

## **PRIVACY POLICY**

Last Updated and Effective as of: **May 23, 2018**

This website is operated by TMWRK, and their partners (collectively, “we,” “us” or “our”), who is a data controller responsible for the processing of personal data under applicable data protection law.

This Privacy Policy (“Policy”) explains our online information practices and the kinds of information we may collect as a result of your interaction with us through the websites on which this Policy is posted, including the websites that you may access using your mobile electronic device (collectively, “Sites”) and the services provided through the Sites (“Services”). This Policy also explains how we intend to use and share that information, how we protect that information, and how you can opt out of a use or correct or change such information.

This Policy does not apply to any third-party websites, services or applications, even if they are accessible through our Services. All individuals whose responsibilities include the Processing of Personal Information on behalf of us are expected to protect that data by adherence to this Privacy Policy. This Privacy Policy is intended to meet requirements globally, including those in North America, Europe, APAC, and other jurisdictions.

### **CONSENT TO PROCESSING**

Our Sites are operated in the United States. If you are located in the European Union, Canada or elsewhere outside of the United States, please be aware that information we collect will be transferred to and processed in the United States. By using our Sites, or providing us with any information, you fully understand and unambiguously consent to this transfer, processing and storage of your information in the United States, a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen.

### **PROTECTION FOR CHILDREN - COPPA COMPLIANCE**

The Children’s Online Privacy Protection Act (“COPPA”) imposes certain requirements upon websites and online services that are directed toward children. We are committed to protecting children’s online privacy and complying fully with COPPA. We do not collect any personally identifiable information anywhere on the Sites except where expressly stated. We believe that children should be able to use the Internet in a safe, productive and efficient manner and should be afforded the highest protection available with respect to their personal information. To that end, we only ask for adults’ personally identifiable information. We do not knowingly collect any individually identifiable information from users under the age of 13 anywhere on the Sites. If we become aware that a child under the age of 13 has submitted his or her personally identifiable information, we will delete such information immediately.

Visit [http://www.ftc.gov/privacy/privacyinitiatives/childrens\\_educ.html](http://www.ftc.gov/privacy/privacyinitiatives/childrens_educ.html) for information from the Federal Trade Commission about COPPA and protecting children’s privacy online.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

If you are a California resident, you may request certain information once per year about our disclosure of certain categories of Personal Information during the preceding calendar year to third parties for such third parties' own direct marketing purposes. Please send your request by email to [info@tmwrk.net](mailto:info@tmwrk.net), or by postal mail to TMWRK, Attn: Privacy Coordinator, 151 Lafayette Street, 6th Floor, New York NY 10013. We reserve our right not to respond to requests submitted other than to the email or mailing addresses specified in this section.

## **UPDATES TO THIS PRIVACY POLICY**

We may change this Privacy Policy at any time. Please take a look at the "*LAST UPDATED*" legend at the top of this page to see when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we make the revised Privacy Policy available on or through a Site. Your use of such Site or your submission of any information in connection with such Site following such changes means that you accept the revised Privacy Policy.

## **INFORMATION WE MAY COLLECT FROM YOU**

When you use the Site, two types of information are collected in connection with the Properties: Personal Identifiable Information (PII) and Other Information. "Personal Identifiable Information" is information that identifies you as an individual. "Other Information" is any information that does not reveal your specific identity. Other Information is addressed separately below, under the heading "*OTHER INFORMATION*".

We and our third-party service providers (label, merchandise, marketing and advertising partners), may collect PII from you including your name, address, e-mail address and phone number, financial and credit card information, personal description, photographs or images, and comments. You may, however, visit our site anonymously.

We and our third-party service providers may collect PII through the Site, for example, when you participate in various opportunities provided through the Site, such as:

- When you purchase a product or make a request
- When you register for newsletters or other communications through the Site
- When you participate in a contest, promotion, sweepstakes, survey or other promotion through the Site
- When you participate in a blog or forum
- Entering a competition, promotion or survey
- Reporting a problem or requesting support for the Site

## HOW WE MAY USE PERSONAL INFORMATION

We and our third-party service providers may use Personal Information:

- To respond to your inquiries and fulfill your requests, such as to send newsletters to you or to provide you with information about our products and services
- To send to you administrative information, including information regarding the Sites and changes to our terms, conditions, and policies
- To complete and fulfill your purchase, for example, to process your payments, have your order delivered to you, communicate with you regarding your purchase and provide you with related customer service
- To send to you marketing communications that we believe may be of interest to you (including, without limitation, by our third-party service providers that send email and other types of advertising, such as display advertising or sponsored advertising on the Sites or other properties, to those whose email addresses we have collected)
- To send to you SMS text messages, if you have indicated you would like to receive them. Please keep in mind that message and data rates may apply. You should check with your mobile service provider for applicable data rates. At any time, you may text back “HELP” for further information regarding text messages, or “STOP” to unsubscribe from such messages. If additional rules are provided in connection with any specific SMS text message sign-ups, such rules shall also apply and shall control in the event that they conflict with this Privacy Policy.
- To personalize your experience on the Site by presenting products and offers tailored to you
- To allow you to participate in sweepstakes, contests and similar promotions and to administer these activities. Some of these activities have additional rules, which could contain additional information about how we use and disclose your Personal Information, so we suggest that you read these rules carefully; in the event of a conflict between such rules and this Privacy Policy, such rules will govern.
- To allow you to send messages (for example, music clips or artist information) to a friend through the Properties. By using such functionality, you are telling us that you are entitled to use and provide us with your friend’s name and email address.
- For our business purposes, such as data analysis, audits, developing new products, enhancing the Site, improving our services, identifying usage trends and determining the effectiveness of promotional campaigns
- To advertise - to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you
- As we believe to be 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 or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to allow us to pursue available remedies or limit the damages that we may sustain

We may combine PII that you submit on or through the Site with information that we collect from and about you from other online and offline sources, including from our own websites and web properties (including apps, widgets, and players) and third-party sources, which may include social media services you interact with through our Sites. We treat such combined information as Personal Information as long as it is so combined.

## **HOW PERSONAL INFORMATION MAY BE DISCLOSED**

Your Personal Information may be disclosed:

- To our third-party service providers (and in some cases, our affiliates) who provide services such as hosting, data analysis, payment processing, order fulfillment, infrastructure provision, IT services, customer service, email delivery, credit card processing, auditing, and other similar services to enable them to provide such services
- To our affiliates, to permit them to send marketing communications to you.
- To unaffiliated third parties or their vendors, to permit them to send, or to cause to be sent, marketing communications to you in online and offline media.
- To our artists (including any of the artists' band members, if applicable) and their representatives, so that the artists and their representatives may use this information to send to you communications (including marketing communications) that they believe may be of interest to you, including, for example, if you (a) sign up to join the applicable artist's mailing list and/or to receive such artist's newsletters, (b) register with the applicable artist's website, or (c) have otherwise indicated that you would like to receive information and/or marketing communications from the applicable artist. We do not control, and are not responsible for, artists' and their representatives' use of Personal Information.
- To third parties that sponsor contests, sweepstakes, and similar promotions
- To identify you to anyone to whom you send messages on or through the Site
- By you, on or through message boards, chat, profile pages and blogs, and other services to which you are able to post information and materials. Please note that any information and materials that you post or disclose on or through a Site will become public information, and may be available to visitors to such Site and to the general public, and may be redistributed through the Internet and other media channels where they will reach an even broader audience. We urge you to be very careful when deciding to disclose your Personal Information, or any Other Information, on or through the Site. WE ARE NOT RESPONSIBLE FOR THE USE OR DISCLOSURE OF ANY INFORMATION YOU VOLUNTARILY DISCLOSE THROUGH ANY SITE.
- 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, assets, or stock (including in connection with any bankruptcy or similar proceeding)
- To a relevant artist who is no longer affiliated with us, if you indicated an interest in such artist (for example, by registering with the artist's website)
- As we believe to be 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 or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to allow us to pursue available remedies or limit the damages that we may sustain.

#### Sensitive Information

We ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background, or trade union membership) on or through the Site or otherwise to us.

#### **OTHER INFORMATION WE MAY COLLECT**

- With regard to each of your visits to our Site we may automatically collect the following information: Technical information, including IP address, login information, geographic location information, browser type and version, time zone setting, browser plug-in types and versions, operating system, and platform
- Information about your visit, including the full URL clickstream to, through and from our site (including date and time)
- Pages you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page
- Third-party partners may collect personal information about your online activities over time and across third-party websites or online services through your use of the Site

Please view the “TRACKING TECHNOLOGIES” section below for details on how Other Information may be collected.

#### **HOW OTHER INFORMATION MAY BE DISCLOSED**

Please note that we may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. If we are required to treat Other Information as Personal Information under applicable law, then we may use it as described in “How We May Collect Other Information” section above, as well as for all the purposes for which we use and disclose Personal Information. In some instances, we may combine Other Information with Personal Information (such as combining your name with your geographical location). If we combine any Other Information with Personal Information, the combined information will be treated by us as Personal Information as long as it is combined.

We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours or others rights, property, or safety. However, Other Information may be provided to other parties including, but not limited to, sponsors,

labels, management, partners, artists, or agents for marketing, advertising, or other uses including:

- Aggregate or anonymized data to advertisers and advertising networks that require the data to select and serve relevant adverts to you and others
- Analytics and search engine providers that assist us in the improvement and optimisation of our Site such as Google Analytics Demographics and Interest Reporting, or similar analytics reporting systems. The data collected from these tools may include age, gender, and general interests. To opt out of this service please visit <https://www.google.com/settings/ads>.

