

## PRIVACY POLICY FOR MARTIN JAMES PHOTOGRAPHY/VIDEOGRAPHY SERVICES

Martin James Photography and Videography, Inc. and its subsidiaries, including Flickr, Inc. ("**Martin James Photography and Videography**", "**we**" or "**us**"), are passionately committed to the privacy of our customers.

This Privacy Policy ("**Privacy Policy**") explains how Martin James Photography and Videography collects, uses and discloses information from and about you when you use the Martin James Photography and Videography services, including the Martin James Photography and Videography applications and Martin James Photography and Videography website (collectively, the "**Services**").

We may change this Privacy Policy from time to time. If we make changes, we will notify you by revising the date at the top of the policy and, if the changes are significant, we will provide you with additional notice (such as adding a statement to our homepage or sending you an email notification). We encourage you to review the Privacy Policy whenever you access the Services to stay informed about our information practices and the choices available to you.

### Collection of Information You Provide to Us

We collect information you provide directly to us. For example, we collect information when you:

- Create an account and subscribe to our digital photography, media hosting or other services;
- Register to view any of our portfolios or albums;
- Purchase photo prints or other products or services;
- Participate in a survey, contest or sweepstakes;
- Contact us for any reason, such as to request help with the Services or to provide us with your comments/feedback; or
- Post information about your photos and galleries (e.g., in a photo caption) or in other forums or interactive areas of the Services.
- Otherwise communicate with Martin James Photography and Videography.

The types of information we may collect include your name, email address, postal address, phone number, fax number, credit card information and other information you choose to provide.

You have the option of telling us how you wish to be identified about your photos, galleries, comments and elsewhere using the Services. If you choose to use your real name (or include any identifying information as part of your "nickname") that information will be publicly displayed through the Services. Therefore, please use caution in determining how you wish to be identified in using the Services.

## Information We Collect Automatically When You Use the Services

When you access or use our Services, we automatically collect information about your use of the Services, including:

- **Log Information:** We log information about your use of the Services, including the type of browser you use, access times, pages viewed, your IP address and the page you visited before navigating to our Services.
- **Device Information:** We collect information about the computer or mobile device you use to access our Services, including the hardware model, operating system and version, screen resolution, color and depth, device identifiers and mobile network information.
- **Photo Location Information:** When you upload a photo with geographical data (i.e. from a mobile device) or manually geotag your photo, we collect the location of that photo. With your consent, we collect information about your location if you take a photo within the Martin James Photography and Videography mobile application to add to your photo's metadata.
- **Exif Data:** Exchangeable Image File Format ("EXIF") data is a record of the settings and other relevant metadata inserted by a digital camera when you take a photo or video such as camera type, aperture, shutter speed, focal length, and location, among other information. Unless you turn off EXIF data on your camera or device or remove it from the picture before uploading to Martin James Photography and Videography, Martin James Photography and Videography receives and stores EXIF data.

## Information Collected by Cookies and Other Tracking Technologies

We use various technologies to collect information, including cookies, web beacons and similar technologies. Cookies are small data files stored on your hard drive or in device memory that help us to improve our Services and your experience, see which areas and features of our Services are popular and count visits. We use cookies to keep you logged in to the Services, to count the number of unique computers using the Services and to record your user preferences. We may also collect information using web beacons (also known as "tracking pixels"). Web beacons are electronic images that may be used in our Services or emails and help deliver cookies, count visits, understand usage and campaign effectiveness and determine whether an email has been opened and acted upon. For more information about cookies, and how to disable them, please see below.

**Information We Collect from Other Sources.** We may also obtain information from other sources and combine that with information we collect through our Services. For example, if you create or log into your account through a social media site, we will have access to certain information from that site, such as your name, account information and friends lists, in accordance with the authorization procedures determined by such social media site. We may receive updated information about you, such as an updated billing address, from the financial institution issuing your credit card about our billing for the Services.

**Use of Information.** We may use information we collect to provide and improve our Services, to deliver the products and services you order, to facilitate contests, and to communicate with you. We also use the information we collect to understand how users interact with our services and to personalize our Services.

