

PRIVACY STATEMENT

FEST Technology Inc., Canada ("**FEST**", "**we**", "**us**", "**our**") is committed to protecting your privacy and safeguarding your personal information. The purpose of this privacy statement is to inform you about our privacy practices, including how we collect, use and disclose your personal information.

This privacy statement relates to our Application (the "**Application**") and all our activities, unless we have provided you with a separate privacy statement for a particular product, service or activity.

Please review this privacy statement carefully. By submitting your personal information to us, by registering for or using any of the services we offer, by using our Application, or by voluntarily interacting with us, you consent to our collecting, using and disclosing your personal information as set out in this privacy statement, as revised from time to time. Our Privacy Policy sets out our standards for the collection, use, disclosure and storage of your personal information.

This Privacy Policy is incorporated into and subject to our other applicable terms and conditions, such as the terms of use for our Application. In this Privacy Policy, capitalized but undefined terms have the meanings given to them in the above terms.

WHAT'S IN THIS PRIVACY POLICY?

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Your Consent to Collection, Use and Disclosure

We collect, use and disclose your personal information with your consent or as permitted or required by law. How we obtain your consent (i.e. the form we use) will depend on the circumstances, as well as the sensitivity of the information collected. Subject to applicable laws, your consent may be express or implied, depending on the circumstances and the sensitivity of the personal information in question. If you choose to provide personal information to us, we assume that you consent to the collection, use and disclosure of your personal information as outlined in this privacy statement.

Typically, we will seek your consent at the time your personal information is collected. Where we want to use your personal information for a purpose not previously identified to you at the time of collection, we will seek your consent prior to our use of such information for this new purpose.

You may withdraw your consent to our collection, use or disclosure of your personal information at any time by contacting us using the contact information in the “Contact Us” section below. However, before we implement the withdrawal of consent, we may require proof of your identity. In some cases, withdrawal of your consent may mean that we will no longer be able to provide certain products or services.

If you provide personal information about another individual to us, it is your responsibility to obtain the consent of that individual to enable us to collect, use and disclose his or her information as described in this privacy statement.

Personal Information We Collect

The personal information we collect is generally in one or more of the following categories.

- For individuals who use our Application, we may collect information from you or from your activities on the Application, and notably:
 - Account creation/login: we collect your name, first name, email address and password.
 - Contact form: we collect your name, surname, email address and any other information you give in the message.
 - Subscription to our newsletter: we may collect your first name, last name and email address.
 - Career: we collect your first name, last name, email address, resume, cover letter and any other information you provide to us either via an unsolicited application or when you apply for a job.
 - Geolocation: with your consent, we can geolocate you to suggest festivals near you and to help you locate yourself on a festival map.
 - Like most Applications and other Internet services, we may collect certain technical and device information about your use of our Application. Such information may include your unique ID of your device, information about your device, browser and operating system, and the date and time of the use of the Application.
 - Our Application might also use “cookies” or similar technologies such as beacons or pixels to provide you with a richer browsing experience, improve the performance of our Application and generate audience statistics. Cookies are files that are installed on your computer’s hard drive or browser to collect information such as your preferred language, browsing history, browser type and version. Their purpose is to optimize your experience on our Application. You can set your browser to refuse all cookies or to notify you when a cookie is being sent. Instructions for doing so are provided by each browser's Application.

We use analytics tools and other third-party technologies, such as Google Analytics, to automatically collect non-personal usage information. The Application uses Google Analytics to understand how users use the Application. The anonymous information generated by the Google Analytics cookies about the usage of the Application is transmitted to Google. This information is then processed to compile statistical reports about activity on the Application only. These reports are used to analyze traffic on the Web Application, to determine the future direction of the Web Application, including any required upgrades. You have the option of disabling the sending of your anonymous activity data to Google Analytics by installing the browser add-on provided at <<https://tools.google.com/dlpage/gaoptout?hl=en>>. Anonymous data from Google Analytics may be shared with other Google services, which may use this data to contextualize and personalize ads in its own advertising network. FEST reserves the right to perform statistical analyses using data collected through the Web Application on an anonymous, aggregated basis for the purpose of measuring interest in and use of the Application. FEST reserves the right to provide its anonymous, aggregated data analyses to any third party.

