

## **MEAN ALIEN MEDIA PRIVACY POLICY**

Last Revised May 17, 2018

PLEASE READ THIS PRIVACY POLICY AND THE RELATED TERMS OF USE CAREFULLY BEFORE USING THIS WEBSITE.

This website is operated by Mean Alien Entertainment Corp. on its own behalf or in combination with one of its film or television divisions or joint ventures (collectively referred to herein, solely for ease of reference, as “Company”, “us” or “we”). This privacy policy (“Privacy Policy”) applies to all of the online and mobile websites and interactive applications operated by Company (unless a different policy is provided on a particular site or application, in which case such different policy shall control). Protection of personal and sensitive information is paramount. This Privacy Policy discloses what type of information is collected, the methods used to collect it, how Company utilizes the information to better serve all interested parties and the choices you have about the way your information is collected and used. Please read this Privacy Policy carefully. Your use of any Company website indicates that you have read, accepted and unconditionally agreed to the Company privacy practices, as outlined in this Privacy Policy and any other applicable terms. The Terms of Use for this website are incorporated herein by this reference.

### **Children**

We recognize the importance of safeguarding the privacy of children and encourage parents to check and monitor their children’s use of online activities regularly. This website supports and complies with the Children’s Online Privacy Protection Act (“COPPA”) and other applicable laws. This website is not aimed at nor intended for children under the age of thirteen (13). If you are under the age of thirteen (13), please do not use this website, and if you are over the age of thirteen (13) but under the age of eighteen (18), you should use this website only with the involvement and permission of a parent or legal guardian. Our website does not accept registration from children under the age of thirteen (13). No personally identifiable information is purposefully or knowingly collected from children under the age of thirteen (13) by Company without parental consent. For purposes of this Privacy Policy, personally identifiable information (“PII”) is personal information about an individual, such as a first and last name, phone number or email address or other individually identifiable information within the meaning of COPPA and the Federal Trade Commission’s Online Privacy Protection Rule found at 16 CFR 312.2. If Company discovers that a person under the age of thirteen (13) has provided Company with any PII, Company will use commercially reasonable efforts to delete such person’s PII from its system. Every user hereby agrees that all information you provide, including but not limited to age, shall be truthful and correct.

### **Information We Collect**

Company strives to provide our visitors with information relevant to their particular desires, needs and/or interests. The information we gather helps us to better serve our purpose. We may ask you to provide us with demographic information, information regarding your interests or other PII. Providing us with PII about yourself is voluntary, and you can always choose not to provide certain information, but then you may not be able to take advantage of or participate in some of the website’s features. Company actively and passively gathers, analyzes and/or stores PII and other information generally by way of four different sources: (1) the PII voluntarily submitted by visitors when using or registering to use or receive our services or offers; (2) the PII visitors voluntarily provide when participating in any contests, sweepstakes and/or other

promotions; (3) the PII visitors voluntarily provide when buying or ordering merchandise through the website; and (4) by tracking and analyzing online and mobile data and activity through mechanisms that identify site usage, browser types, IP addresses, and other data. This last source of information is explained in greater detail over the next several sections of this Privacy Policy.

### **Non-Personally Identifiable Information**

When your computer or mobile device contacts our web servers (for example, when you visit this website, scan a Microsoft Tag or QR code, or view an HTML email), our web servers automatically collect usage information. Such usage information includes information about how our visitors use and navigate our website. It can include the number and frequency of visitors to each web page and the length of their stays, browser type, referrer data that identifies the web page visited prior and subsequent to visiting our website, and IP addresses (see below for more information on IP addresses). We also may determine the applicable technology available in order to serve you the most appropriate version of a web page, email, advertising or promotional announcement or similar service. This information is used to analyze and improve this website and to provide you with a more fulfilling and relevant experience.

