

## **Privacy Policy**

This Privacy Policy explains how FilmCapital.io (“FilmCapital.io”, “us” or “we”) collect and protect your personal information. If you have any questions that this policy does not address, please contact us at [hello@filmcapital.io](mailto:hello@filmcapital.io)

As explained below, we collect information from you in various ways when you interact with our products and services. By completing your account set-up on our website, you have consented to our collection and use of information as explained in this Notice and agree to be bound by our Terms of Use. Please note that if you choose to invest in any offering advertised on our website, you may be required to agree to a separate agreement, including, but not limited to, new or additional privacy notices or terms of use.

### **Lawful Basis**

Our lawful basis for processing personal data from you is that it is necessary for our legitimate interests. These legitimate interests are running and growing our business, performing and developing our product/services for you, complying with applicable laws and regulations, preventing fraud, marketing, and IT security.

You have the absolute right to object to the processing of your personal data for direct marketing purposes. For instructions on how to object, please see below under “Opt-out Policy”.

### **Collection of Information**

#### *Non-Personally Identifiable Information*

FilmCapital.io and/or its processors collect Non-Personally Identifiable Information from you regarding your usage of our products and services. Non-Personally Identifiable Information refers to data that does not, by itself, identify individual persons and may include, without limitation, website pages viewed, articles, presentation and videos viewed, time spent using certain features of the website, demographic data such as server locations, cookies existing on your devices used to access FilmCapital.io, search criteria used and results, date, time, connection speed, internet protocol ("IP") address, which may also be contained on server logs, and/or other information which does not specifically identify you. We and/or our service providers collect this information using various technologies, including, but not limited to, cookies and server logs. "Cookies" are pieces of information that may be placed on your device by a website for the purpose of facilitating and enhancing your communication and interaction with that website. "Server logs" can be either a single log file or several log files automatically created and maintained by a server of activity performed by the server, which can include information about any transaction you conduct with the server.

#### *Personally Identifiable Information*

FilmCapital.io and/or its processors such as North Capital also collect Personally Identifiable Information from you when you interact with our products and services and communicate with a member of our team, including but not limited to, when you sign up for an account, make an investment, verify your identity, record and verify accredited investor status, provide payment instructions, or send us an email through the FilmCapital.io website. Personally Identifiable Information refers to information that allows us to identify you personally. Such information may include, but is not limited to, your email address, name, phone number, birthday, age, Social Security number and/or taxpayer identification number, investment objectives, investment experience, assets and income, information from your transactions with us (such as your account balance and account usage), information obtained from others (such as the Internal Revenue Service and credit reporting agencies), physical address (such as home or business address), or other information you provide or upload to the website (such as photographs, answers to questionnaires or surveys, or responses filled in on blank forms made available on the site).

We refer to Personally Identifiable Information and Non-Personally Identifiable Information collectively herein as "Personal Data". We and/or our service providers and data processors may collect and store information, which could include Personal Data, locally on your computer or device using mechanisms such as browser web storage or application data caches.

Our collection of Personal Data is necessary to our legitimate interests, which serves as our lawful basis for processing your Personal Data. Such legitimate interests are to run our business, keep our records updated, ensure legal and regulatory compliance, fulfill our obligations as a registered broker-dealer, develop our products/services, and inform our marketing strategy.

You may obtain confirmation and a copy of the Personal Data we've collected from you by contacting us at [hello@filmcapital.io](mailto:hello@filmcapital.io)

We and/or our service providers and data processors, including North Capital, which will process your investments when you use our products and services, will only retain your Personal Data for as long as necessary to fulfill certain legal, accounting, or reporting requirements. To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the 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 and regulatory requirements

We use analytics programs and service providers, such as Google Analytics, which can use first party cookies to report on your interactions with the FilmCapital.io website. Google Analytics collects information including, but not limited to, the time of each of your visits to the FilmCapital.io website, whether you have visited the FilmCapital.io website before, what site referred you to the FilmCapital.io website, and what pages you viewed on the FilmCapital.io website.

