

# PRIVACY POLICY

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

*Last updated: September 25, 2020*

This Privacy Policy tells you how the Producers Guild of America (“PGA”, “we”, “our” or “us”) uses and protects your personal information. It covers only information that we collect through [www.producersguildawards.com](http://www.producersguildawards.com) (hereinafter referred to as the “Site”).

The term “personal information” as used in this Privacy Policy shall mean any information that enables us to identify you, directly or indirectly, by reference to an identifier such as your name, identification number, location data, online identifier or one or more factors specific to you.

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

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

By email: [myarbro@producersguild.org](mailto:myarbro@producersguild.org) or [awards@producersguild.org](mailto:awards@producersguild.org)

By phone: (310) 358-9020 ext. 113 or 106

By post: Producers Guild of America  
Attention: Michael Yarbro  
11150 West Olympic Blvd.  
Suite 980  
Los Angeles, CA 90064

## LINKS TO THIRD-PARTY WEBSITES

The Site may contain links to other websites maintained by third parties. This Privacy Policy does not cover information that may be collected through such third-party websites. If you disclose your personal information to others, different rules may apply to their use or disclosure of the information you disclose to them. We do not control the privacy policies of third parties, and you are subject to the privacy policies of those third parties where applicable. We encourage you to ask questions before you disclose your personal information to others.

## COLLECTION OF PERSONAL INFORMATION ON THE SITE

We collect personal information in the following ways:

## 1. Information You Provide to Us

You may provide us with your personal information and/or the personal information of others by submitting forms through the Site or by corresponding with us by post, phone, email or otherwise. For the avoidance of doubt, we collect information that you provide to the Site, whether or not such information is in draft or final/completed form and whether or not such information has been finally submitted to the Site.

**Request for Consideration of Motion Picture or Television Productions:** In order to request consideration of a production for Producers Mark certification and/or awards eligibility, you are required to create an account with a username and password and to complete a Notice of Producing Credits Form (hereinafter referred to as a "Submission"). To create an account, you are required to provide your personal information, which may include your name, physical address, email address, phone number and/or job title. To complete a Submission, you are required to provide your personal information, as well as personal information relating to others, such as producers and crew members. The personal information collected as part of a Submission may include, without limitation, names, titles, phone numbers, email addresses, physical addresses, payment information, videos, and/or other information or documents such as contact lists and screen credits.

**Producer Participation:** In order to complete an Individual Producer Eligibility Form (hereinafter referred to as a "Producer Form") as part of the Producers Mark certification and/or awards eligibility process, you are required to create an account with a username and password. To create an account, you are required to provide your personal information, which may include your name, physical address, email address, phone number and/or job title. To respond to a Producer Form, you are required to provide your name, title, phone number and email address. If in connection with a Producers Mark certification and/or awards eligibility determination process you choose to submit an appeal to the PGA, you may provide your personal information, as well as personal information related to others (hereinafter referred to as an "Appeal"). The personal information collected as part of this appeal may include, without limitation, names, titles, phone numbers, email addresses, fax numbers, physical addresses, photographs, videos, and/or other documents, such as email correspondence, production schedules, and agreements.

**Crew Member Participation:** In order to provide the PGA with feedback in connection with the PGA's Producers Mark certification and/or awards eligibility determination process, you are required to respond to a Verification of Producer Involvement Form (hereinafter referred to as "Verification Form"), which will require you to provide your name, title, phone number and email address. You have the option to create an account so that you can save and later edit the feedback on your Verification Form, which will require you to create and account with a username and password. To create an account, you are required to provide your personal information, which may include your name, physical address, email address, phone number and/or job title.

When you contact us (online or offline) in connection with a Submission, a Producer or Verification Form, or an Appeal, we may collect personal information necessary to respond

to your communication including, without limitation, your name, contact details and the content of your correspondence.

**If you provide personal information relating to another person, you are responsible for obtaining any necessary consent from that third party before providing the information to our Site. The PGA is not responsible for obtaining such consent.**

## **2. Information We Collect**

We also collect and store technical information relating to visitors to our Site including, without limitation, computer and connection information, IP address, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, and standard web log information.

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

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

If you choose to provide your personal information and/or the personal information of others, you consent to the transfer and storage of that information on the Site's servers.

## **3. Use of Cookies**

We use cookies (small files placed on your hard drive) on some of our pages to do the following:

- collect statistics on our web page flow;
- customize our services and content; and
- to help identify you and maintain your signed-in status.

Most cookies are "session cookies" meaning that they are automatically deleted from your hard drive at the end of a session. You are always free to decline our cookies if your browser permits.

You may encounter cookies from third parties that the PGA does not control. The PGA and its Site cannot be responsible for these cookies. Please see our [Cookie Policy](#) for more information about our use of cookies and similar technology.

