



PRIVACY POLICY

Keemotion Group, Inc. (referred to as **Keemotion, we, us** or **our**) has implemented this privacy policy (**Policy**) to provide Keemotion users and website visitors (**you**) with information about how we collect, hold and use Personal Information and Customer Data when you:

- access and use of the Keemotion System (**Keemotion System**), which includes all camera equipment used to capture and record video (**Keemotion Cameras**) and the server to which the Keemotion Cameras are connected (**Keemotion Server**) which provides for the use of Keemotion's production software (**Keemotion Software**);
- access and use the client interface portal operated and maintained by Keemotion (including the Keemotion iPad App, SportsHub, MyArena and the Local Server Page), which provides the ability to manage the Keemotion System and to access data, including content captured and recorded by the Keemotion System, regardless of the device used to access the client interface portal (**Keemotion Portal**); and
- visit the Keemotion website (www.keemotion.com) (**Website**).

This Policy will also apply to any information we collect about you by means other than those listed above (for example, by written communications) on the same basis as this Policy.

We respect your privacy and are committed to the protection of your Personal Information (as that term is defined in clause 1 below) in accordance with all laws relating to personality rights, privacy and any Personal Information processed under or in connection with this Policy including, to the extent applicable and without limitation, US federal and state privacy and security laws, the EU General Data Protection Regulation 2016/679 (EU) and Privacy and Electronic Communications Directive 2002/58/EC (as amended by Directive 2009/136/EC, and as may be superseded by the EU ePrivacy Regulation) and all national legislation implementing or supplementing the foregoing and all associated codes of practice and other guidance issued by any applicable data protection authority, all as amended, re-enacted and/or replaced and in force from time to time (**Privacy Laws**).

If you wish to make any inquiries regarding this Policy, you should contact us as specified in clause 12.

We may review and update this Policy from time to time, including to take into account new laws, regulations and technology. All Personal Information held by us will be governed by our most recent Policy, posted on our Website.

Please read this Policy carefully before you access, use or browse the Keemotion System, the Keemotion Portal or the Website. By accessing, using or browsing the Keemotion System, the Keemotion Portal or the Website, you accept and agree to be bound by, and comply with, this Policy.

1 What is "Personal Information" and "Customer Data"?

"**Personal Information**" is information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained. Personal Information collected may include, but is not limited to, the following:

- (a) name, postal, billing, email and social media (e.g. Facebook) addresses;



- (b) a person's voice, image or likeness;
- (c) contact details including telephone numbers (landline, mobile and fax);
- (d) payment details; and
- (e) certain information about how an individual uses the Keemotion System, the Keemotion Portal and the Website.

“**Customer Data**” is information we collect about customers which is **not** considered to be Personal Information, because an individual's identity could not reasonably be ascertained through the information. Customer Data collected may include, but is not limited to, the following:

- (f) usage frequency and geo-locational trends of access to the Keemotion Portal and the Website; and
- (g) type of technology being used to access the Keemotion Portal and Website including browser type or mobile device;
- (h) certain anonymized data such as gender, age and interests collected through the sharing of Google profiles;

2 When and why we collect Personal Information

2.1 We collect your Personal Information to manage our relationship with you and perform functions and activities relating to our business as further described in clause 4.

2.2 We may collect Personal Information such as your name, image, email contact details, billing and delivery addresses, and payment details when you:

- (a) register an account for use of the Keemotion System or the Keemotion Portal (**Account**);
- (b) access, use or browse the Keemotion System, the Keemotion Portal or the Website;
- (c) request information about us, our products or services;
- (d) request technical support or assistance;
- (e) provide feedback or make new service requests;
- (f) fill in a form relating to our Keemotion System or the Keemotion Portal or available on our Website; or
- (g) contact us by telephone, email, through social media such as Facebook, post or in person.

3 Information collected by Keemotion

3.1 We will not collect any Personal Information about users of the Keemotion System, the Keemotion Portal or the Website except when they knowingly provide it or as otherwise described below.



Use of the Keemotion System or the Keemotion Portal

- 3.2 When you access or use the Keemotion System or the Keemotion Portal, the Keemotion System or the Keemotion Portal may collect and generate information about you. This information will be stored by or on behalf of Keemotion and accessible to us via the software supporting the Keemotion System and the Keemotion Portal.
- 3.3 The information collected by the Keemotion System or the Keemotion Portal will include, for example, the particular Keemotion System you use, the amount and type of services you obtain from that Keemotion System, and other information regarding your use of our services. We may associate this information with your Account and other Personal Information we hold about you, for example in order to ensure your compliance with the Keemotion Terms and Conditions of Use posted on the Website (**Terms**).
- 3.4 When you access or use the Keemotion System or the Keemotion Portal, Keemotion may also collect, on behalf of itself and/or its business partners (which includes sporting leagues, associations, clubs, franchises, teams or other organisations, people or entities which operate or manage arenas or venues where a Keemotion System is installed) (**Keemotion Partners**), non-personally identifying Customer Data relating to usage of the Keemotion System or the Keemotion Portal. All such information may be shared by Keemotion with third parties in Keemotion's sole and absolute discretion.