This Privacy Policy does not cover the collection of information by cookies or other methods directly by third parties, such as our business partners. We do not control how such third parties

collect information or by what means as such third parties may use their own cookies to collect information about you directly. Our service providers and data processors have their own Privacy Policies that relate to handling of your Personal Data they collect directly from you. In addition, with respect to Personal Data that we allow such service providers and data processors to process on our behalf, such processing will always be subject to our direction, this Privacy Policy and will solely be in connection with your use of our products and services. North Capital processes your investments for us and collects and stores your Personal Data in connection with your use of our products and services. Their Privacy Policy can be found here [insert link here].

## **Use of Information**

FilmCapital.io will use information you provide consistent with this Notice. FilmCapital.io will use information you provide to us to better serve you and enhance your experience with the FilmCapital.io website, among other things. This may include having to modify or copy such information, such as images or textual or narrative content you provide, in order to provide you with a seamless and enjoyable experience.

Toward these ends, you consent to our use and disclosure of any information submitted to us via the FilmCapital.io website, information collected when you access the FilmCapital.io website in any manner, or information collected through your use of our other products and services, and you acknowledge that you have no expectation of privacy, confidentiality or privilege in such information.

FilmCapital.io will use Personal Data (1) to market our products and services to you, (2) to provide services and products requested by you, (3) to enable our vendors and contractors to provide and assist us in the marketing, operation, troubleshooting and analysis of our website and other services, (4) to meet any regulatory requirements for the offer or sale of securities required by law, rules or regulations to our affiliates or members, (5) to engage in any other lawful activities we believe are consistent with the foregoing, and (6) to protect against legal liability. We may provide any of these services through third parties, which may necessitate sharing your Personal Data with them.

If you provide Personal Data for a certain reason, we may use the Personal Data in connection with the reason for which it was provided. For instance, if you contact us by email, we will use the Personal Data you provide to answer your question or resolve your problem. FilmCapital.io may also use your Personal Data to help us improve the content and functionality of our website, to better understand our users and to improve our services. FilmCapital.io may use this information to communicate with you regarding our services or to tell you about services we believe will be of interest to you. If at any time you wish not to receive any future marketing communications or you wish to have your name deleted from our mailing lists, please contact us as indicated below. Note however that as user of our services we will send you administrative communications that are reasonably necessary to our services, such as billing or service notifications.

FilmCapital.io may make your information available on its website and visible to other users of or visitors to the FilmCapital.io website. For instance, subject to certain preferences and permissions as to visibility you will be allowed to make, information you provide about yourself in response to questionnaires on our site may be made available to others, such as information concerning your status as an accredited investor. As such, other users of our website may be able to personally identify you based on your information made available on our site. You expressly consent to making available your information on our website as set forth above, and we may do so unless and until you opt-out as set forth in this Privacy Policy.

FilmCapital.io employs or contracts with other third parties, companies, or individuals to perform certain functions or services on its behalf. Examples of these services from such third parties, companies, or individuals, may include ID verification, accreditation/financial/credit verification, electronic document signing, payment storing and processing, sending postal mail and e-mail, engineering and product development, escrow services, disbursement of funds, analyzing data, providing marketing assistance, custodial services, broker dealer-related compliance services, and providing customer service. As such, these third parties, companies, or individuals may have access to your Personal Data as needed to perform their functions or services, and may not use it for other purposes.

FilmCapital.io may also use and disclose your Personal Data: to investigate and help prevent potentially unlawful activity or activities that threaten the integrity of our website or network; to protect and defend our rights or property or the rights or property of others; as required by courts or administrative agencies; and in connection with a financing, sale, merger, or reorganization of FilmCapital.io's business or assets. Any successor in interest to our business would acquire the information we maintain, including your Personal Data, and may alter the terms of this Privacy Notice.

We might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, dissolution or similar event, Personal Data may be part of the transferred assets and you will be notified via email and/or a prominent notice on our Web site of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information. We may also share your Personal Data with our affiliates for purposes consistent with this Privacy Policy.

FilmCapital.io may disclose your Personal Data if required to do so by law or in the good faith belief that such action is necessary to (i) comply with a legal obligation, (ii) protect and defend the rights or property of FilmCapital.io, (iii) act in urgent circumstances to protect the personal safety of users of the website or the public against fraud or other harm, or (iv) protect against legal liability.

