

Imagination The Americas Inc., Privacy Notice

SCOPE

This Privacy Notice is designed to help you understand how Imagination The Americas Inc., ("Imagination," "we," "us," or "our") collects, uses, processes, and discloses your personal information, and to help you understand and exercise your privacy rights.

This Privacy Notice applies to personal information processed by us, including on our websites, other online or offline offerings, online communications, and through other platforms and programs that link to this Privacy Notice (collectively, the "Services").

For residents of California, more information about our privacy practices is available in our [Notice at Collection and Supplemental Notice](#) below.

1. PERSONAL INFORMATION WE COLLECT

The categories of personal information we collect depend on how you interact with us, our Services, and the requirements of applicable law. We collect personal information that you provide to us, information we obtain automatically when you use our Services, and information from other sources such as third-party services and organizations, as described below.

A. Personal Information You Provide to Us Directly

We may collect personal information that you provide to us.

- **Personal Identifiers.** We may collect personal information when you interact with us or our Services, such as your name, e-mail address, username, demographic information, including racial or ethnic origin, or sexual orientation, and other similar information.
- **Purchases.** We may collect personal information and details associated with your purchases, including payment information. Any payments made via our Services are processed by third-party payment processors. We do not directly collect or store any payment card information entered through our Services, but we may receive information associated with your payment card information (e.g., your billing details).
- **Your Communications with Us.** We may collect personal information that you include in any communications with us, such as e-mail address, phone number, or mailing address when you request information about our Services, register for our newsletter or loyalty program, request customer or technical support, or otherwise communicate with us.
- **Contracts.** If we are providing Services to you as a client of ours or if you are providing services to us as a supplier/vendor of ours, we may collect personal information about you or your staff for purposes of the performance of our contract with you.
- **Surveys.** We may contact you to participate in surveys. If you decide to participate, we may collect personal information from you in connection with the survey.
- **Interactive Features.** We and others who help provide our Services may collect personal information that you submit or make available through our interactive features (e.g.,

messaging and chat features, commenting functionalities, forums, blogs, and social media pages). Any information you provide using the public sharing features of the Services will be considered “public,” unless otherwise required by applicable law, and is not subject to the privacy protections referenced herein.

- **Sweepstakes or Contests.** We may collect personal information you provide for any sweepstakes or contests that we offer. In some jurisdictions, we are required to publicly disclose personal information of sweepstakes and contest winners.
- **Conferences, Trade Shows, and Other Events.** We may collect personal information from individuals we interact with when we attend or host conferences, trade shows, and other events.
- **Business Development and Strategic Partnerships.** We may collect personal information from individuals and third parties to assess and pursue potential business opportunities.

B. Cookie Policy and Personal Information Collected Automatically

We may collect personal information automatically when you use our Services.

- **Automatic Collection of Personal Information.** We may collect certain information automatically when you use our Services, such as your Internet Protocol (IP) address, user settings, MAC address, cookie identifiers, mobile carrier, mobile advertising and other unique identifiers, browser or device information, location information (including approximate location derived from IP address), and Internet service provider. We may also automatically collect information regarding your use of our Services, such as pages that you visit before, during, and after using our Services, information about the links you click, the types of content you interact with, the frequency and duration of your activities, and other information about how you use our Services.
- **Cookies and Other Technologies.** We, as well as third parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, and other technologies (“**Technologies**”) to automatically collect information through your use of our Services.
 - **Cookies.** Cookies are small text files placed in device browsers that store preferences and facilitate and enhance your experience.
 - **Pixel Tags/Web Beacons.** A pixel tag (also known as a web beacon) is a piece of code embedded in our Services that collects information about engagement on our Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

Our uses of these Technologies fall into the following general categories:

- **Operationally Necessary.** This includes Technologies that allow you access to our Services, applications, and tools that are required to identify irregular website behavior, prevent fraudulent activity, improve security, or allow you to make use of our functionality;

