including attachments, which you send to us;

- Where you are purchasing Services from us, your payment information including billing address; bank account and payment card details and information about the transactions such as the products or Services purchased;
- Profile data including your username and password for registering an account, purchases or orders made by you.
- Your preferences in receiving marketing from us and your communication preferences.
- When you access and browse the Services without creating an account or logging into an account and contact us, we collect any e-mail communications, including attachments, which you send to us.

Information From Your Online Interactions

We collect the following information from your interaction with the Services:

How you access our Services and the devices that you use to access our Services. This includes collecting unique online identifiers such as IP address and your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this Services; and

Information about how you use the Services, including but not limited to your video consumption and playback, sign-in and sign-out, playback error and browsing information.

Third Parties Or Publicly Available Sources

We may receive personal information about you from various third parties as set out below:

If you log into the Services through a third-party account such as Facebook, we will collect certain information relating to your account with those third parties (including your name, profile image, age group, gender and other information available on your public profile), your date of birth and your e-mail address. You can manage the information data which is shared by such third parties with us by amending your preferences through using the privacy settings which these third parties provide on their platforms;

Technical data from the following parties:

- Analytics providers based inside and outside the US and EU, such as [e.g. Adobe Analytics and Google Analytics];
- Advertising networks based inside and outside the US and EU, such as [e.g. Facebook Audience Network]; and
- Search information providers, based inside and outside the US and EU, such as [e.g. Adobe Audience Manager].

For further information about how each of these parties collect and use your data, please see the 'Third-Party advertising companies' section below;

Contact, financial and transaction data from providers of technical, payment and delivery services;

Identity and contact data from data brokers, aggregators and publicly available sources; and

Third parties that provide certain services to us within the Services, for example, facilitating and administering customer feedback forms, newsletter subscriptions and competitions.

How We Store And Use Your Personal Information

We store and use your personal information for the following reasons:

- It is necessary in order for us to fulfil a contract that we have with you;
- It is required in our legitimate interests;
- It is required in order for us to comply with our legal obligations; or
- It is permitted because you have provided your consent to us.

Where we need to collect personal information by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (in this case, to provide you with the Services). In this case, we may have to cancel the Services but we will notify you if this is the case at the time.

Necessary For Us To Fulfil Our Contract With You

We collect, store and use your personal information including your name, e-mail address, payment details, postal address and information about how you use and access the Services because it is necessary in order to provide the Services

requested by you pursuant to the contract made between you and us when you agreed to our Terms of Use. This includes:

- Making the Services available to you;
- Providing any Services that you request;
- Administering the Services;
- Provide personalised recommendations and content within the Services by collecting data about you in order to build a profile of your preferences based on your activity when you use the Services. The Services cannot be provided to you without this profiling. If you wish to object to this profiling, we may not be able to provide the Services to you and you should not use or access the Services;
- Service and account administration requirements such as where we need to contact you for reasons related to the Services (for example, where we need to send you a password reminder, to notify you about Services updates or amendments to our Terms of Use, Cookie policy or this privacy policy); and
- Where you are purchasing Services from us, process your payment (including but not limited to using third party service providers to process such payment).

If you have entered into a promotion or competition on the Services, then, pursuant to the promotion and/or competition terms and conditions provided to you at the time of entry, we will use your contact details (such as e-mail address or postal address) to administer your entry and inform you if you have won a prize.

Our Legitimate Interests

Sometimes, our use of your personal information is for purposes which are ancillary to the provision of the Services. In those circumstances, we believe we have a legitimate interest in handling your personal information, and believe that the benefits of this storage and use of your personal information will outweigh any potential impact on you and not unduly prejudice your rights or freedoms. The relevant circumstances are:

- Detecting and preventing fraud;
- Keeping our Services, products and IT systems secure;
- Ensuring that our own processes, procedures and systems are as efficient as possible;
- Analysing and enhancing the information that we collect;
- Analysing your video consumption, playback and general viewing habits in order

to understand viewership and update and improve our Services, including but not limited to our content, features, scheduling, technology and products;

- Determining the effectiveness of our promotional campaigns and advertising;
- To use IP addresses and device identifiers to identify the location of users and block any unauthorised users;
- Deal with your enquiries and requests (for example if you were to call customer services to ask for help and assistance then we would need to process your contact details);
- Suggest similar products to you that you may be interested in and to understand which products appeal to our customers; and
- If you have paid for your use of the Services, for marketing purposes, we may contact you by email with products and Services which we think may interest you (for more information, please see the « marketing » section below); and
- Where you have opted out of our marketing or objected to receiving e-mails from us, then we need to keep records of your preferences to ensure that we do not contact you if you have asked us not to.

