



## Harkins Theatre Privacy Policy

Effective January 1, 2020.

Harkins Administrative Services Inc. and its affiliated companies (collectively referred to as "we", "our", or "Harkins Theatres") understand that you care about how we collect, use, protect, and share information you provide about yourself when you interact with us in our theatres, on our website and mobile app, and through social media and email (our "Services"). We value the trust you place in us.

This Privacy Policy ("Policy") describes and explains our online and offline privacy and information security practices, including:

- The types of information we collect about you
- How we use your information
- How we secure and protect your information
- How and why we may share your information with others
- How we use third-party cookies and tracking technologies
- How we treat information about children
- Your choices and rights with respect to your information
- The specific privacy rights of California residents and Nevada residents
- How we may change this Policy
- How you can contact us about this Policy

By using our Services, you indicate your agreement to this Policy. This Policy applies whenever you interact with us and anywhere we link to it. It does not apply, however, to non-Harkins Theatres websites and mobile apps, including those that link to our Services or to which our Services link. Descriptions of those websites' and apps' privacy practices can be found in their privacy policies.

A printable version of this Policy is [available here](#).

### **Information We Collect About You**

**Information You Give Us.** Some of our Services allow you to provide information about yourself to us (or to a third party on our behalf). We may collect any information you provide, including:

- Contact information and other personal identifiers you provide when completing forms or registering for our Services
- Payment information, contact information, and other personal identifiers you provide when making a purchase, rental, or order
- Contact information, other personal identifiers, and any other information you provide when subscribing to and participating in our loyalty program, My Harkins Awards, and our newsletters



- Contact information, personal identifiers, and any other information you provide when you interact with us on our website, app, via email, and in our theatres
- Contact information, personal identifiers, and any other information you provide when you interact with us on our social media sites (please note that this information may be visible to other users)
- Contact information, personal identifiers, and any other information you provide when you complete a survey administered by us or another party through our Services
- Contact information, personal identifiers, employment history, education history, and any other information you provide when you ask about or apply for a job with us
- Contact information, personal identifiers, and any other information you provide when you participate in a contest, sweepstakes, or other promotion that we offer
- If you contact us, a record of the correspondence and any information you provide
- If you request an accommodation or are involved in a claim or incident related to our Services, medical or health information and any other information you provide

**Information We Collect Automatically.** We automatically collect some information about you when you use our Services, including information:

- About your experience at our theatres, which may be captured by cameras we use in and around our theatres for security purposes and operational purposes
- About your visits to, and how you use, our website and app, including the timing, frequency, and pattern of use, what you use, traffic data, location data, weblogs and other communication data, and how you reached our site or app
- About the device you use to access our website and app, including your IP address, operating system, and browser type
- About how you interact with our ads, emails, and newsletters, including whether you open or click any links we provide
- You provide to us on a social media site, including your account ID, username, and any other information you may provide via social media

We collect some of this information through cookies, other tracking technologies, and your web browser or device, as described in the Cookies and Tracking Technologies section of this Policy.

#### **How We Use Your Information**

We may use the information we collect about you to:

- Contact you regarding our Services and any programs or promotions we offer



- Contact you in response to a request, comment, report, or inquiry
- Provide you with products and services, including by completing transactions, entering into contracts, processing payments, fulfilling orders, and sending service communications
- Enable additional Service features, including providing personalized services
- Create custom audiences on social media sites and respond to your comments and reviews on social media sites
- Provide you with the Ultimate Moviegoing experience, including by improving and growing our business and understanding our guests and their purchasing trends
- Understand how our Services are being used, track website and app performance, and make improvements to our Services
- Gauge the effectiveness of our ads and deliver tailored ads across services and devices based on your preferences or interests
- Comply with legal requirements and detect, investigate, and prevent fraud, illegal activities, and violations of our policies

Please note that we may combine information collected through our Services with other information we obtain from our business records.

#### **How We Secure and Protect Your Information**

We secure and protect your information through a combination of reasonable physical, technical, and administrative safeguards. However, the unfortunate reality is that no safeguards can guarantee the security of our networks, systems, servers, devices, and databases.