### **Browser Cookies**

Like many websites, we use browser “cookies”. Cookies are a website’s way of remembering who you are. A cookie is a small text file that is stored on your computer’s hard drive or stored temporarily in your computer’s memory. There are two kinds of cookies: those that are “session” oriented and those that are “persistent”. Session cookies delete from your computer when you close your browser. Persistent cookies retain information for later use tomorrow, next week, next month, or whenever they are set to expire. We use cookies to help us to identify account holders and to optimize their experience on our website. Cookies also allow us to hold selections in a shopping cart when a user leaves this website without checking out. Also, we will use cookies to monitor and maintain information about your use of this website. Most web browsers accept cookies automatically. You can delete cookies manually or set your browser to automatically delete cookies on a pre-determined schedule. For example, in the Internet Explorer menu bar, select: Tools >Internet Options > Browsing History > Delete to view manual and automatic options. If you decline to accept cookies, you may not be able to take advantage of or participate in certain features of this website.

### **Flash Cookies**

Our website enables the use of the Adobe Flash Player. Adobe’s Flash Player is used by the vast majority of websites that offer video and other interactive content. By default, your use of the Adobe Flash Player generates “flash cookies” (also known as “persistent identification elements” or “local shared objects”). Adobe provides a short disclosure about Flash Cookies in its End User License Agreement, stating “Use of the web players, specifically the Flash Player, will enable the Software to store certain user settings as a local shared object on our computer. These settings are not associated with you, but allow you to configure certain settings within the Flash Player.” The Adobe Flash Player (and similar applications) use flash cookies to remember user settings, preferences and usage similar to the browser cookies referenced above, but flash cookies can store more information than browser cookies and are managed through a different interface than the one provided by your web browser. You can control the degree to which you accept flash cookies by accessing your Adobe Flash Player management tools directly through the settings manager for Adobe Flash, located at [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html). If you do not allow flash cookies to

take any disc space on your computer, you may not be able to take advantage of or participate in certain features on the website. Users with a computer running the Windows operating system can view flash cookie files in this folder: \Documents and Settings\[username] Application Data\Macromedia\Flash Player. Users with a computer running the Apple operating system can view flash cookie files in this folder: /users/[username]/Library/Preferences/macromedia/Flash Player. Flash cookies, or LSO files are stored typically with an ".SO" extension.

Although the Adobe Flash Player is used by the vast majority of websites that offer video content and/or games, it is not the only technology being used in the ever-shifting online and mobile content environment. HTML5 is an increasingly popular web standard used for presenting content, especially content delivered to mobile devices. HTML is the mark-up language used for the World Wide Web. Almost all web pages you visit on the internet are based around HTML code. HTML5 is simply the fifth and latest iteration of this mark-up language that allows for more interactive web pages. One of the real benefits of HTML5 is its potential to standardize the highly fragmented rich-media universe. Some HTML5 code may allow your response to advertising and other activities to be monitored across websites and such information to be stored on your computer or mobile device. Technology solutions that allow users to opt-out of or block this sort of tracking are being developed through browser add-ons and other tools.

### **Web Beacons**

Our web pages or email messages may contain a small graphic image called a web beacon, which is sometimes also called a "clear gif", that allows us to monitor and collect certain limited information about our users, such as the type of browser requesting the web beacon, the IP address of the computer that the web beacon is sent to and the time the web beacon was viewed. Web beacons can be very small or invisible to the user, but, in general, any electronic image viewed as part of a web page or email, including HTML based content, can act as a web beacon. We may use web beacons to count visitors to our web pages or to monitor how our users navigate our website, and we may include web beacons in email messages in order to count how many of the messages we sent were actually opened or acted upon. We use web beacons to compile aggregate statistics about our website and our marketing campaigns.

### **Use of Javascript and Analytics**

Our websites and applications may employ Google Analytics which uses a first-party cookie and JavaScript code that is stored on Google's servers to anonymously track how users interact with our websites and applications, including where they came from and what they did on our properties. Company does not link the information collected by Google Analytics to the PII you provide when registering with our website or application.