If we rely on our (or another person's) legitimate interests for using your personal information, we will undertake a balancing test to ensure that our (or the other person's) legitimate interests are not outweighed by your interests or fundamental rights and freedoms which require protection of the personal information. You can ask us for information on this balancing test by using the contact details in the « contact » section.

When You Have Provided Consent To Us

Where you have given us your consent (either by paying for use of a Service and/or providing consent otherwise), we will contact you by e-mail and/or text message with products and Services which we think may interest you. For more information, please see the « marketing » section below.

If we rely on your consent for us to use your personal information in a particular way, but you later change your mind, you may withdraw your consent by contacting our Data Protection Officer at privacypolicy@kayaksession.com and we will stop doing so.

For Legal Reasons

We will use your personal information in order to comply with our legal obligations. These obligations include:

- If you have a paid subscription to use the Services and live in the European Union (the “EU”), we are legally required to allow you and you are legally entitled to watch the Services when you’re visiting another country in the EU provided that we have verified your country of residence. We verify your country of residence using your IP address and payment information or, by your billing address.
- Us complying with our legal obligations; and
- If we are asked by regulatory bodies or law enforcement agencies to share your personal information with them.

Anonymous Data

We collect anonymised details about visitors to our website for the purposes of aggregate statistics or reporting purposes. However, no single individual will be identifiable from the anonymised details we collect for these purposes.

MARKETING

Marketing From Us

We may use your name, contact details, technical, usage and profile data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you. You will receive marketing communications from us if you have requested information from us, or purchased a subscription for the Services from us, or if you provided us with your details when you entered a competition or registered for a promotion, and, in each case, you have not opted out from receiving that marketing.

Third-Party Marketing

For those EU-based users only, we will get your express opt-in consent before we share your personal information with any company outside our group of companies for marketing purposes.

Opting Out

We want to provide you with choices regarding certain personal information uses, particularly around marketing and advertising. You can change your choices at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences in your settings. Depending on the type of user

experience, we have established certain personal information control mechanisms such as accessing and adjusting account settings, or by following the opt-out links on any marketing message sent to you, or by contacting us at any time, or by emailing our Data Protection Officer at privacypolicy@kayaksession.com

You can ask us or third parties to stop sending you marketing messages at any time. You can change your choices at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences in your settings. Depending on the type of user experience, we have established certain personal information control mechanisms such as accessing and adjusting account settings, or by following the opt-out links on any marketing message sent to you, or by contacting us at any time, or by emailing our Data Protection Officer at privacypolicy@kayaksession.com

Where you opt out of receiving these marketing messages, this will not apply to personal information provided to us as a result of a product/service purchase, product/service experience or other transactions. Therefore, you will continue to receive essential messages about the functionality and/or administration of our Services (for example, as mentioned above, where we need to send you a password reminder, to notify you about Services updates or amendments to legal terms).

Third-Party Advertising Companies

We want to make sure that our advertising and marketing is relevant and interesting to you and our other users. To achieve this, we use third-party advertising and technology companies to serve ads and/or provide aggregated data to assist in serving ads when you visit or use our Services. This includes third party technology companies which collect data about you in order to build a profile of your preferences based on your activities when you visit or use our Services. We also use these companies to automatically collect data from you when you use our Services in order to help us identify the ads that are served to you and what you do after seeing those ads. In addition, we also share data with providers of web analytics tools, such as Google Analytics, to which we use to analyse your use of the Services.

These third party advertising companies collect, store and use data by integrating cookies and other tracking software on our Services. Please see our cookie policy for further information. In some cases these third parties will also use the data that

they collect for their own purposes, for example they may: aggregate your data with other data they hold and use this to inform advertising related services provided to other clients; and work with other advertising companies and share your personal information with such companies as part of the process.

Please see our cookie policy for more information on the third party advertising companies which collect, use and store data about you, and the use of cookies and other tracking technologies on our Services. From our cookie policy you can also find out how to exercise control over this collection and use of data. If you choose to restrict or prevent tracking for these purposes then the advertising you see when you visit or use our Services will no longer be tailored to your preferences.