**Sharing of Information**

We may share information about you as follows or as otherwise described in this Privacy Policy:

- With vendors, consultants and other service providers who need access to such information to carry out work on our behalf;
- If you purchase prints or other products from one of our subscribers (e.g., a professional photographer whose site is maintained or hosted by Martin James Photography and Videography), so that such subscriber may provide you with assistance or answer questions you may have about your purchases;
- In response to a request for information if we believe disclosure is in accordance with any applicable law, regulation or legal process, or as otherwise required by any applicable law, rule or regulation;
- If we believe your actions are inconsistent with the spirit or language of our user agreements or policies, or to protect the rights, property and safety of Martin James Photography and Videography or others;
- About, or during negotiations of, any merger, sale of company assets, financing or acquisition of all or a portion of our business to another company; and
- With your consent or at your direction, including if we notify you through our Services that the information you provide will be shared in a particular manner and you provide such information.
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We may also share aggregated or anonymized information that does not directly identify you.

#### Social Sharing Features and Third-Party Integrations

The Services may offer social sharing features and other integrated tools which let you share actions you take on our Services with other media, and vice versa. The use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the entity that provides the social sharing feature. For more information about the purpose and scope of data collection and processing in connection with social sharing features, please visit the privacy policies of the entities that provide these features.

Additionally, you may give certain third party apps different levels of permissions to interact with your account to take advantage of things like photo editing tools. If you want to stop using one of these apps and revoke your permission, click the "Revoke" link under "Authorized Services" in the Privacy section on your account settings page.

Advertising and Analytics Services Provided by Others. We may allow others to serve advertisements on our behalf across the Internet and to provide analytics services. These entities may use cookies, web beacons, mobile device identifiers, and other technologies to collect information about your use of the Services and other websites, including your IP address, web browser, pages viewed, time spent on pages, links clicked and conversion information. This information may be used by Martin James Photography and Videography and others to, among other things, analyse and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on our Services and other websites and better understand your online activity. For more information about interest-based-based ads, or to opt out of having your web browsing information used for behavioural advertising purposes, please visit [www.aboutads.info/choices](http://www.aboutads.info/choices). Your device may also include a feature ("Limit Ad Tracking" on iOS or "Opt Out of Interest-Based Ads" or "Opt

Out of Ads Personalization” on Android) that allows you to opt out of having certain information collected through apps used for interest-based advertising purposes.

**Security.** Martin James Photography and Videography takes reasonable measures to help protect information about you from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction.

**Data Retention.** We store the information we collect about you for as long as is necessary for the purpose(s) for which we originally collected it. We may retain certain information for legitimate business purposes or as required by law.

**Data Transfers.** To provide the Services, we may transfer your information to Martin James Photography and Videography servers in the United States or other countries. When we transfer information from the European Economic Area (“EEA”) to countries that have not been deemed to provide an adequate level of protection, we employ data processing agreements based on the Standard Contractual Clauses to help ensure that your data is protected wherever it is transferred. You may request a copy of these clauses by contacting us at [accounts@martin-james.co.uk](mailto:accounts@martin-james.co.uk)

When we transfer personal data from the European Union or Switzerland to the United States, we comply with the EU-U.S. Privacy Shield Framework and the Swiss - U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data transferred from the European Union and Switzerland to the United States, respectively. Martin James Photography and Videography has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

In compliance with the Privacy Shield Principles, we are committed to resolving complaints about our processing of your personal data. EU [and Swiss individuals] with inquiries or complaints regarding our compliance with the Privacy Shield program should first contact us. We have further committed to refer unresolved Privacy Shield complaints to JAMS, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact or visit <https://www.jamsadr.com/eu-us-privacy-shield> for more information or to file a complaint. The services of JAMS are provided at no cost to you.

Under certain conditions, you may be able to invoke binding arbitration to resolve your complaint. Martin James Photography and Videography is subject to the investigatory and enforcement powers of the Federal Trade Commission.

If we share personal data transferred to the U.S. under the Privacy Shield with a third-party service provider that processes such data on our behalf, then we will be liable for that third party’s processing in violation of the Privacy Shield Principles, unless we can prove that we are not responsible for the event giving rise to the damage.

Your Choices, Account Information You may update, correct or delete information about you at any time by logging into your online account or emailing us at [accounts@martin-james.co.uk](mailto:accounts@martin-james.co.uk). You may delete your account or terminate your subscription pursuant to Martin James Photography and Videography's Terms of Use, but note that we may retain certain information as required by law or for legitimate business purposes.

Privacy and Profile Information. In the "Edit Profile" section of your User Menu, you can add, edit, or remove various pieces of profile information, including: first/last name, display name, contact email address, personal description, profile photo, and social media URLs. Information provided in your Profile will be publicly available through the Services, including to your site visitors and via the search function on Martin James Photography and Videography.com/search. Visibility of your account in search results can be limited via the "Discovery" tab of your Account Settings. Visibility of individual folders/galleries/photos in search results can be limited via each folder or gallery's settings.