## **HOW WE USE PERSONAL INFORMATION**

We will process your personal information and the personal information of others for the following purposes in line with our contractual and/or legal obligations, and/or our legitimate interests:

- to review, process and administer Submissions, Producer and Verification Forms, and Appeals in order to license the Producers Mark and/or make awards eligibility determinations;
- to collect processing fees pertaining to awards;
- to contact individuals whose personal information is included in a Submission, Producer or Verification Form, or an Appeal in order to verify their personal information and/or solicit feedback for the Producers Mark certification and/or awards eligibility determination process;
- to monitor and protect the security of information, as well as the Site, systems and network;
- to ensure that content from our Site is presented most effectively for you and your device and to display content based upon your use of the Site;
- to conduct research and to understand general trends and patterns so we can develop and support our existing and ongoing solicitations for Submissions; and
- to conduct other marketing, networking and commercial activities

## **ACCESSING, REVIEWING AND CHANGING YOUR PERSONAL INFORMATION**

You can see, review and change most of your personal information by signing into your account on the Site. Generally, we will not manually modify your personal information because it is very difficult to verify your identity remotely, subject to your rights under applicable law.

Upon your request, we will close your account and remove the personal information you have provided to us as soon as reasonably possible, and in compliance with the applicable law.

We retain personal information from closed accounts to comply with the law, enforce our policies, prevent fraud, assist with investigations, and take other actions otherwise permitted by law.

## **SECURITY**

We treat data as an asset that must be protected and employ tools (passwords, usernames, etc.) to protect your personal information from unauthorized access and disclosure.

Nevertheless, we cannot promise, and you should not expect, that your personal information or private communications will always remain private. Third parties may unlawfully intercept or access transmissions or private communications, and other users may abuse or misuse your personal information that they collect from the Site.

If you have created an account with us, please remember that your password is the key to your account. Use unique numbers, letters and special characters, and do not disclose your password to anyone. If you do share your password or your personal information with others, remember that you are responsible for all actions taken under the name of your account. If your password has been compromised for any reason, you should immediately notify us at: [awards@producersguild.org](mailto:awards@producersguild.org) so that we can assist you.

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

#### **RETENTION OF PERSONAL INFORMATION**

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

#### **OUR DISCLOSURE OF YOUR INFORMATION**

We may share personal information with adjudicators and other parties (including PGA board members, officers, staff, and interns; third-party IT and software vendors who service the Site including, without limitation, Yangaroo, Inc.; and select members responsible for determining awards eligibility for the PGA and at other film and television organizations, including the Academy of Motion Pictures Arts and Sciences, the Hollywood Foreign Press Association and the British Academy of Film and Television Arts) in order to review, process and administer Submissions, Producer and Verification Forms and Appeals.

We may disclose personal information that you provide to respond to legal requirements, enforce our policies, or protect anyone's rights, property, or safety. Such information will be disclosed in accordance with applicable laws and regulations.

We also may share your personal information with service providers, such as website programmers, who help with our business operations.

Without limiting the above, we will not disclose your personal information to law enforcement, or other third parties without a subpoena, court order or substantially similar legal procedure, unless we believe in good faith that the disclosure of information is

necessary to prevent imminent physical harm or financial loss or to report suspected illegal activity.

## **MARKETING**

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

## **NO SPAM, SPYWARE OR SPOOFING**

This Site does not tolerate spam. You may not use the Site's communication tools to send spam or otherwise send content that would violate this Privacy Policy or any other policy. Please report Site-related spam or spoof emails to [awards@producersguild.org](mailto:awards@producersguild.org).

## **CHILDREN UNDER AGE 13**

We do not knowingly collect or solicit personal information from anyone under the age of 13 or knowingly allow such persons to create an account. If you are under 13, please do not attempt to create an account on this Site or send any information about yourself to us, including your name, address, telephone number, or email address. No one under age 13 may provide any personal information to the Site.

In the event that we learn that we have collected personal information from a child under age 13 without verification of parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us at [awards@producersguild.org](mailto:awards@producersguild.org).

## **CHILDREN BETWEEN THE AGES OF 13 AND 18**

We recommend that minors 13 years of age or older ask their parents for permission before sending any information about themselves to anyone over the Internet.

## **INTERNATIONAL TRANSFERS**

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

## YOUR CALIFORNIAN RIGHTS

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

## EUROPEAN RESIDENTS

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

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

Where you believe that we have not complied with our obligation under this Privacy Policy or applicable European data protection law, you have the right to make a complaint to a European Supervisory Authority.

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

## GENERAL

We may revise this Privacy Policy at any time in our sole discretion. When we make revisions, we will post the updated Privacy Policy with the revised date to our Site, and it will

be effective immediately. Your use of the Site after such posting will be deemed to constitute acceptance by you of the terms of the revised policy, so please check this link periodically for modifications, additions, and/or deletions.