

Privacy Policy of movingimage EVP GmbH (“movingimage”)

1. This Privacy Policy serves to provide information about the type of data that movingimage EVP GmbH, via the web addresses (URL) www.movingimage.com (hereinafter: “movingimage”), collects, stores, and processes in connection with the initiation, conclusion, and execution of an order. It also specifies the information that must be provided at the time of registration and placement of an order for the use of the online video platforms provided by movingimage (hereafter: “VideoManager”), as well as the manner in which movingimage ensures the protection and security of personal data. Furthermore, the Privacy Policy contains information about technical issues of data protection (cookies, log files, etc.) and the use of Google Analytics.

The data controller regarding the collection, processing, and use of your personal data pursuant to the German Data Protection Act (BDSG)/General Data Protection Regulations (GDPR) is movingimage EVP GmbH, Stralauer Allee 7, 10245 Berlin, Germany.

If you wish to object to the collection, processing, or use of your data by movingimage under these privacy provisions, in full or regarding only specific measures, you can send your objection by fax or mail to the following address:

movingimage EVP GmbH
Stralauer Allee 7
10245 Berlin, Germany
Telefax: (+49-30) 3309-66099

2. Purpose

Personal customer data are collected, stored, processed, and used by movingimage for facilitating the operation and maintenance of www.movingimage.com, related country domains, and the VideoManager as well as the billing of the use of the VideoManager, where applicable.

3. Scope of data collection, storage and use

The customer can visit our website without having to provide personal information. movingimage only stores access data without any personal reference via the statistics service ‘Google Analytics’ (see Clause 8). These data are evaluated solely for the purpose of improving the service and do not allow for any conclusions or inferences about the customer.

Personal data are collected only when the customer shares them with us voluntarily. For instance, when creating a user account in the VideoManager or logging on to such user account, the name, a user name and password of the respective end user of the VideoManager are provided by such end user and stored by us.

We use such data shared by the customer, without his/her separate consent, solely for the purpose of executing and fulfilling orders placed with us and/or answering inquiries, as well as in connection with the job application process.

The personal data that the customer shares with movingimage, such as when placing an order by phone, e-mail or fax, will be processed only for the purpose of communicating with the customer and for the purpose for which the customer has shared the data with us. For example, if the customer contacts movingimage to book the VideoManager or order a test account to acquire new customers, movingimage will collect, store, and process the personal data only where and to the extent that this is necessary to execute the contract. The processing of the order requires the customer and/or company name, the address, the e-mail address, and the phone number. movingimage needs the phone number and/or e-mail address in case of any questions in connection with executing the order. The e-mail address and/or fax number are used to communicate the written confirmation of order and confirmation of completion. It may also be necessary to share personal data with the movingimage employee tasked with the implementation of the order, who is bound by confidentiality, or with a financial institution that handles payments.

Usage data, that is created in connection with the use of the VideoManager (in particular, the user name of an end user uploading a video as well as the time of such upload), are collected and used by us only insofar as this is necessary in order to allow and account for the use of the VideoManager.

4. Duration of data retention

Personal data are stored only until the purpose has been met for which they were shared with movingimage. They will be stored longer if the customer consents to data storage and utilization in excess thereof. Where retention periods under commercial and tax laws must be considered, some data may be stored for longer periods of time, even up to ten (10) years.

5. Sharing data with third parties

movingimage does not share personal data with a third party, unless such sharing is necessary for the implementation of the customer's order, the customer has given his/her prior and express consent, or such sharing is mandated under the law. Where movingimage uses the services of a third party with respect to processing, the provisions under the Federal Data Protection Act are observed.

The customer can revoke any consent already given at any time, with future effect, by means of simple, text-based communication (e-mail, fax, mail). Such revocation shall be directed to:

e-mail: legal@movingimage.com

Fax: (+49-30) 3309-66099

Mail: movingimage EVP GmbH, Stralauer Allee 7, 10245 Berlin, Germany

If the customer makes a booking with movingimage via a partner, the data required for processing the order will be transmitted to the partner by e-mail and/or fax. Furthermore, the data required for executing the order are displayed to the partner in the latter's personal/closed space. No other persons will have access to such personal data at any time. The partner may use the end customer's personal data received from movingimage only for the purpose of executing the order.

In accordance with statutory provisions, movingimage may and must provide information on master and/or usage data (the latter only pursuant to a court order) to the competent agency (particularly law enforcement authorities) if so ordered in writing where such information is required for the purposes of prosecution, measures by the police authorities of the German states to avert imminent danger, meeting the statutory duties of the constitution protection authorities of the German federal government and the federal states, of the German Federal Intelligence Service or Military Counterintelligence Service, or for the purposes of enforcing intellectual property rights (Sections 14, 15 TMG/German Telemedia Act).

