### PRIVACY POLICY

## BEFORE USING THIS WEBSITE, PLEASE READ THIS PRIVACY POLICY CAREFULLY

## Last updated: May 23, 2025

This Privacy Policy tells you how the Producers Guild of America ("PGA", "Guild", "we", "our" or "us") collects, uses, shares and processes your personal information. The term "Personal Information" as used in this Privacy Policy shall mean any information that enables us to identify you, directly or indirectly, by reference to an identifier such as your name, identification number, location data, online identifier or one or more factors specific to you. The privacy of your Personal Information is important to us. Please review this policy before submitting to us any Personal Information. By providing Personal Information to us, you are agreeing to all of the terms of this Privacy Policy. If you choose to provide your Personal Information and/or the Personal Information of others, you consent to the transfer and storage of that information on the Site's servers.

### 1. PROCESSING ACTIVITIES COVERED.

This Privacy Policy applies to the processing of Personal Information collected by us when you:

- Visit and/or submit personal information to <u>www.producersguild.org</u> or our other websites that display or link to this particular policy (the "Site");
- Attend or take part in our events and programs; and/or
- Communicate with us via email, phone, texts, fax or in person at our offices.

If you are providing Personal Information related to the Producers Guild Awards or in connection with the Producers Mark process, please see the privacy, cookies and terms and conditions policies which govern the collection of that information on <a href="https://www.producersguildawards.com">www.producersguildawards.com</a>.

Our Site and services may contain links to other websites, applications and/or services that are maintained by third parties. We do not control how such third parties may collect, use or process your Personal Information. When you are routed to a third party website, application and/or service, your disclosure of Personal Information and other site activities are governed by that third party's privacy policy and terms of use, and not by this Privacy Policy or our Terms of Use. We encourage you to review all third party privacy policies and terms of use before disclosing your Personal Information to them.

## 2. COLLECTION OF PERSONAL INFORMATION

We may collect different types of Personal Information about you depending upon your use of our Site and your communication with us.

## A. Information You Provide to Us

You may provide us with information, including Personal Information, about yourself or a third party or company by visiting our Site, submitting forms through our Site (whether in draft or final form), corresponding with us by post, phone, email or otherwise, visiting our offices, and attending and/or registering for our events, programs and services. The Personal Information we collect directly from you may include, without limitation, personal identifiers, professional or employment-related information, financial account information, commercial information, visual information, and internet activity information including sites you may have visited immediately before and after you visit our Site, and the parts of the Site that you may access. In addition, we may collect non-personal information from you such as the operating system and browser you may be using while connected to our Site. Any Personal Information or non-personal information that you provide to us may be used by PGA to fulfill the express or implied objective for which the information was requested or collected (e.g. if information is provided

as a result of you emailing us, we may use the information provided, such as email address, to respond to you), and/or otherwise in accordance with this Privacy Policy (i.e., if you are a member of the PGA, such information may also be used to update your member account in our database). We collect Personal Information in the following situations:

- Application for Membership: In order to apply for membership in the PGA, you will be asked to create an account with a username and a password and to complete a membership application. During this process, you will be required to provide your Personal Information (including, without limitation, name, physical address, email address, phone number, professional titles and related information, business contact information, and financial/billing information, such as billing name and address, credit card number and/or bank account information), as well as the Personal Information of others (including, without limitation, name, title, phone, email) who will be contacted in order for us to determine whether you are qualified for membership in the PGA.
- Member Account: If your membership application is approved, you will be invited to complete your member account. You have choices about the Personal Information that you choose to include in your account, such as, without limitation, your work experience, media of expertise, particular skills, photo, and links to your professional and social media sites. You don't have to provide Personal Information on your account; however, such Personal Information may help you get more out of your Guild membership, including by allowing other members and staff to connect you to networking and business opportunities. You may be asked to provide certain sensitive Personal Information (including, without limitation, gender, race, ethnicity, sexual orientation, birthdate, age) and to respond to questions about your interest in various Guild programs and events. You will be asked whether you would like the Personal Information on your account to be visible to other members in the Membership Directory and available to Guild staff to share with third parties who, for example, may wish to seek out professionals with your experience and/or characteristics. It is your choice whether to include sensitive Personal Information on your account and, if so, whether to permit such Personal Information to be visible to other members and available to third parties through Guild staff.
- Event and Program Registration and Attendance: In order to register, attend and/or reap the benefits of a Guild event or program, you may be required to create an account and provide your Personal Information and/or the Personal Information of others, such as guests, sponsors or references, as applicable. The Personal Information that you provide may include, without limitation, name, address, phone number, email address, financial/billing information, and/or professional information.
- **Sponsorships, Donations, Merchandise Purchases:** If you submit a donation to the Guild, sponsor one of our events or purchase merchandise from us, we may collect Personal Information, such as, without limitation, your name, address, phone number, email address financial/billing information, professional information, and/or other assets pursuant to agreement.
- *Applications for O-1 or O-2 Advisory Opinions*: If you request an O-1 or O-2 Advisory Opinion, you will be required to submit to us your Personal Information and/or the Personal Information of others including, without limitation, information required on the federal government's I-129 form, your name, address, phone number, email address, financial/billing information, and/or professional information, as well as the personal information of others (including, without limitation, name, title, phone, email) who will be contacted in order for us to determine whether the advisory opinion may be given.
- Requesting Information, Seeking PGA Services, and Downloading Content: If you express an interest in joining our mailing list or otherwise obtaining additional information about the Guild or our events, programs and services, use our "Contact Us" or similar features, or download certain content, we may require that you provide to us Personal Information, such as, without limitation, your name, address, phone number, email address, and professional information.

- *Guild Communication Platforms:* If you register for a communication platform (i.e. Slack or Zoom) that is used by PGA, we may ask you to provide your name and email address, or other Personal Information required to use these platforms. Please note, anyone using a communication platform set up by PGA, such as Slack, may read any Personal Information you choose to submit and post so please carefully consider this before deciding to share or post.
- Video conferences and Phone Calls: If you communicate with us via videoconference or by phone, we may, with your consent, record that videoconference or phone call. You may not record any PGA calls, videoconferences, webinars, or programs without express consent from PGA.
- **Surveys and Feedback:** If you respond to our census, surveys, or otherwise voluntarily submit feedback to us, we collect the information, including Personal Information, that you provide and may act upon it to improve our services and/or share information with third parties where permitted; and
- Office Visits: If you visit our offices, you may be required to register as a visitor and to provide your name, email address, phone number, company name and time and date of arrival. Additionally, due to the COVID-19 pandemic, you may be required to provide information regarding your health status, including your temperature, COVID-19-related symptoms, exposure to COVID-19 positive individuals, and recent travel history.
- *Other Personal Information:* If you provide other Personal Information to us, we may use it for our legitimate business purposes in accordance with this Privacy Policy.

If you provide Personal Information relating to another person or company, you are responsible for obtaining any necessary consent from that person or company before providing the information to us. The PGA is not responsible for obtaining such consent.

## B. Information We Collect from Third Parties About You

We may also collect Personal Information about you from other sources, including from publicly available information or from third parties who submit Personal Information about you. We may combine this information with Personal Information provided directly by you. This helps us to update, expand, and analyze our records; identify information about nonmembers who may or may not apply for membership; and create more tailored events and programs that may be of interest to you. The Personal Information we collect from other sources may include, without limitation, personal identifiers, professional or employment-related information, commercial information, visual information, internet activity information, and/or inferences about preferences and behaviors. For example, a representative from your company or organization may provide your Personal Information on your behalf or provide us with your business contact information so that we may contact you about our events or programs.

## C. <u>Device and Usage Data</u>

We may automatically collect and store technical information about your device and your use of our Site or emails (including, without limitation, computer and connection information, Internet Protocol (IP) addresses or other identifiers, browser type and version, time zone settings, browser plug-in types and versions, operating system and platform, standard web log information). To do this we may use devices such as cookies, web beacons, and/or similar technologies (see "Use of Cookies, Web Beacons and Other Tracking Technologies," below for more information).

We may also collect information about your visit, including pages you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, and any phone number used to contact us by phone.

This information may be aggregated to measure the number of visits, average time spent on the Site, pages viewed, etc. We use this information to measure the use of our Site and to improve the content that we offer.