If you have reason to believe we have information about you that is not secure (for example, if you believe your My Harkins Awards membership has been compromised), please contact us as soon as possible (see Contact Us About This Policy section below). Please note that you are responsible for restricting access to your devices and keeping confidential your passwords and other information you use to access our Services. You agree to accept responsibility for all activities that occur under your membership when accessed with your password and other access credentials.

#### **How We Share Your Information**

We may share your information with:

- **Service providers**, which are vendors that perform specific functions for us, including managing customer information, communications, marketing, billing and collection, fulfillment, auditing and accounting, professional services and consultants, analytics, security, and IT support. We restrict our service providers from using your information in any way other than to perform these specific functions. Please note that where a service provider collects information directly from you its privacy policy may also apply to your information.
- **Social media companies**, when you choose to interact with us through their platforms, your interaction may allow them to collect some information about you



through cookies and other tracking mechanisms they place on your device. Sometimes a social media company may recognize you through its tracking mechanisms even when you do not interact with its platform. If you choose to interact with us via social media, please note that the relevant social media company's privacy policy may apply.

- **Business partners, sponsors, and advertising companies** (our "business partners"), which are a select group of companies that help us enhance your experience with our Services by offering products and services to people who may be interested in them. These companies may use cookies and other tracking technologies on our website and app to collect information about your use of our Services and related activity, which we use to measure and evaluate the use of our Services and target ads based on your interests and preferences.
- **Corporate affiliates**, which are other legal entities under the Harkins umbrella.
- **Another business or person** in connection with an ownership change, corporate reorganization, acquisition, sale of assets or businesses, or financing transaction. We may only transfer your information to another entity and its service providers with restrictions on how they will use the information. Please note that we cannot promise an acquiring party or merged entity will use the specific privacy practices described in this Policy.

We also may share:

- **Medical and health information that you voluntarily provide**, to the extent we receive it from you, for purposes of legal compliance and insurance (as legally permitted)
- **Aggregated or deidentified data** at our discretion, including with marketing agencies, media agencies, and analytics providers. This information cannot be related to individual people

Please note that if you use our Services outside of the United States we may collect, process, and store your information in the United States. U.S. privacy and information security laws may differ from the laws in your state or country. By using our Services you consent to the collection, international transfer, storage, and processing of your information.

#### **Cookies and Tracking Technologies**

We may use cookies and other tracking technologies to collect information about your visits to, and how you use, our website and app. This includes information about the timing, frequency, and pattern of your use, what you use, your browsing and search history, traffic data, location data, weblogs and other communication data, and how you reached our site or app. Information collected about you from a particular browser or device may be linked to information collected from another computer or device that we believe relates to you. Most web browsers automatically accept cookies. Typically you can modify your browser to disable or reject cookies if you prefer. However, if you disable or delete cookies some features of the Services may not be available, work, or work as designed, and your information sharing opt-out preferences may also be deleted.



We rely on our business partners to enable our cookies and tracking technologies. You can learn more by reviewing our partners' privacy and data practices:

Category	Business Partner	More Info
Analytics	Google DoubleClick	<a href="#"><u>How Google uses information from sites or apps that use our services</u></a>
Personalized Advertising and Social Media	Facebook	<a href="#"><u>Facebook Data Policy</u></a>
Analytics	Hotjar	<a href="#"><u>Hotjar Privacy Policy</u></a>

Sometimes you can opt out of tracking technologies by interacting directly with our partners. But please note that opting out of ad network services does not mean you will not see ads while using our Services. You also may continue seeing interest-based ads from companies that do not participate in opt-out programs. Opting out will, however, allow you to stop seeing interest-based ads run by participating networks.

To learn more about ad serving companies and your options to limit their collection and use of your information, please visit the websites for the [\*\*Network Advertising Initiative\*\*](#), and the [\*\*Digital Advertising Alliance\*\*](#). Similarly, you can learn about your options to opt out of mobile app tracking by certain advertising networks through your device settings and by resetting the advertiser ID on your device.