#### Deleting Photos

You can delete individual photos that you have on Martin James Photography and Videography by selecting the photos that you wish to delete, then emailing us at [accounts@martin-james.co.uk](mailto:accounts@martin-james.co.uk).

In the "Privacy" section of your Account Settings, you can determine who can access your site by leaving it set to "Anyone" by default, setting a site-wide password, or inviting only specific people to have access to your site. You can control at a more granular level each folder and gallery's settings, leaving them set to "Anyone" by default, making them unlisted, applying a password, allowing access to only specific people, or giving only yourself access.

Auto-Upload Feature. If you turn on the auto-upload feature, photos and videos from your mobile device camera roll will be automatically uploaded to Martin James Photography and Videography. These photos and videos will be stored as private on Martin James Photography and Videography until you choose to share them. You can turn off auto-upload at any time in your mobile app settings.

EXIF Information By default, Martin James Photography and Videography will display a link showing EXIF data about photos or video you upload. The link shows on all your individual photo pages, and displays the make & model of the camera you used to take the shot. You can elect to hide this link in "Appearance" section of your Gallery Settings.

Location Information. When you first launch any of our mobile applications that collect location information, you will be asked to consent to the application's collection of this information. If you initially consent to our collection of location information, you can subsequently stop the collection of this information at any time by changing the preferences on your mobile device.

Some cameras can store GPS (location) coordinates in a photo's EXIF header. Martin James Photography and Videography imports that data and if you choose, Martin James Photography and Videography can display that data publicly. This setting can be changed in

gallery settings "Permissions and Sharing" . You can also change the settings on your camera to stop location data storage.

Cookies. Most web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove or reject browser cookies. Removing or rejecting browser cookies does not necessarily affect third party flash cookies used in connection with our Services. To delete or disable flash cookies please visit [www.adobe.com/products/flashplayer/security](http://www.adobe.com/products/flashplayer/security) for more information. Please note that if you choose to remove or reject cookies, this could affect the availability and functionality of our Services.

Promotional Communications. You may opt out of receiving promotional communications from Martin James Photography and Videography by following the instructions in those communications or by emailing us at [help@Martin James Photography and Videography.com](mailto:help@MartinJamesPhotographyandVideography.com). If you opt out, we may still send you non-promotional communications, such as those about your account or our ongoing business relations.

Email Notifications. Visit your Martin James Photography and Videography Account Settings area to edit your Martin James Photography and Videography email notification settings.

Residents of the European Economic Area. If you are a resident of the EEA, you have certain rights and protections under the law regarding the processing of your personal information. Legal Basis for Processing. If you are a resident of the EEA, when we process your personal data we will only do so in the following situations:

- We need to use your personal information to perform our responsibilities under our contract with you (e.g., processing payments for and providing the Services you have requested).
- We have a legitimate interest in processing your personal data. For example, we may process your personal data to send you marketing communications, to communicate with you about changes to our Services, and to provide, secure, and improve our Services.

Data Subject Requests. If you are a resident of the EEA, you have the right to access personal information we hold about you and to ask that your personal information be corrected, erased, or transferred. You may also have the right to object to, or request that we restrict, certain processing. If you would like to exercise any of these rights, you can log into your account and use the settings and features explained above or you may contact us as indicated below.

Questions or Complaints. If you are a resident of the EEA and have a concern about our processing of personal information that we are not able to resolve, you have the right to lodge a complaint with the data privacy authority where you reside. For contact details of your local Data Protection Authority, please see: [http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm).

Contact Us

We welcome your feedback. If you have any comments or concerns about this Privacy Policy or would like to contact us for any reason, you may reach us via email at [accounts@martin-james.co.uk](mailto:accounts@martin-james.co.uk)

Martin James Photography and Videography Policy on Cookies. What are cookies? Cookies are small strings of characters that can be placed on your computer or mobile device via standard browser techniques that uniquely identifies your browser or device. We may use technologies like cookies, pixels and local storage to deliver, secure, and understand products and services.

What are cookies used for? Cookies and other technologies allow a site or service to know if your computer or device has visited it before. These technologies can then be used to deliver products and services, help us understand how the site or service is being used, help you navigate between pages efficiently, help remember your preferences, and generally enable and improve your experience in using those services. Cookies can also help ensure marketing you see online is more relevant to you and your interests.  
How long will cookies stay on my device?