# Use of Cookies, Web Beacons and Other Tracking Technologies

We may use cookies (small data files deposited on your hard drive) in order to customize our services and content on the Site, help identify you and personalize your experience, and collect statistics regarding Site traffic. When you first access the Site, you may receive the following message advising you that cookies and similar technologies are in use:

We collect information via cookies in order to analyze use of our Site and improve your experience. By closing the message, or continuing to use our Site, you signify that you understand and agree to the use of these technologies, as described in our Privacy Policy.

You do not have to accept cookies and consent can be withdrawn at any time (see "How to Control Cookies," below). You can change your browser settings to refuse or restrict cookies, and you may delete them after they have been placed on your device at any time. If you do not accept or delete our cookies, some areas of the Site that you access may take more time to work or may not function properly.

## What Are Cookies?

Cookies are small files containing a string of characters that we may store on your computer or mobile device when you access the Site. When you access the Site again, the cookies allow us to recognize your browser and may store your preferences and other information but cannot read data off your hard disk or read cookie files created by other sites.

Cookies set by a website owner (in this case, the PGA) are called "first party cookies." Cookies set by parties other than the website owner are called "third party cookies." Third party cookies enable us to provide third party features or functionality through the Site (i.e. analytics), but we do not control or manage third party cookies and are not responsible for your interaction with them. If you are concerned about the use of cookies, you may also wish to review the privacy and cookies policies of the third parties identified herein and/or learn about features in your browser that permit it to notify you whenever a cookie is deposited or allow you to reject cookies entirely.

## The Cookies We Use

We may use cookies to collect certain information, enhance your experience and make your interaction with our Site more meaningful. Cookies make the use of our Site easier by, among other things, saving your preferences and enabling us to relate your use of the Site to Personal Information that you previously provided (such as name and email so we can remember you). We may also use cookies to compile anonymous, aggregated statistics that allow us to understand how people use our Site and to help us improve the Site's structure and content. We cannot identify you personally from this information.

We may use both session-based and persistent-based cookies. Session-based cookies exist only during your websession and expire when you close your internet browser. Persistent-based cookies are files that stay in oneof your browser's subfolders until you delete them manually or your browser deletes them based on the duration period contained within the persistent cookie's file.

The specific types of first party and third-party cookies placed by our Site and the purposes they perform are described in the table below:

Type of Cookies	Who Serves These Cookies	How to Manage Cookies
Strictly Necessary Cookies  These are cookies that are required for the operation of our Site. They include, for example, cookies that enable you to log into secure areas of our Site, use a shopping cart or make use of e-billing.	- PGA - Salesforce	These cookies are strictly necessary to deliver the Site and therefore cannot be refused. However, they can be deleted or blocked using your browser settings, (see "How to Control Cookies," below).  For Salesforce's Privacy Statement explaining its use of cookies, see here: <a href="https://www.salesforce.com/company/privacy/full_privacy/">https://www.salesforce.com/company/privacy/full_privacy/</a> ; see also <a href="https://help.salesforce.com/articleView?id=000351">https://help.salesforce.com/articleView?id=000351</a> 913&type=1&mode=1
Performance and Functionality Cookies  These are used to recognize you when you return to our Site. This enables us to personalize our content for you and remember your preferences, but are non-essential to the performance of our Site.	- PGA - Salesforce - Google	These cookies can be deleted or blocked using your browser settings (see "How to Control Cookies," below).  Please follow the links below to review the third party's privacy policy or to learn about how to manage their cookies:  - Salesforce: https://www.salesforce.com/company/privacy/full_privacy/; see also https://help.salesforce.com/articleView?id=000351 913&type=1&mode=1  - Google: https://policies.google.com/technologies/cookies?hl =en-US