FilmCapital.io does not and will not sell any of your Personal Data to any third party for purposes of advertising, soliciting, or telemarketing.

### **Transfers to Third Countries and International Organizations**

We may share your Personal Data with certain international organizations or service providers if required by law, which may be based in various locations globally.

Whenever we transfer your Personal Data, we ensure a similar degree of protection is afforded to it by only transferring your Personal Data to countries that provide an adequate level of protection for personal data compared to U.S. privacy and security standards.

Please contact us if you want further information on the specific mechanism used by us when transferring your Personal Data to third countries or international organizations.

### **Third Party Websites and Services**

The FilmCapital.io website contains links to other websites and services not maintained by FilmCapital.io. In addition, other websites and services may also reference or link to the FilmCapital.io website. We encourage you to be aware when you enter or leave our website, or surf the Internet, and to read the privacy statements of each website and service that you visit. We do not endorse, screen, or approve, and are not responsible for the privacy practices or the content of, other websites or services.

We may share your Personal Data with third parties in the following categories, for purposes consistent with those listed above: payment service providers, identity verification service providers, operational service providers (such as for securities and funds custody, transfer agents, broker dealers, data storage, accounting, email, engineering and product development, IT, escrow processing, and invoicing), law enforcement agencies and regulators, and advertising or marketing service providers. By submitting your account information through our services, you expressly consent to the sharing of your information with such third parties. These third parties may store your account information so you can use our services in the future. As discussed above, one of the main service providers that we use in this regard is North Capital. Its privacy policy can be accessed and reviewed here:

### **Messaging**

The FilmCapital.io website permits users to communicate with companies and other users posting information on the website. We may read, collect and analyze information transmitted between users for regulatory compliance and marketing purposes. We do not guarantee that information provided by website visitors or investors is accurate or complete. FilmCapital.io assumes no liability or responsibility for any errors or omissions in the content of its website.

### **Exclusions**

This Privacy Policy does not apply to any Personal Data collected by FilmCapital.io other than Personal Data collected through the website. This Privacy Policy shall not apply to any unsolicited information you provide to FilmCapital.io through this website or through any other means. This includes, but is not limited to, information posted to any public areas of the website,

such as bulletin boards (collectively, “Public Areas”), any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively, “Unsolicited Information”). All Unsolicited Information shall be deemed to be non-confidential and FilmCapital.io shall be free to reproduce, use, disclose, distribute and exploit such Unsolicited Information without limitation or attribution.

## **Blog and Academy**

Our website offers a publicly accessible blog. You should be aware that any information you provide in these areas may be read, collected, and used by others who access it. To request removal of your personal information from our blog, contact us at [hello@filmcapital.io](mailto:hello@filmcapital.io). In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

## **Social Media Features**

Our website may also include Social Media Features such as the Facebook Like button, Twitter, and other social media functionality. These features are interactive mini-programs and may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our website. Your interactions with these features are governed by the privacy policy of the company providing it.

## **Opt-Out Policy**

We may at times send you e-mail communications with marketing or promotional materials or post your information on public areas of our site as discussed above. If you prefer not to receive such marketing or promotional e-mails from us, or have your Personal Data used publicly or for any other direct marketing purposes, you have the right to opt-out and may unsubscribe completely by clicking the appropriate links at the bottom of the emails, managing your preferences on the website, or contacting us on the platform or over email. Please note that opt-out requests may take up to one (1) week to process. Please also note that at times we may need to send you e-mail communications that are transactional in nature such as service or termination announcements or payment confirmations which are communications you will not be able to opt-out of.

If, after submitting a request to opt-out, you affirmatively subscribe to receive e-mails on individual offerings, issuers, or other focused subject matters, you will no longer be deemed to have opted out of those specific communications. You will, however, remain opted out for all other marketing and promotional e-mails.