### **Use of IP Addresses**

An IP address is a number that is assigned to your computer or network when you are linked to the Internet. When you request pages from this website, our servers log your IP address. We may use IP address for a number of purposes, such as system administration, to report aggregate information to our business partners or to audit the use of the website. We may associate your IP address with the PII you provide. We also may collect and store information about you that we receive from other sources to enable us to update and correct the information contained in our database and to provide product recommendations and special offers that we think will interest you.

### **Sensitive Information**

There are two ways sensitive information (e.g. credit card numbers) may be obtained. When a visitor makes a purchase, his/her information may be sent directly to a third party authorization center that will relay to Company whether to proceed with the transaction. The information is not at all stored in our system. The second way is when a visitor pre-orders merchandise. In this case, the information is sent to a non-public server and stored until the transaction is complete.

Company uses all possible efforts to ensure the safety of your sensitive information. No website, internet transmission, computer system or wireless connection is completely secure. Company cannot guarantee that unauthorized access, hacking, data loss, or other breaches will never occur. Your use of the Company website is at your own risk. Company urges you to take steps to keep your information safe by memorizing your password or keeping it in a safe place (separate from your account information), logging out of your account, and closing your web browser. In order to help us protect your sensitive information and PII further, you should be careful about providing your password to others.

Whenever you give Company sensitive or confidential information, Company will take commercially reasonable steps to protect the information by establishing a secure connection with your web browser. Company uses the Security Socket Layer (“SSL”), an industry standard security protocol for encrypting sensitive information.

Unfortunately, no security measures are perfect or impenetrable and data transmission over the Internet cannot be guaranteed 100% secure. We cannot and do not ensure or warrant the security of any information you transmit to Company and you do so at your own risk. Unless otherwise specified herein or on the site where you make a purchase, credit card numbers are used only for payment processing and are not retained for marketing purposes.

### **External Links**

Company may contain links to, or advertisements about, non-Company websites. Other sites may also reference, advertise, or link to Company websites. Company does not endorse or sponsor other websites, is not responsible for the privacy practices or the content of non-Company sites, expressly disclaims any statements or assertions made on such websites, and denies all liability associated with your use of, and the content on, such other websites and advertisements. Please be advised that the practices described in this Privacy Policy do not apply to information gathered through other websites. We encourage you to be aware of when you leave this website and to read the privacy policies of each and every website that you visit.

### **Consent to Processing in the United States**

This website is operated in the United States. By providing any information to Company, all users, including, without limitation, users in the member states of the European Union, Canada or elsewhere outside of the United States, fully understand and unambiguously consent to this Privacy Policy. By using our website, participating in any of our services and/or providing us with your information, you consent and agree to the collection, transfer, storage and processing of your information to and in the United States.

### **Sharing Information**

We may provide information to select outside companies when we believe their products or services may be of interest to you. If you opt in to receive communications from a third party, your information will be subject to the third party's privacy policy and not this Privacy Policy.

Therefore, if you later decide that you do not want that third party to use your information, you will need to contact the third party directly. In addition, Company may share your PII with third parties under the following circumstances:

Third parties providing services on our behalf: We may engage third parties to perform services in connection with the operation of our business. Examples of these services include: (a) payment processing and authorization, (b) fraud protection and credit risk reduction, (c) product customization, (d) order fulfillment, (e) shipping, (f) marketing and promotional material distribution, (g) website evaluation, (h) data collection, storage, management, analysis and, where applicable, cleansing, and (i) any other services designed to assist us in maximizing our business potential. These third parties may have access to this website's user information, including PII, to the extent it is needed to perform their duties and functions.

Company Security: We may release information about our users, including PII, when legally required to do so, at the request of governmental authorities conducting an investigation, or to verify or enforce compliance with the policies governing our website and applicable laws. We may also disclose such user information whenever we believe disclosure is necessary to protect the rights, property or safety of Company, or any of our respective affiliates, business partners, customers or others.