Click Stream Data

- 3.5 When you visit and browse the Keemotion Portal or our Website, our Keemotion Portal/Website host may collect information for statistical, reporting and maintenance purposes.
- 3.6 Subject to clause 7.3, the information collected by our Keemotion Portal/Website host will not be used to identify you. The information may include:
- (a) the number of users visiting our Keemotion Portal/Website and the number of pages viewed;
 - (b) the date, time and duration of a visit;
 - (c) the IP address of your computer or other device; or
 - (d) the path taken through the Keemotion Portal/Website.
- 3.7 Our Keemotion Portal/Website host uses this information to administer and improve the performance of our Keemotion Portal/Website.
- 3.8 We may use Google Analytics to help analyse how you use our Website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated is used to create reports about the use of the Website. Google will store this information. We will not (and will not allow any third party to) use Google Analytics to track or to collect any personally identifiable information of visitors to our Website. We will not associate any data gathered from this Website with any personally identifying information from any source as part of our use of Google Analytics.
- 3.9 If you do not want your Website visit data reported by Google Analytics, you can install the Google Analytics opt-out browser add-on. For more details on installing and uninstalling the



add-on, please visit the Google Analytics opt-out page at <https://tools.google.com/dlpage/gaoptout>.

- 3.10 We may also use Amazon Web Services (**AWS**) services, such as Amazon Pinpoint (a mobile analytics and customer communications service), to analyse your use of the Keemotion Portal and the Website. This information is stored on AWS servers and AWS evaluates that data to provide us with information in relation to your use. If you would like further information on the way AWS collects and process this information, please refer to <https://aws.amazon.com/legal/>.

Cookies and web beacons

- 3.11 Cookies are small text files that are transferred to a user's computer hard drive by a website for the purpose of storing information about a user's identity, browser type or website visiting patterns. Cookies may be either "persistent" or "session" cookies. A persistent cookie will be stored on the user's computer and will remain valid until its set expiry date, unless deleted by the user before then. A session cookie, on the other hand, will expire at the end of the user session, when the internet browser is closed.
- 3.12 Web beacons are small electronic graphic images that allow the website to track the number of visitors who have access a specific page. The data collected by the web beacons are the IP address, the name of the host computer, the name of the version of the operating system used and the web browser used.
- 3.13 If you access our Website, cookies and web beacons may be downloaded onto your device when you first log on. Our Website uses session cookies but also persistent cookies for Google Analytics.
- 3.14 You can adjust your internet browser to disable cookies and web beacons, or you can delete cookies and web beacons already stored on your computer. However, we may not be able to provide you with all the service or functionality you require on our Website if you choose to do so.

4 How we use the Personal Information we collect about you

- 4.1 We act as a controller of Personal Information and use the Personal Information we collect about you for our business functions and activities, which may include the following:
- (a) to communicate with you and provide you with information, products or services you have requested via the Keemotion Portal, the Website or otherwise;
 - (b) to manage and administer your Account including in relation to your subscription, use of the Keemotion System, use of the Keemotion Portal or the Website or to answer any enquiries you may have about your Account;
 - (c) to promote and market our products and services to you;
 - (d) to arrange for services to be provided by third parties, provided that any such third party agrees to protect your Personal Information as required by the Privacy Laws and this Policy;
 - (e) to personalise and customise your experiences on the Keemotion System, the Keemotion Portal or the Website;



- (f) to help us research the needs of our customers, and to gain a better understanding of your needs and the needs of customers generally;
- (g) to conduct research for the purposes of improving our products and services, creating new products and services or updating the products and services provided via the Keemotion System, the Keemotion Portal, the Website or otherwise;
- (h) to conduct research, data analytics and other reasonable activities on behalf of our Keemotion Partners, including in relation to usage and demographic trends of the Keemotion System and the Keemotion Portal; and
- (i) for internal operations, such as record keeping and data analytics.

4.2 We may use your Personal Information in order to contact you where necessary, including where we need to send you a reminder and to provide you with information and notices in respect of the Keemotion System or the Keemotion Portal. These notices may include commercial and marketing information.

4.3 We may also disclose your Personal Information if we are required to do so by law.

4.4 We may collect and use your Personal Information for other purposes not listed above. If we do so, we will make it known to you at the time we collect or use your Personal Information.

4.5 We will only collect and use your Personal Information in accordance with this Policy.

4.6 If you choose not to provide your Personal Information to us for the purposes set out in this Policy, we may not be able to undertake certain activities for you such as providing you with requested information, products or services.

5 How we use the Customer Data we collect about you

5.1 We use the non-identifiable Customer Data we collect about you for our business functions and activities, which may include the following:

- (a) collecting information and aggregate data on the Keemotion System, the Keemotion Portal, as well as current usage activities or trends of each Keemotion System;
- (b) carrying out research and analysis of the behaviour of our customers; and
- (c) developing processes, products, services and benefits to better meet customers' needs.