6. Advertisement, market research

movingimage places third-party advertising on its portals, which may be customized or personalized for any special interests of the end user. When it comes to the placement of such personalized advertising, movingimage uses pseudonymized or anonymized user profiles.

movingimage also offers registered end users the option of receiving information about new movingimage offers and/or partner companies by e-mail (newsletters, mail marketing). This requires the prior and express consent of the end user (opt-in). Where the end user consents, at the time of registration, to receive information by e-mail, movingimage will at first send a confirmation e-mail to the e-mail address specified by the end user. This e-mail contains a link that the end user must activate. Upon clicking this link, the end user is redirected to a website of movingimage where the end user receives confirmation of the registration and the future mailing of information by e-mail. This way, movingimage ensures that the end user will not receive such information by e-mail against his/her will (double opt-in). If the end user no longer wants to receive information by e-mail at some point in time, he/she can revoke consent by sending an e-mail. The right of the end user to revoke his/her consent given to movingimage (Clause 5) remains intact.

movingimage may share anonymized user profiles with its own media partners and other third parties. In this case, too, movingimage does not transmit personal data that would allow for end users to be identified.

movingimage uses the remarketing function of Google in the placement of its advertising. By means of this function, advertising within the Google Display Network is targeted at and displayed only to Web users who have visited the movingimage website at least once. This function requires the use of so-called cookies, which are stored on the Web user's computer. These text files do not contain any personal information. The Google Display Network uses these cookies to deliver to Web users the text and image advertising of movingimage. Every Web user can disable the use of cookies for advertising purposes. This can be done via the [opt-out page](#) of the Network Advertising Initiative.

You can block the storage of cookies by making the appropriate adjustment to your browser software. But we must point out that doing so means that you may not be able to use all the functions of this website. Furthermore, you can prevent the data generated by the cookie and your use of the website (including your IP address) from being transmitted to Google, as well as block the processing of these data by Google, by downloading and installing a browser plugin: tools.google.com/dlpage/gaoptout.

7. Cookies

Cookies are small text files that are stored temporarily in the main memory (so-called session cookies) or permanently on the hard disk (so-called permanent cookies). The session cookies stored in the main memory expire automatically when the Internet browser is closed. Cookies are set to assign to end users anonymous user IDs, but they never execute programs on the user's computer, and they certainly do not transmit computer viruses.

movingimage uses cookies to store the end user's My List, to authenticate a registered end user during a session, to control and optimize advertising, as well as to analyze the hardware environment and user behavior of anonymized users. In addition to this, movingimage may use 'intelligent cookies' (e.g., popup check) that prevent certain popup windows from opening several times during a session. This increases the convenience while using the Web portals. Cookies are used to ensure the smooth operation and improvement of movingimage offers.

Through the appropriate adjustment of his/her Web browser, each end user can decide freely to accept cookies, to be alerted before a cookie is stored, or to reject all cookies. But movingimage must point out that the use of the movingimage Web services may be limited if cookies are set to be rejected in full or partially.

8. Server Log files (logs) and Google Analytics

During the use of the movingimage Web portals, the Internet browser of the end user transmits access data, which are stored in server log files of movingimage automatically. The log files contain the following information: IRemote Host (name and IP address of the computer that calls the page, which identifies the computer (but not the end user), user name, date, time, website accessed (URL), data volume transmitted, transmission log and, if applicable, the URL from which the end user came to the pages of the Web portals (referrer pages), as well as product and version information of the browser and operating system used (user agent).

The movingimage Web portals use Google Analytics, a Web analysis system of Google Inc. (Google) Google Analytics uses cookies, text files stored on your computer that allows for your use of the website to be analyzed. The information generated by the cookie about your use of the website (including your IP address) is transmitted to a Google server in the United States of America, where the data are stored. Google uses this information to evaluate your use of the website so as to compile reports about website activities for the operators of the website and to provide further services related to the use of the website and the Internet. Google may also share this information with a third party where this is mandated under the law or where such a third party processes these data on behalf of Google. Under no circumstances will Google associate your IP address with other Google data. You can block the installation of cookies by making the appropriate adjustment to your browser software. But we must point out that doing so means that you may not be able to use all the functions of this website. By using this website, you consent to the processing of the data collected about you by Google in the manner described above and for the aforementioned purpose. You can object to the collection and use of your IP address by Google Analytics at any time with future effect. Further information on this subject can be found at www.google.com .