Aggregate Information: We may disclose non-identifying, aggregated user statistics to third parties for a variety of purposes, including describing our services to prospective partners and other third parties. Examples of such non-personal information include the number of users who visited this website during a specific time period or purchased a specific product through this website.

Promotions: If you choose to enter a contest, sweepstakes or promotion, your PII may be disclosed to third parties in connection with such promotion, including without limitation for purposes of posting your entry with attribution or otherwise as permitted in the official rules for the promotion in question, fulfilling your prize or including your name on a winners list. Also, by entering a promotion, we may require you to consent to the use of your PII or other information, such as name, voice or likeness, in advertising, promotional and marketing materials. In addition, we may offer certain promotional content, such as a sweepstakes, sponsored by or co-branded with a third party, who may obtain the PII that you submit.

Corporate change: In addition, we reserve the right to disclose, share and/or otherwise transfer user information, including without limitation PII, in connection with a corporate merger, acquisition, consolidation, the sale of a portion of our business or the sale of substantially all of Company's assets, or other fundamental corporate change, whatever form it may take. You will be notified via email or prominent notice on our website prior to a change of ownership or control of your personal information, if your personal information will be used contrary to this policy. For clarification and the removal of doubt, Company specifically reserves the right to transfer or share a copy of PII collected pursuant to this Privacy Policy from this website, off-line or otherwise, to the buyer of that portion of its business relating to that information.

### **Third Party Advertisements**

We may from time to time use various outside ad-serving or other companies to serve advertisements on our website. In the process of serving advertisements, such companies may use cookies, and may use information about your visits to our website and other websites in

order to provide advertisements on our website about products and services that may be of interest to you. By delivering ads on our website, and the use of cookies, the ad-server is able to record what ads a user has seen, and what pages the user was viewing when the ads were delivered. This web usage information may be combined with other ad delivery information the ad-server has collected from your visits to our website and other websites not affiliated with Company. This non-personally identifiable information is used as part of the ad-serving process for reporting, and to select and direct the ads you see on our website and on other websites not affiliated with us.

Some of these third party advertising service providers may participate in the Network Advertising Initiative's Opt-Out Tool, located at [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp), and/or the Self-Regulatory Program for Online Behavioral Advertising, located at <http://www.aboutads.info/choices>. Please click on the links to these tools to learn more about your choices.

### **How Can I Access, Correct and Update Personal Information?**

You can access, correct and update certain personal information that you have provided to us by emailing us at [legal@lionsgate.com](mailto:legal@lionsgate.com). Please be aware that we will process your request as quickly as we reasonably can, but it may not be possible to update our systems immediately. In addition, you should be aware that it is not always possible to completely remove or delete all of your information from our databases without some residual data because of backups and other reasons.

### **Your Choices/Unsubscribe**

You will have an opportunity to unsubscribe from receiving promotional material from this website by clicking on an "unsubscribe" hyperlink contained in promotional emails we send you. Additionally you may email us at [legal@lionsgate.com](mailto:legal@lionsgate.com). Because customer lists often are prepared well in advance of an offering (sometimes a few months before the offer is made), you may continue to receive some offers after you send us a request not to use your information for specified marketing purposes. Please be aware that we will process your request as quickly as we reasonably can, but it may not be possible to update our systems immediately. We appreciate your patience and understanding in giving us time to carry out your request.

Even if you are removed from any such list, if you order online, we will send you an email confirming your order and may need to contact you by phone, email, or regular mail if we have questions about your order. In addition, you should be aware that it is not always possible to completely remove or delete all of your information from our databases without some residual data because of backups and other reasons.