#### **Personal Information About Children**

We do not knowingly collect or maintain information about anyone under age 16 unless provided by a parent, legal guardian, or authorized adult (for example, parents may register their children at our [\*\*PlayCenters\*\*](#).) Our website and app are not intended for anyone under age 16. If we discover we have inadvertently collected information from anyone under age 16, we will delete it. We also never knowingly sell information about anyone under age 16. Please visit the U.S. Federal Trade Commission's website for more information on the Children's Online Privacy Protection Act.

#### **Your Choices and Rights**

You have choices and rights with respect to your information and privacy:

- You may unsubscribe from any of our email lists at any time by clicking the "unsubscribe" link located at the bottom of each email
- If you have an online My Harkins Awards membership, you may visit your membership page to update information you have provided, merge your membership with an existing My Harkins Awards membership, or delete a membership that does not have associated monetary value



- You may contact us at any time to unsubscribe from any correspondence, request that we delete a My Harkins Awards membership with associated monetary value, or make changes to your information (to protect you and your information, we only process requests from email addresses and phone numbers that match information we have in our records, and before processing we may need to verify your identity and ask about the context in which you provided your information)
- You may choose to stop receiving push notifications or location services through your mobile device settings

Please note that we may need to keep certain information about you for recordkeeping purposes, to complete transactions, and for legal compliance.

### **Your California Privacy Rights**

The California Consumer Privacy Act ("CCPA") gives California residents additional rights with respect to their privacy and "personal information" ("PI"), which the CCPA defines as "information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household". The CCPA exempts some information from the definition of PI, including information made publicly available by the government or covered by a specific privacy law, such as the Gramm–Leach–Bliley Act, the Health Insurance Portability and Accountability Act, or the Fair Credit Reporting Act.

If you are a California resident, the CCPA gives you the following rights:

**Notice Rights.** When we collect PI you have the right to receive notice of the categories of PI we are collecting, and the purposes for which we are collecting it, at or before the collection. We use the CCPA's categories to describe the PI we collect:

Personal Identifiers:

- We may collect your name, phone number, email address, and postal address when you complete a transaction or make a request, comment, report, or inquiry. We use this information to provide the Services and communicate with you.
- We may collect your name, phone number, and email address when you create a membership with us. We also may assign one or more unique identifiers to the membership. We use this information to maintain your membership and send information and ads to you.
- We may collect your social media handle and your basic social media account information when you interact with us through social media.
- We may automatically collect a unique electronic numerical identifier, assigned to you by a cookie, so we can identify you, provide our Services, keep you logged into our Services, prevent fraud, and provide targeted information and offers.
- We may collect medical information and health information about you if you provide it when requesting an accommodation or if you are involved in claim



or incident related to our Services. We use this information to respond to requests and address claims, incidents, and complaints.

- We may automatically collect your IP address and device identifier when you use our Services. We use this information to identify you, gauge online activity, measure the effectiveness of online Services, applications, and tools, and serve targeted ads and offers.

#### Sensitive Personal Identifiers:

- We may collect payment information when you complete a transaction, including your credit card number or bank account number. You may have the option to store this information on our website. We use this information to streamline and facilitate payments and transactions
- We may collect your driver's license number or other government identification number. We use this information to identify you, verify your identity, prevent fraud, and maintain the safety of our Services

**Protected Classifications:** We may collect your date of birth or age to verify your eligibility to use or register for some Services. We may collect your gender, racial/ethnic origin, and disability status under extremely limited circumstances, such as when you choose to provide it when making a request, comment, report, or inquiry. We use this information to document and respond to your request, comment, report, or inquiry.

**Commercial Information:** We may collect information about the products and services you purchase or consider and your purchasing history or tendencies. We also may collect your payment information, such as your payment methods and transaction amounts. We use this information to process transactions, measure the effectiveness of our Services, provide you with information, and contact you, about the products and services you purchase or consider, and provide targeted information, ads, and offers.

**Biometric Information:** We do not collect information about your physiological, biological, and behavioral characteristics.