We might also share your data with social media or other similar platforms, so that you and other people can see relevant content on that platform. For example, we may use the Facebook Custom Audiences service and share your email address in a protected format with Facebook so that we can: include you in a custom audience that we will serve relevant advertising content to on Facebook; or create an audience of other Facebook users based on the information in your Facebook profile.

How We Share Your Personal Information And Who We Share It With

We disclose information under the following circumstances:

Third-Party Service Providers: When we share information with third-party service companies to facilitate or to provide certain services on our behalf. This will include:

- IT infrastructure companies that facilitate our provision of the Services to you;
- IT support service providers; and
- Other third-party service providers, for the purpose of providing or tracking our customers' use of the Services (including but not limited to payment processors).

These companies are authorised to use your personal information only as necessary to provide these Services to us.

Group Companies: We may provide your personal information to our subsidiaries or affiliated companies for the purpose of processing personal information on our behalf to provide the Services to you. These parties are required to process such

information based on our instructions and in accordance with this privacy policy. They do not have any independent right to share this information.

Compliance With Laws And Legal Proceedings: When we respond to court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. When we believe in our sole discretion it is necessary to share information in order to investigate, prevent or take actions against illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our Terms of Use, or as otherwise required by law.

Merger Or Acquisition: When we need to transfer information about you if we are acquired by or merged with another company. If we are involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified afterwards via e-mail and/or a prominent notice on our Services of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

Cookie And Similar Technologies

Technologies such as cookies, beacons, tags and scripts are used by us and our partners, affiliates, or analytics or service providers. These technologies are used in analysing trends, administering the Services, tracking users' movements around the Services and to gather demographic information about our user base as a whole. We receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

We use cookies, for example, to remember users' settings (e.g. language preference) and for authentication. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our Services, but your ability to use some features or areas of our Services may be limited.

Please read more about how we use cookies and what information is collected using cookies in our **Cookie policy**.

Please Take Good Note That This Policy Does Not Cover The Collection And Use Of Information By Such Advertising Companies.

Security

Whilst we take appropriate technical and organisational measures to safeguard the personal information that you provide to us, no transmission over the Internet can ever be guaranteed secure. Consequently, please note that we cannot guarantee the security of any personal information that you transfer over the Internet to us.

We are committed to protecting your personal information using appropriate technical and operational measures such as access controls that restrict and manage the ways in which your personal information is stored and handled.

Data Retention

We will retain information (including personal information) for as long as we need to use it for the reasons set out in the privacy policy and will delete it after that time except where we need to keep any personal information to comply with our legal obligations, resolve disputes, or enforce our agreements.

We may delete your personal information (including any account that you set up to use on the Services) if you do not use the Services in a certain time period pursuant to the specific Service.

In some circumstances, we may anonymise your personal information (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your Rights

You have certain rights in relation to your personal information. If you would like further information in relation to these or would like to exercise any of them, please contact our Data Protection Officer at privacypolicy@kayaksession.com at any time. You have the right to request that we:

- Provide access to any personal information we hold about you;
- Update any of your personal information which is out of date or incorrect;
- Delete any personal information which we are holding about you;
- Restrict the way that we process your personal information;
- Prevent the processing of your personal information for direct-marketing purposes;
- Provide your personal information to a third party provider of services;
- Provide you with a copy of any personal information which we hold about you; or

- Consider any valid objections which you have to our use of your personal information.

We will consider all such requests and provide our response within a reasonable period (and in any event within any time period required by applicable law). Please note, however, that certain personal information may be exempt from such requests in certain circumstances.

If an exception applies, we will tell you this when responding to your request. We may request you provide us with information necessary to confirm your identity before responding to any request you make.

If we delete any personal information which we are holding about you, this deletion may only relate to the Services and not any other service provided by us in other jurisdictions. You should make requests for each account that you may have set up to access the Services or any other service provided by us.

Third Party Sites

The Services contain links and pages to other websites operated by third parties. Please note that this privacy policy applies only to the personal information that we collect through the Services and we cannot be responsible for personal information that third parties may collect, store and use through their website. You should always read the privacy policy of each website you visit carefully.