- **Performance-Related.** We may use Technologies to assess the performance of our Services, including as part of our analytic practices to help us understand how individuals use our Services;
- **Functionality-Related.** We may use Technologies that allow us to offer you enhanced functionality when accessing or using our Services. This may include identifying you when you sign into our Services or keeping track of your specified preferences, interests, or past items viewed;
- **Advertising- or Targeting-Related.** We may use first party or third-party Technologies, including cross-device tracking, to deliver content, including ads relevant to your interests, on our Services or on third-party digital properties.
- **Analytics.** We may use Technologies and other third-party tools to process analytics information on our Services. These Technologies allow us to better understand how our digital Services are used and to continually improve and personalize our Services. Some of our analytics partners include:
 - **Google Analytics.** For more information about how Google uses your personal information (including for its own purposes, e.g., for profiling or linking it to other data), please visit [Google Analytics' Privacy Notice](#). To learn more about how to opt-out of Google Analytics' use of your information, please click [here](#).
- **Social Media Platforms.** Our Services may contain social media buttons, such as LinkedIn, Instagram, Facebook, YouTube, WeChat, which might include widgets such as the “share this” button or other interactive mini programs. These features may collect personal information such as your IP address and which page you are visiting on our Services, and we may set a cookie to enable the feature to function properly. Your interactions with these platforms are governed by the privacy policy of the company providing it.

C. Personal Information Collected from Other Sources

Third-Party Services and Sources. We may obtain personal information about you from other sources, including through third-party services and organizations. For example, if you access our Services through a third-party application, such as an app store, a third-party login service, or a social networking site, we may collect personal information about you from that third-party application that you have made available via your privacy settings. Our sources may also include the consumer directly, advertising networks, internet service providers, data analytics providers, government entities, operating systems and platforms, social networks, and data brokers.

2. HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information for a variety of business and commercial purposes, including to provide our Services, for administrative purposes, and to market our products and Services, as described below.

A. Provide Our Services

We use your information to provide you with our Services, such as:

- Managing your information and accounts;
- Providing access to certain areas, functionalities, and features of our Services;
- Answering requests for customer or technical support;
- Communicating with you about your account, activities on our Services, and policy changes;
- Processing your financial information and other payment methods for products or Services purchased or services supplied;
- Processing applications if you apply for a job we post on our Services; or
- Allowing you to register for events.

B. Administrative Purposes

We use your information for various administrative purposes, such as:

- Pursuing our legitimate interests such as direct marketing, research, and development (including marketing research), network and information security, and fraud prevention;
- Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity;
- Measuring interest and engagement in our Services;
- Short-term, transient use, such as contextual customization of ads;
- Improving, upgrading, or enhancing our Services;
- Developing new products and services;
- Ensuring internal quality control and safety;
- Authenticating and verifying individual identities, including requests to exercise your rights under this Privacy Notice;
- Debugging to identify and repair errors with our Services;
- Auditing relating to interactions, transactions, and other compliance activities;
- Sharing personal information with third parties as needed to provide the Services;
- Enforcing our agreements and policies;
- Carrying out activities that are required to comply with our legal obligations; or
- For other legitimate business purposes unless otherwise prohibited by law.

C. Marketing and Advertising our Products and Services

We may use personal information to tailor and provide you with content and advertisements. We may provide you with these materials as permitted by applicable law. We may also use and disclose your personal information to measure and predict the effectiveness of advertising and marketing, to find audience for marketing and advertising, and other analytics and operations related to advertising and marketing.

We may also permit third parties to collect your information over time and across third-party websites, mobile applications and/or online services, including those that assist us in operating our Services, including to serve ads or provide messaging to you on our websites and mobile applications or on third-party platforms. We also use third-party advertising companies to serve and load ads on certain parts of our Services, including an ad server to provide advertising when you use our Services. These companies may use internet or electronic information about our Services and other websites and mobile applications to provide advertisements about goods and services of interest to you.