Analytical or Customization Cookies  These cookies collect information about how users access and interact with our Site. We use this information to help generate support tickets for requests and, in aggregate form, to help us improve Site functionality for our visitors.  While such cookies may store general technical information (such as the type and location of the computer accessing the Site), the information	- PGA - Salesforce - Google	These cookies can be deleted or blocked using your browser settings ( <i>see</i> "How to Control Cookies," below).  Please follow the links below to review the third party's privacy policy or to learn about how to manage their cookies:  - Salesforce: https://www.salesforce.com/company/privacy/full_privacy/; see also https://help.salesforce.com/articleView?id=000351 913&type=1&mode=1  - Google: https://policies.google.com/technologies/cookies?hl =en-US
collected will not otherwise be used to personally identify individuals.		
Advertising Cookies  PGA places and manages advertisements using Google. Google uses cookies so that the advertisements display and function properly.  If you click on an advertisement on our Site, cookies may also be placed by the third-party owner of the advertisement. PGA does not have knowledge or control over the cookies placed by such third parties. You should review the third-party cookie policy to determine how to control the placement of third-party cookies.	- Google - Third-party advertisers	These cookies can be deleted or blocked using your browser settings ( <i>see</i> "How to Control Cookies," below).  For more information on how to manage cookies placed by Google, visit the following link: <a href="https://policies.google.com/technologies/ads?hl=en-US">https://policies.google.com/technologies/ads?hl=en-US</a> For more information regarding how to manage cookies that may be placed by a third-party owner of the advertiser, see the third-party privacy and/or cookies policies.

# **How to Control Cookies**

As set forth above, when you first access our Site from certain jurisdictions, you may receive a message advising you that cookies and similar technologies are in use. You do not have to accept cookies and consent can be withdrawn at any time, although you may not be able to use certain features of our Site. You can do this by reviewing the instructions in the links in the table, above, or by activating the settings on your browser that allows you to refuse all or some cookies.

Please follow the links below to helpful information for the most popular browsers:

• Microsoft Internet Explorer:

https://support.microsoft.com/en-us/topic/delete-and-manage-cookies-168dab11-0753-043d-7c16-ede5947fc64d

• Google Chrome:

https://support.google.com/chrome/answer/95647?co=GENIE.Platform%3DDesktop&hl=en

• Mozilla Firefox:

https://support.mozilla.org/en-US/kb/enhanced-tracking-protection-firefox-desktop?redirectslug=enable-and-disable-cookies-website-preferences&redirectlocale=en-US

• Apple Safari:

https://support.apple.com/guide/safari/manage-cookies-and-website-data-sfri11471/mac

# Web Beacons/Other Tracking Technologies

As well as cookies, we may use other technologies to recognize and track your use of our Site. A web beacon (also known as a "tracking pixel" or "clear GIF") is a clear graphic image (typically a one-pixel tag) that is delivered through a web browser or HTML email, typically in conjunction with a cookie.

Web beacons allow us, for example, to monitor how users move from one page within our Site to another, to track access to our communications, to understand whether users have come to our Site from an online advertisement displayed on a third-party Site, and to improve Site performance.

## 3. HOW WE USE PERSONAL INFORMATION

We may process your Personal Information and the Personal Information of others for the following purposes in line with our contractual and/or legal obligations, and/or our legitimate business interests:

- to review, process and administer membership applications, event registrations, program applications, applications for O-1 or O-2 advisory opinions, and sponsorships, donations and/or merchandise purchases;
- to collect fees pertaining to membership, events, programs; applications for O-1 or O-2 advisory opinions, and sponsorships, donations and/or merchandise purchases (your credit card and/or banking information will be temporarily stored on a server intended to be secure, and will be used solely to process your transaction; we will then retain your information to facilitate servicing you in the future);
- to update and maintain the Personal Information in your member account;
- to create aggregated, anonymized statistics regarding the composition of our membership in order to better serve our membership and respond to public inquiries;
- to share your membership status with third parties and in response to public inquiries;
- if you are a member and to the extent you have chosen to share your Personal Information on your profile, to generate, publish and/or otherwise make available to members or third parties lists of PGA members (*i.e.*, for consideration for leadership positions within the Guild, recognition of service to the Guild or receipt of the Producers Mark, or otherwise), to connect you with other members via our membership directory, and to connect you

with third parties requesting contact with members who match the Personal Information you have shared;

- to send you physical or digital screeners, third-party event information and our *Produced By* magazine;
- to share with you advertisements, promotions, marketing and networking opportunities;
- to identify information about nonmembers who may or may not apply for membership;
- to monitor and protect the security of information, including Personal Information, as well as the Site, systems and network;
- to ensure that content from our Site is presented most effectively for you and your device and to display content based upon your use of the Site;
- to conduct research and to understand general trends and patterns so we can develop and support existing events and programs and develop new programs and events for membership; and
- to manage and secure access to PGA offices and events; this may include sharing information with third parties responsible for verifying identity, managing attendee or visitor lists, issuing access credentials (such as badges or QR codes), and monitoring entry and exit logs; access records may be retained for a limited period in accordance with PGA and/or third-party data retention policies and applicable laws.