If you want to opt out of having your PII shared with third parties for marketing purposes, you must consistently opt-out at each of our websites where you register and whenever you provide PII to us. Please bear in mind that this opt-out choice for "third parties" will not apply to Company, Company licensees and/or co-branding participants, as set forth below. Please also keep in mind that any opt-out choices you make will not apply in situations where (a) you either have made, simultaneously make, or later make a specific request for information from us, or (b) Company uses your PII for either operational purposes (e.g., to complete transactions requested by you, or to send you administrative communications either about your account with us or about features of our websites, including any future changes to this Privacy Policy, or any

other policy or terms that affect you and your use of our website) or fulfillment purposes (e.g., sharing with companies that facilitate communications and transactions with you). Finally, if you do not exercise your opt-out choices upon registration or otherwise at the time the PII is provided, it may take some time to process your opt-out choices. Our systems require time to update, and promotional mailings using PII shared before your opt-out may already be in process. Thus, your PII might continue to be shared with third parties for promotional purposes for some time after you make your request. For similar reasons, if your PII is shared with a third party, Company largely or completely loses control over how that information is used. Thus, even after you have opted out of allowing us to share your PII, you might continue to receive promotional materials from third parties unless and until you duly register your opt-out request with each third party in question.

If you would like further information in relation to your legal rights under applicable law or would like to exercise any of them, please contact us using the information in the “Contact Us” section below at any time. Your local laws may provide you:

- the right to request information regarding how your personal data is processed;
- the right to have your personal data rectified if inaccurate or out of date;
- the right to have your personal data erased in certain limited circumstances;
- the right to object to certain processing or to have certain processing restricted;
- the right to have your personal data transferred from one data controller to another;
- the right to revoke your consent to the processing of your information; and
- the right to lodge a complaint with your national data protection regulator.

We will consider all requests and provide our response within the time period stated by applicable law. Certain information may be exempt from such requests in some circumstances, which may include if we need to keep processing your information for our legitimate interests or to comply with a legal obligation. We may request you provide us with information necessary to confirm your identity before responding to your request.

You have the right to make a complaint at any time to the relevant regulatory authority in respect of data protection issues. We would, however, appreciate the chance to deal with your concerns before you approach the regulator so please contact us in the first instance.

### **Data Retention**

We will process your personal data for no longer than is necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or allowed by law.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymize your personal data (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.

### **Notice to California Residents/Your California Privacy Rights**

California residents are entitled once a year to request and obtain certain information regarding

our disclosure, if any, of personal information to third parties for their direct marketing purposes during the immediately prior calendar year (e.g. requests made in 2018 will receive information about 2017 sharing activities). As set forth in this Privacy Policy, we comply with this law by offering our visitors the ability to tell us not to share your personally identifiable information with third parties for their direct marketing purposes. To make such a request, consistently exercise your opt-out choice whenever you provide PII to us or send an email to [legal@lionsgate.com](mailto:legal@lionsgate.com). You must include this website as the subject line, and your full name, email address, and postal address in your message. Please see the "Your Choices/Unsubscribe" section of this Privacy Policy for additional information.

### **Forums/Message Boards**

Please review our restrictions on use and guidelines for user forums in our Terms of Use. In addition, please note that this Privacy Policy does not apply to any information you may disclose publicly in user forums (such as chat rooms, message boards, or similar web pages). You should keep in mind that whenever you publicly disclose information about yourself online, that information could be collected and used by people that you do not know. In addition, certain message boards (and similar user forums) may display IP addresses and possibly PII along with the message poster's name and message. Company assumes no responsibility for any action or policies of any third parties who collect any information users may disclose in user forums or other public areas, if any, of this website.

### **Film Ratings**

If a motion picture that has been rated by the Motion Picture Association of America ("MPAA") is the subject of this website, you may visit [www.mpa.org](http://www.mpa.org) for a description of the ratings system, [www.filmratings.com](http://www.filmratings.com) for a discussion on the reasons for the ratings on recent motion picture releases or visit [www.parentalguide.org](http://www.parentalguide.org), which is intended to provide parents with information about each of the ratings systems that have been developed in the electronic game, music, cable and television broadcast industries.