Some of the ways we market to you include e-mail campaigns, text messages, custom audiences advertising and “interest-based” or “personalized advertising,” including through cross-device tracking.

D. With Your Consent

We may use personal information for other purposes that are clearly disclosed to you at the time you provide personal information or with your consent.

E. Other Purposes

We also use your personal information for other purposes as requested by you or as permitted by applicable law, including to create de-identified and/or aggregated information. If we deidentify your personal information, we publicly commit to retain and use the deidentified personal information without attempting to reidentify the deidentified personal information.

3. HOW WE DISCLOSE YOUR PERSONAL INFORMATION

We disclose your personal information to third parties for a variety of business and commercial purposes, including to provide our Services, to protect us or others, or in the event of a major business transaction such as a merger, sale, or asset transfer, and as otherwise described below.

A. Disclosures to Provide our Services

The categories of third parties with whom we may disclose your personal information are described below.

- **Service Providers.** We may disclose your personal information to our third-party service providers and vendors that assist us with the provision of our Services. This includes service providers and vendors that provide us with IT support, hosting, payment processing, customer service, and related services.
- **Business Clients and Partners.** We may share your personal information with business clients and partners to conduct market research, data analysis, and general research and development purposes, and to provide you with a product or service you have requested.
- **Affiliates.** We may disclose your personal information to our company affiliates for example: for our administrative purposes, IT management, or for them to provide services to you or support and supplement the Services we provide.
- **Other Users or Third Parties You Choose to Interact With.** As described above in Personal Information We Collect, our Services may allow you to disclose personal information or interact with other users and third parties (including individuals and third parties who do not use our Services and the general public).
- **Advertising Partners.** Through our Services, we may disclose your personal information to third-party advertising partners. These third-party advertising partners may set Technologies and other tracking tools on our Services to collect information regarding your activities and your device (e.g., your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising partners may use this information (and similar information collected from

other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising,” “cross-context behavioral advertising,” “targeted advertising,” or “personalized advertising.”

- **APIs/SDKs.** We may use third-party application program interfaces (“**APIs**”) and software development kits (“**SDKs**”) as part of the functionality of our Services.

B. To Protect Us or Others

We may access, preserve, and disclose any information we store associated with you to external parties if we, in good faith, believe doing so is required or appropriate to: comply with law enforcement or national security requests and legal process, such as a court order or subpoena; protect your, our, or others’ rights, property, or safety; enforce our policies or contracts; collect amounts owed to us; or assist with an investigation or prosecution of suspected or actual illegal activity. We may also disclose your information to third parties as appropriate and permitted by law.

C. Disclosure in the Event of Merger, Sale, or Other Asset Transfers

If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, purchase or sale of assets, or transition of service to another provider, your information may be sold or transferred as part of such a transaction, as permitted by law and/or contract.

4. YOUR PRIVACY CHOICES AND RIGHTS

The privacy choices you may have about your personal information are determined by applicable law and are described below.

- **E-mail Communications.** If you receive an unwanted marketing e-mail from us, you can use the unsubscribe link found at the bottom of the e-mail to opt out of receiving future marketing emails. Note that you will continue to receive transaction-related e-mails regarding products or Services you have requested. We may also send you certain non-promotional communications regarding us and our Services, and you will not be able to opt out of those communications (e.g., communications regarding our Services or updates to our Terms or this Privacy Notice).
- **Text Messages.** If you receive an unwanted text message from us, you may opt out of receiving future text messages from us by following the instructions in the text message you have received from us.
- **“Do Not Track.”** Do Not Track (“**DNT**”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals; however, we do honor the Global Privacy Control (“**GPC**”) where required by applicable law. You can learn more about the Global Privacy Control [here](#). Please note that your request to opt-out of sale/sharing will be linked to your browser identifier only. If you use a different computer or Internet browser to access our sites, you will need to renew your opt-out request.