The length of time a cookie will stay on your computer or mobile device depends on whether it is a "persistent" or "session" cookie. Session cookies will only stay on your device until you stop browsing. Persistent cookies stay on your computer or mobile device until they expire or are deleted.

First and third party cookies. First-party cookies are cookies that belong to Martin James Photography and Videography, third-party cookies are cookies that another party accesses or places on your device through our Service. Third-party cookies may be placed on your device by someone providing a service for Martin James Photography and Videography, for example to help us understand how our service is being used. Third-party cookies may also be placed on your device by our business partners so that they can use them to advertise products and services to you elsewhere on the Internet. These companies' use of cookies and similar technologies is subject to their own privacy policies, not the Martin James Photography and Videography Privacy Policy.

Why does Martin James Photography and Videography use cookies and similar technologies? We use cookies, pixels, local storage, and similar technologies to show you relevant content, improve your experience, and help protect Martin James Photography and Videography and our users. We may use these technologies to deliver the service, provide you with a service that is easy to use, enable you to move around the Service and use its features, such as accessing secure areas, and storing information so that Martin James Photography and Videography can respond faster. We may use these technologies to collect information about how you use the Service, for example which pages you go to most often and if you get error messages from certain pages. We may use these technologies to allow us to remember choices you make (such as your user name, the currency you wish to view purchases in or content you have provided access credentials to) and tailor the Service to provide enhanced features and content for you. Martin James Photography and Videography or our advertising partners may use these technologies to deliver advertising that is relevant to your interests, for example if you are already a Martin James Photography and Videography customer, they could be used to not show you advertisements to join

Martin James Photography and Videography. These technologies can remember that your device has visited a site or service, and may also be able to track your device's browsing activity on other sites or services other than Martin James Photography and Videography which also make use of the services of these third parties. This information may be shared with organizations outside Martin James Photography and Videography, such as advertisers and/or advertising networks to deliver the advertising, and to help measure the effectiveness of an advertising campaign. We may use these technologies to understand, improve, and research products and services.

The cookies we use generally fall into one of the following categories.

<b>Category of Cookie</b>	<b>Why we use these cookies</b>
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<b>Technical/Required</b>	These cookies are essential for our services to function properly. Like the other cookies we use, technical cookies may be either first-party cookies or third-party cookies.
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<b>Preferences</b>	We use these cookies to remember your settings and preferences. For example, we may use these cookies to remember your language preferences.
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<b>Performance</b>	We use these cookies to collect information about how you interact with our services and to help us improve them. For example, we may use these cookies to determine if you have interacted with a certain page.
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<b>Analytics</b>	We use these cookies to help us understand and improve our services. For example, we can use these cookies to learn more about which features are the most popular with our users and where we may need to make improvements.
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<b>Advertising</b>	We and our advertising partners use these cookies to deliver advertisements, to make them more relevant and meaningful to visitors to our website, and to track the efficiency of our advertising campaigns.
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Where will Martin James Photography and Videography set cookies? The Martin James Photography and Videography service can be accessed via many different internet domain names. The majority of these are domain names owned by our customers which they have configured to present their Martin James Photography and Videography site content, known as "Custom Domains". Martin James Photography and Videography, when serving content on these Custom Domains, will store cookies and use similar technologies both on that custom domain and on Martin James Photography and Videography owned and operated domain names, as required to fulfill service delivery.

How to control cookies or other collection mechanisms. Follow the instructions provided by your browser or mobile device (usually located within the "Help", "Tools" or "Edit" facility) to modify your cookie settings. Please be advised that if you set your browser to disable

cookies or other technologies, you may not be able to access certain parts of our Service and other parts of our Service will not work properly. In addition, you have other choices with respect to how cookies are used:

- To prevent your data from being used by Google Analytics, you can install [Google's opt-out browser add-on](#).
- For information on how our advertising partners allow you to opt out of receiving ads based on your web browsing history, please visit <http://optout.aboutads.info>. European users may opt out of receiving targeted advertising through the [European Interactive Digital Advertising Alliance](#).
- To opt out of ads on Facebook, Pinterest, or Google that are targeted to your interests, use your [Facebook](#), [Pinterest](#), or [Google Ads](#) settings.
- Check your mobile device for settings that control ads based on your interactions with the applications on your device. For example, on your iOS device, enable the "Limit Ad Tracking" setting, and on your Android device, enable the "Opt out of Ads Personalization" setting.