- *Other Interactions.* For individuals who otherwise interact with us, whether in person, by phone or email, through social media or otherwise, including individuals who might be interested in acquiring our products or services, who sign-up to receive newsletters or other communications, or who respond to surveys and questionnaires, we may collect information that you provide to us during these interactions. This information may include your name, email address and other contact information.

How We Use Your Personal Information?

We may use your personal information and other information for purposes such as to:

- make full use of, maintain, improve and provide all features of the Application, provide the services and information you request, respond to comments and questions, and provide assistance to users of the Application. *Applicable legal basis under the General Data Protection Regulation (“GDPR”): performance of a contract;*
- communicate with you in accordance with the laws applicable to our products and services. *Applicable legal basis under the GDPR: consent;*
- monitor and improve the Application, and/or our products and services. *Applicable legal basis under the GDPR: FEST’s legitimate interest;*
- analyze our customers' needs and activities to help us serve them better. *Applicable legal basis under the GDPR: FEST’s legitimate interest;*
- conduct research and analysis relating to our business, products and services. *Applicable legal basis under the GDPR: FEST’s legitimate interest;*
- respond to your requests for support or customer service. *Applicable legal basis under the GDPR: performance of a contract;*
- provide you with information that may be of interest to you, including information about our products and services. *Applicable legal basis under the GDPR: consent;*

- fighting against fraud and investigating legal claims. *Applicable legal basis under the GDPR: legitimate interest of FEST; and,*
- meet our legal obligations.

We may use your personal information and other information for purposes for which we have obtained your consent, and for such other purposes as may be permitted or required by applicable law.

We do not use the information we collect to provide advertising of third party products and services or targeted advertising of FEST'S services across third party Applications or service offerings.

How We Share Your Personal Information?

We can share your personal information to our third party services providers as well as our partner festivals. In such cases, we take steps to ensure that the rules set forth in this Privacy Policy are followed and require service providers to maintain the confidentiality and security of your personal information. We also require that the service providers maintain the confidentiality of your personal information and keep your personal information secure. We also require that they only use your personal information for the limited purposes for which it is provided. When our service providers no longer need your personal information for those limited purposes, we require that they dispose of the personal information. In some circumstances, we may permit our service providers to retain aggregated, anonymized or statistical information that does not identify you. We do not authorize the service providers to disclose your personal information to unauthorized parties or to use your personal information for their direct marketing purposes. If you would like more information about our service providers, please contact us using the contact information in the "Contact Us" section below.

Below is a list of our third party service providers who may process your personal information (with links to their privacy policies):

- Platform.sh : See their [privacy policy](#)
- Google Analytics / BigQuery : See their [privacy policy](#)
- Firebase : See their [privacy policy](#)

Additionally, we may use and disclose your information when we believe such use or disclosure is permitted, necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce the terms of the agreements for our products and services; (e) to protect our operations or those of any of our affiliates or subsidiaries; (f) to protect our rights, privacy, safety or property, and/or those of our affiliates, you or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain. In addition, we may transfer your personal information and other information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, brands, affiliates, subsidiaries or other assets.

If we otherwise intend to disclose your personal information to a third party, we will identify that third party and the purpose for the disclosure, and obtain your consent.

Opting Out of Communications

If you no longer want to receive marketing-related emails from us, you may opt-out of receiving marketing-related emails by clicking the “unsubscribe” link at the bottom of any email you receive from us, or, if you created an online account when you registered to receive our emails, you may log-in to your account and make changes to your communication preferences. You may also opt-out by contacting us directly using the contact information in the “Contact Us” section below.

We will endeavour to respond to your opt-out request promptly, but we ask that you please allow us a reasonable time to process your request. Please note that if you opt-out from receiving marketing-related emails, we may still need to send you communications about your use of our products or services, or other matters.

Retention of Personal Information

We will use, disclose or retain your personal information only for as long as necessary to fulfill the purposes for which that personal information was collected and as permitted or required by law. If you would like more information about how long your personal information will be retained, please contact us using the contact information in the "Contact Us" section below.

Information Security

We have implemented physical, organizational, contractual and technological security measures with a view to protecting your personal information and other information from loss or theft, unauthorized access, disclosure, copying, use or modification. We have taken steps to ensure that the only personnel who are granted access to your personal information are those with a business ‘need-to-know’ or whose duties reasonably require such information.