- **Cookies and Personalized Advertising.**

- You may decline all or select the types of non-necessary Technologies that apply to your use of our Services by managing your preferences at any time on the Cookie Banner by clicking on the Cookie icon on our Services.
- You may stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device permits. (Note you must separately opt out in each browser and on each device.) However, if you adjust your preferences, our Services may not work properly. Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of personalized advertisements on some mobile applications by following the instructions for [Android](#), [iOS](#), and [others](#).
- The online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these and learn more about targeted advertising and consumer choice and privacy by visiting the [Network Advertising Initiative](#) and the [Digital Advertising Alliance](#).

5. YOUR PRIVACY RIGHTS

If you are a resident of a state that has adopted a comprehensive privacy law, such as the California Consumer Privacy Act, you may have certain privacy rights regarding your personal information, depending on your state of residence and applicable law, which may include the right to:

- **Obtain Access to and Portability of Your Personal Information**, including: (i) confirming whether we are processing your personal information; (ii) obtaining access to or a copy of your personal information including specific pieces of personal information; and (iii) receiving an electronic copy of personal information that you have provided to us, or asking us to send that information to another company in a structured, commonly used, and machine readable format.
- **Request Access to Your Personal Information**, including that we disclose to you, free of charge, the following:
 - The categories of personal information, including sensitive personal information, that we have collected about you.
 - The categories of sources from which the personal information, including sensitive personal information, is collected.
 - The business or commercial purpose for collecting or selling or sharing personal information, including sensitive personal information.
 - The categories of third parties with whom we disclose personal information, including sensitive personal information, which may include a list of specific third parties, other than natural persons, to which we have disclosed personal information.

- The specific pieces of personal information, including sensitive personal information, we have collected about you, which may include a copy of all personal information we are processing or have processed.
- **Request Correction** of your personal information where it is inaccurate or incomplete (subject to exceptions as permitted by applicable law). When correcting inaccuracies, we will take into account the nature of the personal information and the purpose for processing the personal information.
- **Request Deletion** of your personal information (subject to exceptions as permitted by applicable law).
- **Request Disclosure of Your Personal Information**, including that we disclose to you, free of charge, with respect to personal information that we sell or disclose for a business purpose:
 - The categories of personal information, including sensitive personal information, that we have collected about you.
 - The categories of personal information, including sensitive personal information, that we have sold about you and the categories of third parties to whom the personal information was sold, by category or categories of personal information for each third party.
 - The categories of personal information, including sensitive personal information, that we have disclosed about you for a business purpose.
- **Request Restriction of or Object to** our processing of your personal information where the processing of your personal information is based on our legitimate interest or for direct marketing purposes, including (i) the right to opt-out of the sale or sharing of personal information, (ii) object to or restrict our use of or your sensitive personal information, including the right to opt-out of the use and disclosure of sensitive personal information, and (iii) opt out of the processing of your personal information for purposes of (a) targeted advertising, and (b) profiling in furtherance of automated decisions that produce legal or similarly significant effects concerning you. Such opt-out right may be available through an opt-out preference signal.
- **Opt-out of Sale or Sharing for Cross-Contextual Advertising.** Although we do not “sell” your personal information as the term “sale” is typically understood, we may “share” your information for cross-context behavioral advertising with analytics providers and advertising networks in order to understand how visitors use our websites and serve you ads on and off our websites. Such opt-out right may be available through an opt-out preference signal.
- **Withdraw your Consent** if previously given to our processing of your personal information. Please note that your withdrawal will only take effect for future processing and will not affect the lawfulness of processing before the withdrawal.

Exercising Your Privacy Rights

- **Generally.** If you would like to exercise a privacy right, please “Contact Us” below or as otherwise instructed in the additional privacy notices provided at the time we collect your

personal information. We will process such requests in accordance with applicable laws and do not discriminate against any individual who exercises or seeks to exercise their privacy rights.