# 4. ACCESSING, REVIEWING AND CHANGING YOUR PERSONAL INFORMATION

If you are a member, you can see, review and change most of your Personal Information by signing into your member account on the Site. Whether you are a member or nonmember, upon your request, we will update your Personal Information, close your account and remove the Personal Information, anonymize the Personal Information that you have provided to us, or provide you with a copy of the Personal Information that we have collected that is under our custody and control as soon as reasonably possible, and in compliance with our legal obligations. Specifically, we retain Personal Information from closed accounts to comply with the law, enforce our policies, prevent fraud, assist with investigations, and take other actions otherwise permitted by law. To reach us, please contact us at the Contact Information set forth below.

### 5. SECURITY

We treat data as an asset that must be protected and employ tools (passwords, usernames, etc.) to protect your Personal Information from unauthorized access and disclosure. Nevertheless, we cannot promise, and you should not expect, that your Personal Information or private communications will always remain private. Third parties may unlawfully intercept or access transmissions or private communications, and other users may abuse or misuse your Personal Information that they collect from the Site.

If you have created an account with us, please remember that your password is the key to your account. Use unique numbers, letters and special characters, and do not disclose your password to anyone. If you do share your password or your Personal Information with others, remember that you are responsible for all actions taken under the name of your account. If your password has been compromised for any reason, you should immediately notify us at: <a href="legal@producersguild.org">legal@producersguild.org</a> so that we can assist you.

Additionally, your username may be displayed and connected to your activity on the Site when you are logged in. If you access the Site from a shared computer or unprotected network (such as a public library or an internet café) certain information about you, such as your username, may also be visible to other individuals who use the computer after you.

### 6. RETENTION OF PERSONAL INFORMATION

We will store your Personal Information, in a form that permits us to identify you, for no longer than is necessary for the purpose for which the Personal Information is processed, as set forth above. We also maintain your Personal Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements and rights, or if it is not technically and reasonably feasible to remove it. Otherwise, we will seek to delete the Personal Information that you provide within a reasonable timeframe upon request.

#### 7. OUR DISCLOSURE OF YOUR INFORMATION

We may share Personal Information with PGA Board Members, Officers, staff and interns, as well as authorized PGA members in connection with the administration of PGA programs, events, and services.

We also may share your information with third parties, such as: studios, distributors, platforms and/or production companies, so that you may receive advertisements, event information and digital or physical screeners; professional advisors, such as lawyers, accountants, auditors, bankers, and insurers for legal or other legitimate consultancy reasons; and other third-party vendors to help us operate the Site, process transactions, respond to your needs, and enhance our marketing. Such vendors include, without limitation, Nimble AMS, Salesforce, Southleft, Kinsta, Cloudflare, and other companies who help us to maintain the security and performance of our Site. In managing these matters, the Site works with third-party analytics and marketing partners who use cookies and web beacons and other tracking technologies as set forth above. These partners include vendors such as Google, and others, whose technology is used to serve advertisements on our Site. Data regarding advertising performance, such as impressions and clicks, is collected in aggregate and not in a way that personally identifies any user. We and these partners use this data for several purposes, including to improve the design and content of the Site, inform us about which pages are most attractive to visitors, and track the success of our advertising.

We may disclose Personal Information that you provide to publicize your membership status, respond to legal requirements, enforce our policies, or protect anyone's rights, property, or safety. Such information will be disclosed in accordancewith applicable laws and regulations.

Without limiting the above, we will not disclose your Personal Information to law enforcement, or other third parties without a subpoena, court order or substantially similar legal procedure, unless we believe in good faith that the disclosure of Personal Information is necessary to prevent imminent physical harm or financial loss or to report suspected illegal activity.

## 8. MARKETING AND ADVERTISING

We will not sell or rent Personal Information that you provide to us to third parties without your express consent but may use your Personal Information along with information we collect from other users to improve and personalize our services and content.