Despite the measure outlined above, no method of information transmission or information storage is 100% secure or error-free, so we unfortunately cannot guarantee absolute security. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any information that you provided to us has been compromised), please contact us immediately using the contact information in the “Contact Us” section below.

Your Rights Regarding Your Personal Information

We will take steps to ensure that your personal information is kept as accurate, complete and up-to-date as reasonably necessary. We will not routinely update your personal information, unless such a process is necessary. We expect you, from time to time, to supply us with updates to your personal information, when required.

You may make a written request to review any personal information about you that we have collected, used or disclosed, and we will provide you with any such personal information to the extent required by law. You may also challenge the accuracy or completeness of your personal information in our records. If you successfully demonstrate that your personal information in our records is inaccurate or incomplete, we will amend the personal information as required.

In certain circumstances, in France, you can also define directives concerning your personal information in case of death.

In addition, under certain circumstances, you have the following rights:

- Withdrawal of your consent. You may withdraw your consent to the disclosure or use of the personal information collected;
- If applicable, you may have the right to request that personal information held about you no longer be disclosed;
- Where applicable, you may have the right to request information about the use of any automated decision system and the impact it may have on you.

Finally, under the GDPR, you may be entitled to additional rights, including: (i) the right to withdraw consent to processing where consent is the basis of processing; (ii) the right to object to unlawful data processing, under certain conditions; (iii) the right to delete Personal Information about you, under certain conditions; (iv) the right to demand that we restrict processing of your Personal Information, under certain conditions, if you believe we have exceeded the legitimate basis for processing, processing is no longer necessary, or believe your Personal Information is inaccurate; (v) the right to data portability of Personal Information concerning you that you provided us in a structured, commonly used, and machine-readable format, under certain conditions; (vi) the right to object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you, under certain conditions. If you want to learn more about your rights under the GDPR, you can visit the European Commission's page on Data Protection at: https://ec.europa.eu/info/law/law-topic/data-protection/reform/rights-citizens_en.

You also have the right to lodge a complaint with the relevant data protection authority.

We may require that you provide sufficient identification to fulfill your request to access or correct your personal information. Any such identifying information will be used only for this purpose.

International and Interprovincial Transfer and Storage of Information

Your personal information may be stored and processed in Quebec, Canada and in any country where we have facilities or in which we engage third party service providers, notably in United States. As a result, your personal information may be transferred to countries outside your country of residence, which may have different data protection rules than in your country. While such information is outside of your country, it is subject to the laws of the country in which it is located, and may be subject to disclosure to the governments, courts or law enforcement or regulatory agencies of such other country, pursuant to the laws of such country. However, our practices regarding your personal information will at all times continue to be governed by this Privacy Policy and, if applicable, we will comply with the GDPR requirements providing adequate protection for the transfer of personal information from the EU/EEA to third country, such as standard contractual clauses.

Third Party Applications and Services

This privacy statement applies only to our products and services. This privacy statement does not extend to any Applications or products or services provided by third parties. We do not assume responsibility for the privacy practices of such third parties and we encourage you to review all third party privacy policies prior to using third party Applications or products or services.

Children's Information

Our products and services are not intended for minors under the age of 13 and we do not voluntarily collect personal information from minors under the age of 13. If you are a minor under the laws of your jurisdiction, please do not provide us with any personal information without the express consent of a parent or guardian.

If you are a parent or guardian and you know that your children have provided us with personal information, please contact us. If we learn that we have collected personal information from minor children without verification of parental consent, we will take steps to delete that information from our servers.

Privacy Statement Updates

FEST may modify this privacy statement any time by notifying the user of the existence of new terms of use and privacy policy. Such changes, modifications, additions or deletions shall be effective immediately upon notice thereof, unless otherwise specified, which may be given by posting such notice on the Application or by any other means of transmission. Continued use of the Application after such notice shall constitute: (a) acknowledgement of the new amended Terms of Use and Privacy Policy; and (b) agreement to be bound by and comply with them.

Contact Us

If you have any questions about the Privacy Policy or FEST's privacy practices, please contact us at privacy@festapp.io

Last update: March 2022