- **Authorized Agent.** Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. To authorize an agent, provide written authorization signed by you and your designated agent or "Contact Us" for additional instructions.
- **Verification.** To protect your privacy, we will take steps to reasonably verify your identity before fulfilling your request. These steps may involve asking you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, or to answer questions regarding your account and use of our Services.
- **Appeal.** You may have the right to appeal our decision or response to your request. To exercise your right to appeal, please "Contact Us" for additional instructions.

We will not discriminate against you because you exercise any of the rights as described in this section.

6. INFORMATION SECURITY

We take steps to ensure that your information is treated securely and in accordance with this Privacy Notice. Unfortunately, no system is 100% secure, and we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized access, use, disclosure, or loss of personal information.

By using our Services or providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of our Services. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on our Services, by mail, or by sending an email to you.

7. RETENTION OF PERSONAL INFORMATION

We store the personal information we collect as described in this Privacy Notice for as long as you use our Services, or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws, or based upon other criteria, including, but not limited to, the sensitivity and volume of such data. Additionally, we endeavor to retain all such personal information in accordance with legal requirements.

8. CHILDREN'S INFORMATION

The Services are not directed to children under the age of 18 (or other age as required by local law), and we do not knowingly collect personal information from children. If you are a parent or guardian and believe your child has uploaded personal information to the Services without your consent, please "Contact Us" below. If we become aware that a child has

provided us with personal information in violation of applicable law, we will delete any personal information we have collected, unless we have a legal obligation to keep it.

9. THIRD-PARTY SITES AND APPLICATIONS

Our Services may contain links to other websites/applications and other websites/applications may reference or link to our Services. These third-party services are not controlled by us. We encourage our users to read the privacy policies of each website and application with which they interact. We do not endorse, screen, or approve, and are not responsible for, the privacy practices or content of such other websites or applications. Providing personal information to third-party websites or applications is at your own risk.

10. CHANGES TO THIS PRIVACY POLICY

We may revise this Privacy Notice from time to time in our sole discretion. If there are any material changes to this Privacy Notice, we will notify you as required by applicable law, such as by sending you an e-mail. If you continue to access the Services after the new Privacy Notice takes effect, as indicated by the Last Updated Date above, we will assume you have read and acknowledged the new terms.

11. CONTACT US

Imagination is the controller of the personal information we process under this Privacy Notice. If you have any questions about our privacy practices or this Privacy Notice, or to exercise your rights as detailed in this Privacy Notice, please contact us at:

Imagination The Americas Inc.
Starrett-Lehigh Building
601 W 26th St
Suite 1350
New York
NY 10001
+1 212 813 6400
E-mail: privacy@imagination.com

12. NOTICE AT COLLECTION AND SUPPLEMENTAL NOTICE

This Notice at Collection and Supplemental Notice describes the practices of Imagination The Americas Inc (“**Imagination**,” “**we**,” “**us**,” or “**our**”) regarding the collection, use, and disclosure of personal information of consumers who are California residents (“**you**” or “**your**”).

Personal Information. We have collected the categories of personal information from you in the last 12 months as described in the section above titled, Personal Information We Collect.

Sensitive Personal Information. We may have collected sensitive personal information, a type of Personal Information, from you, including information that reveals your racial or ethnic origin, or sexual orientation.

Purposes for Processing Personal Information. We use the personal information we collect about you for the business purposes described above in the section titled, How We Use Your Personal Information. We do not process sensitive personal information without obtaining your

consent and only process sensitive personal information for the purposes outlined above and to the extent permitted under applicable law.

Please note that we do not sell or “share” (for cross-context behavioral advertising) your personal information.

Retention of Personal Information. The above section titled, Retention of Personal Information, outlines the criteria we utilize for determining how long to retain your personal information.

You may learn more about our privacy practices by reviewing our full Privacy Notice [here](#).

This Privacy Notice was updated on 9 October 2024.