### **Revisions to Privacy Policy**

We reserve the right, in our sole discretion, to modify, update, add to, discontinue, remove or otherwise change any portion of this Privacy Policy, in whole or in part, at any time. When we amend this Privacy Policy, we will revise the "last updated" date located at the top of this Privacy Policy. For changes to this Privacy Policy that we consider to be material, we will place a notice on the website by revising the link to read substantially as "Updated Privacy Policy" for a reasonable amount of time. If you provide information to us or access or use the website in any way after this Privacy Policy has been changed, you will be deemed to have unconditionally consented and agreed to such changes. The most current version of this Privacy Policy will be available on the website and will supersede all previous versions of this Privacy Policy.

### **Choice of Law**

This Privacy Policy, including all revisions and amendments thereto, is governed by the internal laws of the State of California, without regard to its conflict or choice of law principles which would require application of the laws of another jurisdiction.

### **Arbitration**

By using this website in any way, you unconditionally consent and agree that: (1) any claim, dispute, or controversy (whether in contract, tort, or otherwise) you may have against the officers, directors and employees of Company and its parent, subsidiaries, affiliates (all such

individuals and entities collectively referred to herein as the “Company Entities”) arising out of, relating to, or connected in any way with the website or the determination of the scope or applicability of this agreement to arbitrate, will be resolved exclusively by final and binding arbitration administered by JAMS and conducted before a sole arbitrator in accordance with the rules of JAMS; (2) this arbitration agreement is made pursuant to a transaction involving interstate commerce, and shall be governed by the Federal Arbitration Act (“FAA”), 9 U.S.C. §§ 1-16; (3) the arbitration shall be held in Los Angeles, California; (4) the arbitrator’s decision shall be controlled by the terms and conditions of this Privacy Policy and any of the other agreements referenced herein that the applicable user may have entered into in connection with the website; (5) the arbitrator shall apply California law consistent with the FAA and applicable statutes of limitations, and shall honor claims of privilege recognized at law; (6) there shall be no authority for any claims to be arbitrated on a class or representative basis, arbitration can decide only your and/or the applicable Company Entity’s individual claims; the arbitrator may not consolidate or join the claims of other persons or parties who may be similarly situated; (7) the arbitrator shall not have the power to award punitive damages against you or any Company Entity; (8) in the event that the administrative fees and deposits that must be paid to initiate arbitration against any Company Entity exceed \$125 USD, and you are unable (or not required under the rules of JAMS) to pay any fees and deposits that exceed this amount, Company agrees to pay them and/or forward them on your behalf, subject to ultimate allocation by the arbitrator. In addition, if you are able to demonstrate that the costs of arbitration will be prohibitive as compared to the costs of litigation, Company will pay as much of your filing and hearing fees in connection with the arbitration as the arbitrator deems necessary to prevent the arbitration from being cost-prohibitive; and (9) with the exception of subpart (6) above, if any part of this arbitration provision is deemed to be invalid, unenforceable or illegal, or otherwise conflicts with the rules of JAMS, then the balance of this arbitration provision shall remain in effect and shall be construed in accordance with its terms as if the invalid, unenforceable, illegal or conflicting provision were not contained herein. If, however, subpart (6) is found to be invalid, unenforceable or illegal, then the entirety of this Arbitration Provision shall be null and void, and neither you nor Company shall be entitled to arbitrate their dispute. For more information on JAMS and/or the rules of JAMS, visit their Website at [www.jamsadr.com](http://www.jamsadr.com).

### **Contact Us**

For any questions, suggestions, or concerns related to this Privacy Policy, please email [legal@meanalien.com](mailto:legal@meanalien.com). © 2018 Mean Alien Entertainment Corp. All rights reserved.