Dispute Resolution

In the event of any controversy, claim or dispute (“dispute”) related to or arising out of your use of the Services, other than disputes related to or involving our intellectual property or our licensed intellectual or proprietary rights, you and KSP mutually agree to the following dispute resolution procedure:

- The parties will first attempt in good faith to resolve any dispute by informal negotiation. The informal negotiation period will begin when the party asserting the dispute sends a written notice to the other party describing the facts and circumstances of the dispute. If, after sixty (60) days from the date the notice of dispute is sent, the parties have been unable to resolve the dispute, either party may commence binding arbitration. The parties may agree to extend the informal dispute resolution period by mutual written agreement.

- The Privacy Policy and Condition of Use our website are subject to French laws ; in case of dispute only French courts are competent. This Legal Notice shall be governed by French Laws. Any dispute arising out of or in relation to the Legal Notice which cannot be solved amicably shall be decided by the French courts.

- All Disputes Shall Be Resolved On An Individual Basis. Neither party shall have the right to have a dispute heard as a class action and no arbitration or proceeding can be combined with another without the prior written consent of all parties to the proceeding.

Choice Of Law; Choice Of Forum

This privacy policy has been made in and shall be construed in accordance with the French Laws, without giving effect to any conflict of law principles.

Changes To This Privacy Policy

Please check back regularly to keep informed of updates to this privacy policy. Where we make significant changes to this privacy policy, and we have your e-mail address, we will send you notification of the changes.

Contact, Complaints, Questions And Suggestions

We have a Data Protection Officer that can assist with all queries regarding our processing of personal information. Our Data Protection Officer can be contacted by e-mailing privacypolicy@kayaksession.com

If you have any complaints about our Services, please contact us at:

1 Rue des rivières – 69009 Lyon (France)

Email: privacypolicy@kayaksession.com. In the EEA, you may also make a complaint to the supervisory body for data protection matters in France the CNIL.

You have the right to lodge a complaint with local data protection authorities in the EEA if you believe we have not complied with applicable data protection laws. The local authority differs depending on the country. Please for your local data protection authority in the list below.

All information you provide in any written communication will also be covered by this policy.

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ANNEX

List of Data Protection Authorities (EEA Countries)

For those residing in the EU, you have the right to lodge a complaint with local data protection authorities in the EEA if you believe we have not complied with applicable data protection laws.

The local authority differs depending on the country. Please see below for details of the local data protection authorities in the EEA countries in which we operate.

- Belgique : Commissie voor de bescherming van de persoonlijke levenssfeer ou CBPL (La Commission de la protection de la vie privée ou CPVP) ;
- France : Commission Nationale de l'Informatique et des Libertés (CNIL) ;
- Allemagne : Bundesbeauftragte für den Datenschutz und die Informationsfreiheit ;
- Italie : Garante per la Protezione dei Dati Personali ;
- Suisse : Protection des données et transparence ;
- Royaume-Uni : Office du commissaire à l'information (Information Commissioner's Office ou ICO) ;
- Lituanie : Inspectorat d'État à la protection des données de la République de Lituanie (State Data Protection Inspectorate) ;
- République tchèque : Office pour la protection des données (Office for Personal Data Protection) ;
- Grèce : Autorité hellénique de protection des données (Hellenic Data Protection Authority) ;
- Pays-Bas : Autoriteit Persoonsgegevens ou AP (Dutch Data Protection Authority ou Dutch DPA) ;
- Pologne : Inspecteur général à la protection des données (Inspector General for Personal Data Protection) ;
- Irlande : Commissaire à la protection des données de l'Irlande (Data Protection Commissioner ou DPC) ;
- Portugal : Commission nationale de la protection des données, (The National Data Protection Commission) ;
- Argentine : Direction nationale pour la protection des données de l'Argentine (The National Directorate for Personal Data Protection of Argentina) ;
- Guernesey : The Data Protection Commissioner of Guernsey ;
- Nouvelle-Zélande : Commissaire à la vie privée de Nouvelle-Zélande (The New Zealand Privacy Commissioner) ;
- Andorre : Agence de protection des données de la Principauté d'Andorre (The Data Protection Agency of Andorra) ;
- Espagne : Agencia de Protección de Datos, en 3 agences :
 - Pays basque : Agence de protection des données du Pays basque (The Data Protection Agency of the Basque Country) ;

- Catalogne : Agence de protection des données de la Catalogne (The Data Protection Agency of Catalonia, Espagne) ;
- Région de Madrid : Agence de protection des données de Madrid (The Data Protection Agency of the Region of Madrid, Espagne) ;