We may use your Personal Information to share with you advertisements, promotions, marketing and networking opportunities, as well as physical and digital screeners, third-party event information and our *Produced By* magazine. We include advertisements on our Site pages and in our newsletter sent to members. You can use an ad blocker on your device to prevent the display of advertisements on our Site. You can unsubscribe from receiving emailed advertisements by following the unsubscribe directions included in the email. If you have further questions about how to control or block advertising, please contact us at <a href="legal@producersguild.org">legal@producersguild.org</a>.

### 9. NO SPAM, SPYWARE OR SPOOFING

This Site does not tolerate spam. You may not use the Site's communication tools to send spam or otherwise

send content that would violate this Privacy Policy or any other policy. Please report Site-related spam or spoof emails to legal@producersguild.org.

#### 10. CHILDREN

We do not knowingly collect or solicit Personal Information from anyone under the age of 18, (except we may note the names of children who attend family screenings in order to maintain our guest count) or knowingly allow such persons to create an account. If you are under 18, please do not attempt to create an account on this Site or send any Personal Information about yourself to us. In the event that we learn that we have inadvertently collected Personal Information from someone under the age of 18 without verification of parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about someone under 18, please contact us at legal@producersguild.org.

### 11. INTERNATIONAL TRANSFERS

Your personal information may be accessed by us or transferred to our affiliates, partners or service providers who are located worldwide. This may involve the transfer of Personal Information outside the European Economic Area (the "EEA") to countries that may not provide a level of protection of personal information that may be regarded as equivalent to that afforded under the European data protection legislation. Whenever your Personal Information is transferred internationally, we will take appropriate steps to ensure its security and confidentiality in accordance with the general security measures that we have undertaken to protect Personal Information submitted to the Site.

### 12. YOUR CALIFORNIAN RIGHTS

<u>For residents of California only</u>: Section 1798.83 of the California Civil Code requires select businesses to disclose policies relating to the sharing of certain categories of your Personal Information with third parties. If you reside in California and have provided your Personal Information to us, you may request information about our disclosures of certain categories of Personal Information to third parties for direct marketing purposes. Such requests must be submitted to us using the contact details listed below.

### 13. EUROPEAN RESIDENTS

If you are based in Europe, in certain circumstances you have rights under data protection laws in relation to Personal Information we hold about you:

- Request access to your Personal Information. You may have the right to request access to any Personal Information we hold about you as well as related information, including the purposes for processing the Personal Information, the recipients or categories of recipients with whom the Personal Information has been shared, where possible, the period for which the Personal Information will be stored, the source of the Personal Information, and the existence of any automated decision making.
- Request correction of your Personal Information. You may have the right to obtain without undue delay the rectification of any inaccurate Personal Information we hold about you.
- **Request erasure of your Personal Information**. You may have the right to request that Personal Information held about you is deleted.
- Request restriction of processing your Personal Information. You may have the right to prevent or restrict the processing of your Personal Information.
- **Request transfer of your Personal Information**. You may have the right to request transfer of Personal Information directly to a third party where this is technically feasible.

Where you believe that we have not complied with our obligation under this Privacy Policy or applicable

European data protection law, you have the right to make a complaint to a European Supervisory Authority.

If you have any questions about your rights or if you wish to exercise your rights, please contact us using the contact details listed below.

#### 14. MODIFICATIONS TO THIS POLICY

We may revise this Privacy Policy at any time in our sole discretion without notice. When we make revisions, we will post the updated Privacy Policy with the revised date to our Site, and it will be effective immediately. Your use of the Site after such posting will be deemed to constitute acceptance by you of the terms of the revised Privacy Policy, so please check this link periodically for modifications, additions, and/or deletions.

### 15. CONTACT US

For purposes of the EU's General Data Protection Regulation 2016 (the "GDPR") the data controller is the PGA, located at 11150 West Olympic Blvd., Suite 980, Los Angeles, CA 90064.

If you have any questions or complaints regarding this Privacy Policy or our practices, please contact us:

By email: legal@producersguild.org
By phone: (310) 358-9020 ext. 113
By post: Producers Guild of America

Attention: PGA Legal 11150 West Olympic Blvd.

Suite 980

Los Angeles, CA 90064