**Internet or Other Electronic Network Activity Information:** We may automatically collect information about your interactions with our online Services, including your browsing history and search history. We may use this information to gauge website activity, measure the effectiveness of our Services, applications, and tools, and to serve targeted ads.

**Geolocation Data:** We may automatically collect your IP address when you use our Services, which may enable us to determine your general location. We also may collect more precise information about your location through your mobile device if you enable location services. We may use this information to measure the effectiveness of our Services, improve our products, services, and ads, provide recommendations, determine your general location and Harkins locations near you, and serve targeted ads and offers.





Audio, electronic, visual, thermal, olfactory, or similar information: We may collect your photographic or video image when you visit our theatres. We may use this information to maintain the security of our systems and physical locations. We also may collect your likeness, photographic image, video image, and voice if you choose to participate in our promotional photography or videos.

Professional or employment-related information: If you apply to work for us we may collect information about your employment history to evaluate your application.

Education information: If you apply to work for us we may collect information about your educational history to evaluate your application.

Inferences drawn to create a profile about a consumer reflecting the consumer's preferences or characteristics: We may use information we collect about you to analyze your actual or likely product and service preferences. We also may use this information to create an internal profile about you (which we never share with third parties). We may use this information to evaluate and develop our marketing activities, measure the effectiveness of our Services, applications, and tools, and provide targeted information, ads, and offers.

We may use any of the PI described above for other business or operational purposes compatible with the context in which we collected it. We also may share it with our service providers. Our contracts with service providers restrict them from using PI for any purpose other than to carry out the specific functions described in the contracts. We describe our service providers and the services they provide in the How We Share Your Information section of this Policy. We also may share PI with other third parties as described in the Cookies and Tracking Technologies and Do Not Sell Rights sections of this Policy.

**PI Access and Deletion Rights.** You have the right to request access to the PI we have collected about you over the past year and descriptions of the source of that PI, why we collect it, and with whom we share it. You also have the right to submit a request that we delete any PI we have collected from you, subject to exceptions defined in the CCPA and other applicable law. If we exercise our right to keep certain PI about you, we will explain what we kept, and why, in our response.

Submit A Request: You may submit a request access or delete your PI by:

- Completing our webform, [available here](#)
- Calling our toll-free number at +1 (888) 914-9661 (enter the PIN # 936 081)
- Speaking with Guest Services at any of our California theatres

Assuming we can verify your request (as described below), it typically takes us about 45 days to respond. You may only make a request to access your PI twice within a 12-month period. Please note that we can only respond to requests that provide sufficient detail to allow us to understand and evaluate them.

Identity Verification: We can only process your request if we can verify to a reasonable degree of certainty (which varies based on the sensitivity of the PI requested) that your request is authorized. We do this by asking you to provide:

- Your My Harkins Awards log-in information, including your password





- PI about you that we can compare with the PI we have collected from you previously, for example, your email address, telephone number, payment information, or transaction history
- Your request number, using the email or telephone number associated with the request

We only use PI provided during the verification process to verify requests.

You may authorize an individual or business registered with the California Secretary of State, called an authorized agent ("agent"), to make requests on your behalf. We require that you and the agent complete notarized affidavits to verify the identity of the agent and confirm the agent's authority to act on your behalf. Parents may submit a birth certificate to make requests on a minor child's behalf. These materials should be submitted along with your request.

**Do Not Sell Rights.** You have the right to opt out of the "sale" of your PI to third parties. Importantly, the CCPA defines "sell" more broadly than the term's common meaning. To "sell" PI under the CCPA means to make it available to a third party for "monetary or other valuable consideration." This covers any exchange of PI with a third party for any benefit without a written contract restricting that party from using the PI outside of the purposes specifically described in the contract. Under that definition, we "sell" the following information:

- Internet or Other Electronic Network Activity Information: Our business partners help us track your browsing history, search history, and interaction with our website and app so that we can gauge online activity, measure the effectiveness of our Services, applications, and tools, and serve targeted ads and offers. You can learn more about how our business partners use your information by reading about their privacy policies and practices (see Cookies and Tracking Technologies section above).

