

Discrimination and Harassment Free Workplace Policy

PURPOSE

It is Digimarc's policy to maintain a work environment free from harassment and discrimination. Harassment and discrimination of any kind will not be tolerated. This policy applies to all matters related to hiring, firing, transfer, promotion, benefits, compensation, and other terms and conditions of employment. In addition, this policy is intended to protect employees from harassment by employees, members, volunteers, vendors, customers, partners, and others doing business with Digimarc remotely as well as at Digimarc locations and Digimarc sponsored events at other locations.

It is the responsibility of all Digimarc employees to maintain a work environment free of harassment and discrimination and to report any incidents of discrimination or harassment to Human Resources, or if you are not comfortable discussing the incident with Human Resources, then to your manager or an officer of Digimarc. Digimarc encourages employees who witness or experience harassment or discrimination to document the incidents as soon as possible to share with Human Resources or the manager who will receive the report. Supervisors and officers of Digimarc shall take immediate and appropriate measures to investigate and respond to all reported instances of harassment or discrimination by any employee and to prevent such future conduct.

PROHIBITED CONDUCT

Digimarc prohibits discrimination and harassment based on race, color, caste, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic conditions), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran or military status, medical leave or other types of protected leave, domestic violence victim status, political affiliation, and/or any other characteristic protected by law.

Harassment can take on many forms, and includes, but is not limited to, offensive words, slurs, epithets, derogatory or abusive language, jokes, pranks, negative stereotyping, abusive written or graphic material, including emails and messages, threatening, intimidating, or hostile acts, or physical contact that denigrates or shows hostility toward an employee. The following are some examples of conduct that constitute unlawful harassment or discrimination:

- **Verbal Harassment:** Verbal abuse, including derogatory or offensive language, slurs or jokes directed at, or made in the presence of, another employee based on race, sex, color, age, religion, sexual orientation, gender identity, national origin, or other traits.
- **Sexual Harassment:** This includes conduct that is unwelcome, including unwelcome sexual advances, requests for sexual favors, or any other verbal or physical contact of a sexual nature (a) that prevents an individual from effectively performing the duties of their position; (b) that creates an intimidating, hostile, or offensive working environment; or (c) when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

- **Nonsexual, Gender-Based, Sexual Orientation or Gender Identity Harassment:** Conduct that is nonsexual in nature, consisting of nonsexual written, verbal, or physical conduct that denigrates or shows hostility toward an employee because of an employee's gender, is prohibited. Conduct that denigrates or that is hostile or offensive toward an employee because of an employee's sexual orientation or gender identity is prohibited.
- **Racial Harassment/Other:** Any conduct that is hostile, offensive, and unwelcome or denigrates another employee because of race or other characteristic protected by law is prohibited.

This policy also prohibits sexual assault, which is unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

REPORTING PROCEDURE

Any employee who is subject to, witnesses, or becomes aware of any act of discrimination, harassment, or sexual assault should immediately report it to Digimarc's Human Resources. If you are uncomfortable reporting to Human Resources, you may report it to your immediate manager or an officer of Digimarc. You may also report anonymously through the EthicsPoint hotline as described in the Whistleblower Policy (by telephone: 1-888-279-7317 or Website: www.ethicspoint.com), and the report will be investigated as appropriate to ensure independence. When reported internally, the person receiving the complaint should immediately inform Human Resources. Complaints will be promptly investigated by Human Resources, or someone designated by the Company. Confidentiality will be protected to the extent possible. If the investigation confirms that discrimination or harassment occurred, appropriate corrective action will be taken, up to and including termination.

Because giving notice to Digimarc is required, failure to report a complaint may result in forfeiture of legal rights.

NO RETALIATION FOR PARTICIPATION

No adverse retaliatory employment action will be taken against any employee making a good faith report of alleged harassment or against any individual who assisted or participated in the investigation or subsequent proceedings. Complaints of retaliation should be reported to Human Resources as soon as possible.

Under Oregon law, employees have up to five (5) years from the date of incident or conduct that is unlawful under ORS 659A.030, 659A.082 or 659A.112 to file a lawsuit. However, other states and other applicable Oregon laws for different types of prohibited conduct have a shorter time frame for filing a lawsuit. Under Title VII, an employee must file a claim with the Equal Employment Opportunity Commission (EEOC) within 180 days (there are some exceptions) or State of Oregon Bureau of Labor and Industry (BOLI) within 365 days of the incident.

REMEDIAL ACTION

After an investigation, Digimarc will, in its discretion, take appropriate measures to end any harassment or discrimination that occurred, including discipline of the person(s) engaged in harassing or discriminatory conduct, communication to and/or training of all its employees about Digimarc's harassment free and anti-discrimination policies, and/or re-issuance of its Harassment and Discrimination Free Workplace Policy to all its employees.

RESTRICTIONS ON AGREEMENTS

Digimarc will not require a nondisclosure, nondisparagement, or a no rehire agreement from any complainant related to a complaint of work-related harassment, discrimination, or sexual assault made under this policy as a condition of settlement. A nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose information regarding the complaint of work-related harassment, discrimination, or sexual assault. A nondisparagement agreement is any agreement by which one or more parties agree to not discredit or make negative or disparaging written or oral statements about the other party. A no rehire agreement is an agreement that prohibits an employee from seeking reemployment with the employer and allows the employer to not rehire that individual in the future. However, an employee may voluntarily agree to enter into a nondisclosure, nondisparagement, or no rehire agreement provided such agreement allows a seven-day revocation period. The organization will not offer a settlement on the condition of a request for these terms.