5.2 We may provide Customer Data to our Keemotion Partners, agents, contractors, service providers or related companies for the purposes of, or in connection with, the supply of products and services to you and for the same purposes above.

5.3 You agree that Keemotion may use and analyse your Customer Data as required, including for the purpose of improving the Keemotion System and the Keemotion Portal and including your Customer Data in aggregated anonymous databases.

6 To whom we disclose your Personal Information

6.1 In order to carry out the above purposes, we may disclose your Personal Information to third parties that provide products and services to or through Keemotion (including third party



couriers), our Keemotion Partners, suppliers, distributors, vendors, financial institutions, our professional advisers, and other parties to whom we are authorised or required by law to disclose information.

- 6.2 We may also disclose your Personal Information to our Keemotion Portal/Website host or software application providers in certain limited circumstances, for example when our Website or the Keemotion Portal experience a technical problem or to ensure that they operate in an effective and secure manner.
- 6.3 Keemotion is based, and the Website is hosted, in [***the United States of America***], but we have group companies around the world. The nature of the Internet means that some of your Personal Information may be transferred, stored, processed or used overseas by us or by third party service providers such as AWS. This may happen if we outsource certain activities overseas or if transactions, information, services or products have an overseas connection. You expressly consent to the collection, use, storage, and processing of your Personal Information outside of [***the United States of America***].
- 6.4 Where we are required to transfer, store, process or use your Personal Information overseas, regardless of where this occurs, Keemotion will ensure that your Personal Information is treated securely in accordance with this Policy and the relevant Privacy Laws.
- 6.5 If we are made aware of any actual or potential exposure or misappropriation of your Personal Information, we will promptly notify you and will cooperate with you and any law enforcement authorities in investigating any such exposure or misappropriation.

7 Marketing

- 7.1 We may use your Personal Information to provide you with marketing material about us, our services and our products, as well as those of our Keemotion Partners, that we think may be of interest to you. We do not disclose any personally identifiable information of our users to advertisers.
- 7.2 You may opt-out of receiving marketing information from us at any time by:
- (a) clicking on the "Unsubscribe" link included in any marketing email you receive from us; or
 - (b) contacting us as specified in clause 12.
- 7.3 Unless otherwise specified in this Policy, we or our Keemotion Portal/Website host will not disclose any of your Personal Information to any other organisation unless the disclosure is required by law or is otherwise permitted by the Privacy Laws.

8 Finding out what Personal Information we hold about you

- 8.1 If you are located in the European Union or European Economic Area, you may be entitled to access Personal Information that we hold about you and to check and rectify it free of charge. If we refuse your request to access your Personal Information, we will provide you with reasons for the refusal.
- 8.2 A request for access can be made by contacting us as specified in clause 12.

9 Updating, storage and security of Personal Information held by us

- 9.1 We aim to keep your Personal Information secure and up-to-date. Any Personal Information collected via the Keemotion System, the Keemotion Portal or the Website or which is held on our systems is protected by safeguards including the security policies of AWS (covered at <https://aws.amazon.com/security/>), together with physical, technical (e.g. firewalls, SSL encryptions etc.) and procedural methods.
- 9.2 Personal Information that is held by us in hard copy is stored securely on our premises and is only disclosed or used for the purposes described in this Policy.
- 9.3 Notwithstanding clauses 9.1 and 9.2, Keemotion can not, and does not, guarantee that the Keemotion System, the Keemotion Portal or the Website will not be the subject of any unauthorised access or use of Personal Information by third parties or to other information security risks.
- 9.4 If we find that we have no further need for your Personal Information, we may remove it from our systems and destroy all record of it or make that Personal Information anonymous.
- 9.5 You can update your contact and Personal Information at any time by contacting Keemotion as specified in clause 12 or alternatively through the "Account Information" functionality in the Keemotion Portal or the Website (if applicable). We welcome notification of changes to your details so we can keep our records up-to-date.

10 Limitation of Liability

- 10.1 Keemotion's aggregate liability to you arising out of, or in relation to, this Policy will be subject to the "Warranties, Consumer Guarantees and Limitation of Liability" section of the Terms.
- 10.2 Any reference to the liability of Keemotion in the Terms is a reference to the aggregate liability of Keemotion under the Terms and this Policy.

11 International Use and your Personal Information

We make no representation or warranty that your Personal Information will be collected, held and used by us other than in accordance with the Privacy Laws. If you choose to use or access or browse the Keemotion System, the Keemotion Portal or the Website from locations outside of [*the United States of America*], you do so at your own risk and such use and access will be subject to the laws of [*the State of Delaware*].

12 What to do if you have a question, problem or complaint about our use of your Personal Information or this Policy

If you feel that your privacy has not been respected or that we have conducted ourselves inconsistently with this Policy in respect of your Personal Information, or for any other queries or communication in relation to this Policy, please contact us using the contact details listed on our Website or by email at privacy@keemotion.com. We will respond to all queries as quickly as possible. If you do not consider our response satisfactory, you may contact the relevant data protection authority in your jurisdiction, such as the Office of the Data Protection Commissioner, the UK Information Commissioner or the Australian Information Commissioner.