## **HOW WE PROTECT YOUR INFORMATION**

We implement a variety of security measures to maintain the safety of your personal information when you place an order or enter, submit, or access your personal information.

We offer the use of a secure server. For PII entered on a commerce site related to the Site where purchases are completed - such as merchandise, ticketing, and album sales - all supplied sensitive/credit information is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our Payment gateway providers' database only to be accessible by those authorized with special access rights to such systems, and are required to keep the information confidential.

After a transaction, your private information (credit cards, social security numbers, financials, etc.) will not be stored on our servers.

## **TRACKING TECHNOLOGIES**

The Site uses technologies such as pixel tags, cookies, and beacons. Pixel tags are small bits of code that provide a method of delivery information on a webpage which allow the operator of the page or a third party to collect information about the users of the page. Cookies are small text files that are stored on the browser of your computer that uniquely identify your browser and provide information to the cookie sender.

We use cookies to help us understand and save your preferences for future visits, target and keep track of advertisements, and compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future. In some of our email messages, we may also use "click-through URLs" or pixel tags to determine whether the email has been opened and to measure the effectiveness of our customer communications. This data may also be used to gauge your interest in particular topics, so we can deliver a more relevant, personal and convenient user-experience.

We may use third-party advertising companies to collect data and/or serve ads when you visit our website or application. These companies may use information about your visits to this and other websites or applications in order to provide advertisements about goods and services of interest to you. Please keep in mind that your browser settings may not permit you to control

the technologies utilized by these third-party companies. If you would like more information about this practice and to know your choices about not having this information used by these companies, visit <http://youronlinechoices.com/> or <http://optout.aboutads.info/?c=2#!/>.

You may be able to change your browser settings to refuse cookies or to alert you of when a cookie has been placed on your browser. Check your browser for details. You can visit <http://www.networkadvertising.org/choices/> for information on opting out of targeted advertising.

If you do not want information collected through the use of cookies, there is a simple procedure on most devices through which the Site is accessed that allows you to decline the use of cookies. To learn more about cookies, please visit <http://www.allaboutcookies.org/>. If you choose to decline cookies, then some or all of the features, functionality, and promotions available through the Site may not be available to you.

### **THIRD PARTY LINKS**

Occasionally, at our discretion, we may include or offer third party products or services on our website. These third-party sites have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we seek to protect the integrity of our Site and welcome any feedback about these third-party sites.

### **SOCIAL MEDIA**

Our Site may include Social Media Features, such as the Facebook Like button. These Features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the Feature to function properly. Social Media Features and Widgets are either hosted by a third party or hosted directly on our Site. Your interactions with these Features are governed by the privacy policy of the company providing it.

You may be able to log in to our site using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity and provide you the option to share certain personal information with us such as your name and email address to pre-populate our sign up form. Services like Facebook Connect give you the option to post information about your activities on this Web site to your profile page to share with others within your network.

### **USERS OF SITES IN THE EUROPEAN ECONOMIC AREA**

This section of this Privacy Policy applies only if you use the Site from a country that is a Member State of the European Economic Area, and supplements the information in this Privacy Policy.

**Legal Basis for Data Processing:** We process personal data for the purposes set out in this Privacy Policy, as described above. Our legal basis to process personal data includes processing that is: necessary for the performance of the contract between you and us (for example, to provide you with the services you request and to identify and authenticate you so you may use the Site); necessary to comply with legal requirements (for example, to comply with applicable accounting rules and to make mandatory disclosures to law enforcement); necessary for our legitimate interests (for example, to manage our relationship with you and to improve the Site); and based on consent by our customers (for example, to communicate with you about our products and services and provide you with marketing information), which may subsequently be withdrawn at any time (by using preference settings in emails or on our Sites, or emailing us as set out in the Contacting Us section) without affecting the lawfulness of processing based on consent before its withdrawal.

In some instances, you may be required to provide us with personal data for processing as described above, in order for us to be able to provide you to use all the features of the Site.

### **International transfers**

Our sharing your personal data in accordance with this Privacy Policy, may involve transferring your data outside the European Economic Area (EEA). Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring, where required by law, at least one of the following safeguards is implemented:

- transferring personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission;
- using specific contracts approved by the European Commission which give personal data the same protection it has in Europe; or
- transferring personal data to the United States to an entity if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

You may be entitled, in accordance with applicable law, to request a copy of relevant safeguards by contacting us as described in the “Contacting Us” section.

### **CONTACTING US**

If you have any questions about this Privacy Policy, please contact us by email at [info@tmwrk.net](mailto:info@tmwrk.net) or please write to the following address:

TMWRK, Attn: Privacy Coordinator, 151 Lafayette Street, 6th Floor, New York, NY 10013

Please note that email communications are not always secure, so please do not include credit card information or other sensitive information in your email messages to us.