You will be able to modify the information concerning your account by visiting the website and editing any information you wish to change. You will be able to change your e-mail address, password, contact information, or other log in information by visiting your account's settings

page subject to site policy. If you wish to delete your account or need help modifying account information, please contact us at [hello@filmcapital.io](mailto:hello@filmcapital.io).

You may stop or restrict the placement of FilmCapital.io's cookies, Google's cookies and third party cookies on your computer or device by adjusting your web browser preferences or a "Do Not Track" setting in your web browser. You can also restrict marketing cookies by rejecting cookies on the website.

You may also clear cookies from your computer or device via your web browser settings. You may also wish to use a Google Analytics opt-out web browser add-on.

If you would like us to remove your Personal Data, please send a request to: [hello@filmcapital.io](mailto:hello@filmcapital.io)

We are not responsible for removing your Personal Data from the lists of any third party who has previously been provided your information in accordance with this notice.

If you have any questions about how to modify your Personal Data, exercise your right to opt-out, or have questions about our use of cookies, please email us at [hello@filmcapital.io](mailto:hello@filmcapital.io)

All of the above requests will be forwarded on should there be a third party involved in the processing of your Personal Data.

## **Security**

We use reasonable efforts to secure access to Personal Data in our possession, including bank-level encryption, support instant identification and account verifications, and partner with Symantec and McAfee monitoring to ensure that you have a safe experience on FilmCapital.io, but will not be liable for any failure to safeguard such information, whether inadvertent or otherwise. Personal Data is also stored with third parties who have informed us that they also use reasonable efforts to secure access to Personal Data, but we will not be liable for the failure of any third party to safeguard Personal Data, whether inadvertent or otherwise.

We protect the security of your information during transmission by using Secure Sockets Layer (SSL) software, which encrypts information you input. Wherever appropriate, we obfuscate and/or encrypt information in our systems and/or during information transfer. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security.

We utilize third party service providers who may store on their servers social security numbers, addresses, financial information, electronic signatures, and payment information. For your security, we only display the last four digits of your payment information when confirming an investment.

It is important for you to protect against unauthorized access to your password and to your computer/device. Be sure to log off when finished using a shared computer/device.

### **Children's Privacy Policy**

The FilmCapital.io website is not intended for use by children under age eighteen (18 years of age). No one under age eighteen (18) years of age is allowed to use the site, provide any personal information or receive our email distributions. We do not knowingly solicit or collect Personal Data from children or teenagers under the age of eighteen (18). If you believe that a minor has disclosed Personal Data to FilmCapital.io, please report this to us immediately by emailing us at: [hello@filmcapital.io](mailto:hello@filmcapital.io)

### **Changes to This Privacy Notice**

We reserve the right, in our sole discretion, to change, modify, add, or remove portions of this notice at any time. Any changes or updates will be effective immediately upon posting to the web site and/or sending a notification to all registered users via email regarding such update. You should review this notice regularly for changes, and can determine if changes have been made by checking the Effective Date below. Your continued use of our website, products, and services following the posting of any changes to this notice means you accept such changes.

### **Applicable Law and Jurisdiction**

The FilmCapital.io website is maintained in the United States of America. By accessing the FilmCapital.io website or using any of our products or services, you consent to and authorize the export of Personal Data to the United States of America and its storage and use as specified in this Privacy Notice.

This Privacy Notice shall be governed by, construed and entered in accordance with the laws of the State of California applicable to contracts deemed to be made within such state, without regard to choice of law or conflict of law provisions thereof. All disputes with respect to this Privacy Notice shall be brought and heard either in the California State Courts located in the county of Los Angeles, California, or the federal district court for California. You consent to the in personam jurisdiction and venue of such courts. YOU HEREBY WAIVE YOUR RIGHT TO A TRIAL BY JURY WITH RESPECT TO ANY CLAIM, ACTION OR PROCEEDING, DIRECTLY OR INDIRECTLY, ARISING OUT OF, OR RELATING TO, THIS AGREEMENT TO THE FULLEST EXTENT PERMITTED BY LAW.

If you are based in Europe, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please email us at: [hello@filmcapital.io](mailto:hello@filmcapital.io)

### **Effective Date**



This Privacy Notice was last updated on April 15, 2020.