To opt out of the sale of your PI, please visit our **California Do Not Sell My Information** webpage. Please note that we also may disclose information to third parties not listed here where legally required or to protect our company or other people, as described in this Policy.

**Notice of Financial Incentive.** California law requires us to provide you with notice when we offer a financial incentive for the collection, retention, or sale of your data. This notice is to inform you that we may offer rewards, discounts, and other incentives when you provide us with information about you in order to participate in My Harkins Awards and other programs or services, including sweepstakes, contests, and newsletters ("financial incentive programs").

Material Terms: We offer My Harkins Awards and other financial incentive programs for the



purposes of promoting our business and encouraging customer loyalty. We collect your information in order to operate the program, measure the effectiveness of our services, provide notifications and recommendations, and provide tailored Harkins information, ads, promotions, and offers.

We describe the terms of our financial incentive programs in the terms and conditions or program rules applicable to each program. Please review our **My Harkins Awards Terms & Conditions** for a full description of My Harkins Awards.

Personal Information: We may collect the following categories of personal information in connection with our financial incentive programs:

- Personal Identifiers, such as your name, phone number, email address, and postal address.
- Protected Classifications, such as your date of birth or age.
- Commercial Information, such as information about our products and services you purchase or consider and your Harkins purchasing history or tendencies.
- Internet or Other Electronic Network Activity Information, such as information about your interactions with our website and app, including your browsing and search history.
- Geolocation Data, such as your IP address, which may enable us to determine your general location and Harkins locations near you. We also may collect more precise information about your location through your mobile device if you enable location services.
- Audio, Electronic, Visual, Thermal, Olfactory, or Similar Information, such as a picture of your driver's license.
- Inferences Drawn to Create a Profile About a Consumer Reflecting the Consumer's Preferences or Characteristics, such as information we collect about you to analyze your actual or likely Harkins product and service preferences.

Opting In: Participation in our financial incentive programs is not required to make purchases at our theatres, on our website, or through our app. You can opt into our financial incentive programs on our website and social media sites when the option is presented to you. Please review our **My Harkins Awards Terms & Conditions** for instructions on how to opt into My Harkins Awards.

Opting Out: You can opt out of our financial incentive programs at any time. You may cancel your My Harkins Awards membership at any time. If your membership does not have associated monetary value, you may delete your membership on our website. If your membership does have associated monetary value, you may contact your nearest Harkins location or email us with your request through **contact us** or at



[GuestServices@harkins.com](mailto:GuestServices@harkins.com). To opt out of any other financial incentive program, please review that program's terms and conditions.

Value to You and Us: California law requires that we explain how the value you receive from our financial incentive programs is reasonably related to the value we receive from the personal information you provide to participate in the programs. As a matter of course, we do not assign a monetary value to any personal information we collect through financial incentive programs because we never sell the information. Rather, we use the information to operate our financial incentive programs, which create value by promoting our business and encouraging customer loyalty, and to market our products, services, and promotions to our customers. In some cases we also use the information to improve our products, services, and the effectiveness of our advertising. However, to the extent we are required to estimate the information's monetary value, we estimate that it is less than, but reasonably equal to, the value of our financial incentive programs to you.

**Alternative Policy.** If you are a person with a disability who wishes to obtain this Policy in an alternative format, please contact us (see Contact Us About This Policy section below).

#### **Your Nevada Privacy Rights**

Nevada residents have the right to opt out of the sale of certain pieces of their information to other companies who will sell or license their information to others. We do not engage in such sales. If you are a Nevada resident and would like more information about our data sharing practices, please contact us (see Contact Us About This Policy section below).

#### **Changes to This Policy**

We may make changes to this Policy from time to time. Any changes we post to this Policy are effective immediately. You agree to any changes to this Policy by continuing to use our Services after we make the changes. This Policy was last updated on August 24, 2021.

#### **Contact Us About This Policy**

For questions about our privacy practices, to request an alternate version of this Policy, or to make any inquiry related to your rights described in this Policy, please **contact us** through our webpage or via mail at:

Harkins Theatres Guest Services  
8901 E. McDonald Drive  
Scottsdale, Arizona 85250