We point out that Google Analytics on this website has been modified to include the code 'gat._anonymizeIp();' in order to ensure an anonymized collection of IP addresses.

movingimage uses anonymized versions of the log files and/or the data collected by the Web analytics tool for statistical purposes, that is without any identification of or references to the person of the end user. For example, this shows movingimage the days and times on or at which the website of movingimage is the most popular, as well as the volume of data that is generated. The log files also allow movingimage to detect potential errors, such as faulty links or programming errors. In other words, the log files are used to develop further and improve the Web platform. movingimage does not associate the stored log files with any personal data of the end user. However, movingimage reserves the right to subsequently check the log files via the last known IP address of such end users who, on the grounds of specific facts, are suspected of using the movingimage Web portal services in violation of the law or agreement. This serves to protect the end users of movingimage Web portals as well as their personal data.

movingimage will prepare backups to secure data. They are overwritten and deleted after approximately four weeks. Where these backups contain log files, they, too, will be deleted.

9. Facebook

The movingimage Web portals make use of the plugin of the social network facebook.com, which is operated by Facebook Inc., 1601 Willow Road, Menlo Park, CA 94025, USA, for users outside the U.S. Facebook Ireland Limited, 4 Grand Canal Square, Dublin 2, Ireland ('Facebook'). When the end user opens a page with this plugin, a connection to the Facebook servers is established. In the process, the plugin is represented on the respective page by way of a message to the browser. This transmits to the Facebook server information about the pages of the movingimage Web portals that the end user has visited. If, at the same time, the end user is logged in as a member of Facebook, Facebook will allocate this information to the end user's personal Facebook user account. When the plugin functions (e.g., clicking on the Like button, posting a comment) are used, this information, too, is allocated to the end user's Facebook account, which can be prevented only by logging out of Facebook before using the plugin.

More detailed information on the collection and use of data by Facebook, as well as on the rights and ways of protecting one's privacy in this context can be found in the [Facebook privacy policy](#).

Furthermore the movingimage Web portals make use of plugins of the social networks LinkedIn, Twitter and Xing. More detailed information on the collection and use of data by these social networks, as well as on the rights and ways of protecting one's privacy in this context can be found in the respective privacy policies of [LinkedIn](#), [Twitter](#) und [Xing](#).

10. Data security

movingimage guarantees the highest possible standard of security with respect to data processing. Still, state-of-the-art Internet technology does not provide absolute protection of data from unauthorized third-party access (hackers). Therefore, movingimage is not liable for data being obtained through unauthorized access by a third party that gain unlawful access to

stored data by selectively overcoming firewalls and security features designed to prevent unauthorized access.

To take precautions against user accounts being accessed unlawfully, it is strongly recommended that the customer does not store user name and password in a digital format on computers that would allow for Internet access or access to computer/data networks accessible by a third party. Instead, such information should be stored separately in a secret location. In addition, the customer should change his/her password regularly.

11. Information

Every customer may request free information from movingimage about the personal data stored about his/her person. Such written request for information must be directed to:

movingimage EVP GmbH, Stralauer Allee 7, 10245 Berlin, Germany. For the purpose of ensuring data protection and privacy, the request for information must be accompanied by a certified copy of a valid piece of identification. The information will be sent by mail to the address specified in the end user's personal piece of identification.

12. Corrections, locking and deleting data

If the customer no longer consents to the storage of his/her personal data, or if these data are no longer correct, movingimage will, if so requested by the customer, delete, correct, or lock the customer's personal data in accordance with statutory provisions. In particular, the customer is entitled to revoke any previous consent with future effect at any time. Furthermore, stored personal data will be deleted if knowledge about the customer is no longer required with respect to the purpose that was to be achieved by storing the data, or if the storage of customer data is not permitted for any other statutory reasons.

movingimage points out that deleted data may still be retrievable for some time due to caching systems or the interconnection of proxy servers.

In the event of misuse of movingimage services on the part of the customer, movingimage may lock temporarily or delete entirely data and content uploaded by the customer or the entire user account of the user responsible. Should a user account be locked, the respective customer will not be able to access his/her user account and any of the data contained therein.

13. Enforcement of and compliance with this Privacy Policy

movingimage will maintain the standard defined by this Privacy Policy continuously and will continue working to improve data protection and privacy in the future.

14. Inclusion of third Parties

movingimage may assign parts of services to a third party; in particular, it may hire a third party to provide parts of its services.

15. Changes to the Privacy Policy

Since the movingimage offer is subject to ongoing changes, it may be necessary to update the Privacy Policy from time to time. The same applies to changes to or amendments of relevant statutory provisions, which may necessitate a modification of the Privacy Policy. The most recent current version of the Privacy Policy is accessible at all times via the movingimage website.

Berlin, February 8, 2018