



PirateEye – Privacy Policy

Last Updated: September 2012

PirateEye is a device designated to provide anti-piracy services in movie theaters and is currently used in preview theatrical screenings. PirateEye is owned and operated by FPSI Inc. ("FPSI"). FPSI respects your privacy and processes your personal data in compliance with applicable data protection legislation. This Privacy Policy describes how we collect personal data in connection with our services, how we use and disclose such data, and how you can exercise your privacy rights. It also describes our data security safeguards and how you can contact us regarding our privacy practices.

Personal data we collect

PirateEye may collect personal data of cinema-going patrons to the extent necessary to detect illegal use of video recording devices in auditoriums. "Personal data" means any information relating to an identified or identifiable natural person. The following types of personal data may be collected through the use of PirateEye: image of a patron; name and location of the theatre; number of the movie screen; date and time of the screening; row and seat number. PirateEye does not collect name, address, telephone number or other personal identifiers of patrons. A patron may choose to provide us directly with additional information necessary to respond to an inquiry or request in relation to our privacy practices.

When you visit our website, we may collect certain information by automated means (such as cookies) in order to improve our website features and to customize the user experience. This information may include, for example, IP addresses, dates and times of website visits, and visited URLs. Cookies are small text files placed on your computer's hard drive when you visit a website. You may use your browser settings to disable the functioning of the above automated means; however, you may not be able to benefit from all our website features.

How we use and share personal data

We do not use or disclose personal data we collect except as described in this Privacy Policy or otherwise specifically disclosed to you at the time of collection.

We use the information obtained about a patron of a movie theater (i.e., image) to facilitate the detection and capture of a piracy suspect. Recorded images undergo review by highly trained, off-site operators in our Network Operating Center ("NOC") to detect suspicious devices. The vast majority of images taken by PirateEye units are destroyed immediately as PirateEye determines that a recording device is not present. Offending images, which are usually limited in number, are escalated to in-theatre security for further evaluation and may be disclosed to law enforcement authorities and other anti-piracy organizations with enforcement power. We may also share de-identified patron information (i.e., blurred images) with film studios and exhibitors exclusively for reporting purposes with regard to product reliability and effectiveness.



When we use third party service providers, we take all necessary steps to ensure compliance with applicable privacy and data protection laws. We obligate all providers to only process personal data in accordance with our instructions and to provide adequate data security guarantees. We do not authorize them to use or disclose any personal data, except as necessary to perform services on our behalf or to comply with legal requirements.

In addition, we may disclose information about you (i) if we are ordered to do so by law enforcement authorities or in the context of legal proceedings; (ii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss; or (iii) in connection with an investigation of suspected or actual illegal activity.

We reserve the right to transfer personal data we have in our systems in the event of a sale or transfer of all or a portion of our business or assets. In the event of such a sale or transfer, we will take reasonable steps to direct the transferee to use personal data collected by us in a manner that is consistent with this Privacy Policy and to ensure that individuals concerned can address any inquiries regarding the processing of their personal data directly to the transferee.

Your Rights and Choices

Subject to applicable law, patrons may have the right to request access to the personal data we may maintain about them in connection with our PirateEye services, have inaccurate personal data rectified, blocked, or deleted, or object to the processing of such data on legitimate grounds. These privacy rights may be limited by local law requirements.

Patrons may exercise their right to access their personal data by submitting a Subject Data Access Request at <http://privacy.pirateeye.com>. As we have no way of knowing the name and address of a patron, we may ask you to provide additional information in order for us to respond to a data access request. We will treat your access request confidentially. Depending on applicable law, we maintain the right to apply a reasonable fee for responding to such requests.

For information collected by automated means through our website, you may choose to opt-out by adjusting your browser settings. For example, you may choose to reset the cookie function of your browser (e.g., disable existing cookies, stop receiving or be notified when you receive new cookies) by consulting the relevant section of the toolbar on most browsers. If you reject our cookies you may still use our website, but you may be limited in the use of some of its features.

Monitoring of potential pirate activity by PirateEye devices will not lead to immediate legal effects based solely on the automated processing of personal data. You may also contact us in relation to your privacy rights by using the contact details specified below.



Data transfers

We may transfer the personal data we collect under this Privacy Policy to the United States for the purpose of processing and storing the data in connection with our PirateEye services. The United States may not have the same data protection framework as the country in which the data were initially collected or a patron is located. When we transfer your data to the United States, we will protect the data as described in this Privacy Policy. We will comply with applicable legal requirements providing adequate protection for the transfer of personal data from your country to the United States.

Data Security

We implement appropriate technical and organizational measures designed to ensure the security of personal data against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. All personal data processed in our NOC systems are transmitted across a secure, encrypted network connection to a highly secured facility and can only be accessed by authorized personnel subject to supervisory oversight. In addition, the faces of patrons not party to a suspected act of piracy are blurred in the imagery so that an innocent person will not be subject to embarrassment, harassment, or other disparaging treatment. Only images of patrons who are determined to present a clearly identifiable piracy risk are securely relayed to authorized personnel and/or law enforcement. In any event, images of patrons used in reporting activities involving our film studio customers and exhibitors are securely de-identified. We also take reasonable steps to maintain the confidentiality of personal data processed in connection with our services.

Data retention

We retain personal data processed in connection with our PirateEye services as long as this is necessary to determine whether there are suspected piracy recordings in the auditorium and to facilitate subsequent enforcement action. False positives, which are the majority of the collected data, are deleted immediately. Positives of suspected pirates are kept only for a short period of time in order to facilitate investigations, unless further retention is required by applicable law or law enforcement authorities.

Changes and updates

Our Privacy Policy may be updated occasionally to reflect changes in our privacy practices. We will indicate at the top of this policy when it was most recently updated. We encourage you to review this policy periodically to stay informed about our collection, use, and disclosure of personal data.

How to contact us

We welcome any privacy-related questions or concerns you may have about this Privacy Policy. You may contact us at info@pirateeye.com.



You may also contact us by postal mail at:

FPSI Inc. (PirateEye)

4360 Viewridge Avenue, Suite A

San Diego, 92123 California

USA

Attention: Privacy Issue