STINGRAY PRIVACY POLICY

Stingray Digital Group Inc., together with its affiliates, subsidiaries and related entities (collectively “Stingray”) are committed to protecting your privacy. Stingray's Privacy Policy is designed to help you understand how Stingray collects, holds, uses and divulges the Information (as defined below) when you use its websites, web players, applications, widgets, products and/or services (collectively, the “Stingray Services”). By using the Stingray Services or by signing up to receive Stingray's newsletters, electronic messages, news, updates, contests, special offers and/or other written communications (the “Stingray Messages”), you are accepting the practices described in this Privacy Policy.

In this Privacy Policy, “you” refers to the person using the Stingray Services if this person is 13 years old or over, or to a parent or legal guardian if the user is under the age of 13.

WHAT INFORMATION DOES STINGRAY COLLECT, HOLD, USE AND DIVULGE?

Depending on your use of the Stingray Services, Stingray may collect, hold, use and divulge the information that you knowingly choose to disclose and enter on any of the Stingray Services or that you otherwise give to Stingray and that can be used to identify you, such as your name, contact information, your e-mail address, location, information about your postal address, social media accounts and information about your age, your demographic information, mobile and/or computer device (collectively, the “Information”).

You can choose not to provide certain Information, but then you might not be able to take advantage of some of the Stingray Services. You may contact Stingray as set forth in the Section "Contact Stingray about Privacy" to address any issue thereof.

Stingray also gathers and may allow third parties to collect Information, including Information which is generated by your devices or computers when you interact with the Stingray Services, including location information and IP address. See Sections “Use of Cookies and Authentication Tokens” and "Online Behavioral Advertising" for more information on this topic.

WHY DOES STINGRAY COLLECT AND HOLD YOUR INFORMATION?

Stingray generally collects and holds your Information to:

- Process payment for the Stingray Services that you purchase from Stingray, when applicable;
- Communicate with you concerning your account and provide timely customer service when needed;
- Track your location for the purpose of identifying the Stingray Services that are currently available to you;
- Provide you with the Stingray Services, respond to and perform your requests for the Stingray Services, including to deliver the Stingray Services you have purchased;
- Offer you product upgrades, and other Stingray Services;
- Authenticate the users of the Stingray Services;
- Provide you with targeted advertising while using the Stingray Services or third party services;
- If you have consented to receive such information, provide you with the Stingray Messages and/or those of its partners and licensors;
- Share your Content (as defined below) with other users of the applicable Stingray Services or third party services and platforms as detailed below;
- Recommend you content based on your use of the Stingray Services

(collectively, the “Purposes”).

The legal basis for using the Information for the Purposes is typically a contractual basis (i.e. to provide you with the Stingray Services) or because you have consented to such Purposes. However, Stingray may also rely on other legal grounds, for example, where the processing is necessary for its legitimate interests or for compliance with legal obligations to which it is subject.

Stingray's software may include the opportunity to disable certain software features to increase your level of privacy. However, certain technical information (e.g., zip code) may be automatically transmitted between networked servers to authenticate access to the Stingray Services, enable their delivery, or optimize your media delivery experience.

Stingray does not rent or sell any of your Information to third parties and will not share it with third parties without your consent, unless it is necessary to do so by law or for the purposes of or as set forth in this Privacy Policy.
WHEN AND HOW DOES STINGRAY SHARE YOUR INFORMATION WITH THIRD PARTIES?

Stingray may disclose your Information to its partners and licensors to the extent such disclosure is required for the Purposes. Stingray may use third parties to facilitate its business, such as payment processors, hosting services providers, contractors for sending out e-mail updates about Stingray and the Stingray Services or for providing customer support services. In connection with these business operations, Stingray's contractors and service providers may have access to your Information collected by Stingray for use for a limited time in connection with these business activities. Where Stingray utilizes third parties for the processing of any Information, Stingray implements reasonable contractual and technical protections in order for such third parties to keep all Information they process strictly confidential. Please note that these third parties may be located in other countries where the laws on processing personal information can differ from the laws of your country of residence.

Stingray may also disclose your Information if required to do so by law or in the good faith belief that such action is necessary to: (a) conform with the law; (b) comply with the order of a competent judicial authority in any jurisdiction; (c) comply with legal process served on Stingray; (d) protect and defend the rights or property of Stingray; (e) enforce or verify your compliance with any part of the agreements that you enter into with Stingray, if any; (f) prevent fraud or other illegal activity perpetrated through the Stingray Services; or (g) act in urgent circumstances to protect the personal safety of users of the Stingray Services or the public at large.

THIRD PARTY SERVICES AND PLATFORMS

The Stingray Services may contain links to other websites, applications or platforms. Please read the privacy policies of these third-party websites, applications or platforms that collect personally identifiable information in order to understand their privacy policies and data collection practices. This Privacy Policy applies solely to Information collected and processed by Stingray or on its behalf.

The Stingray Services may sometimes offer you the possibility to post and share information regarding your activity on the Stingray Services, including without limitation recordings of your renditions made through the applicable Stingray Services (the “Content”), to journals, blogs, message boards, classifieds or any other form of social media platform or public forum. The use of such information that you choose to post or share will be governed by the privacy policies of such third parties. When this functionality is available, you may choose to link your Stingray Service account to your social media accounts (e.g. Facebook, Twitter, Google+), in which event you consent to the sharing of your Information from your social media accounts to Stingray and to having your activity on the Stingray Services automatically shared on your social media accounts timeline and/or profile pages. You can disconnect your Stingray account from your social media accounts by signing into your Stingray account and selecting “Social” in Account Settings and toggling the “Connected” button to “Unconnected”. You can also turn off “Sharing” by toggling the “Sharing” button to “off”.

Children under the age of 13 will not have the possibility to share their Content on social media through the Stingray Services without your prior consent. Once you consent to the sharing of the children’s Content, this feature will be available for all the Content generated, including the Content generated prior to your consent, until you disactivate the functionality as provided above.

For the avoidance of doubt, you acknowledge and agree that you are solely responsible for any use by any third party of the information and/or Content that you decide to post or share, for yourself or the children under the age of 13, on any journals, blogs, message boards, classifieds or any other form of social media platform or public forum using a functionality offered on the Stingray Services.

HOW LONG WILL STINGRAY KEEP YOUR INFORMATION?

Stingray will retain your Information only for as long as necessary to fulfill the Purposes for which it was collected, or as required for Stingray’s legitimate interests, or to comply with applicable legal, tax or regulatory requirements. After such time, any Information you have provided to Stingray will be destroyed, deleted or made anonymous.

HOW DOES STINGRAY PROTECT THE CHILDREN’S PRIVACY?

Except as otherwise provided for a specific Stingray Service, the Stingray Services are only available for individuals aged 13 years or older. Stingray does not knowingly collect, hold, use or divulge any Information from children under the age of 13, unless a parent or legal guardian has consented to it. If you believe that Information has been collected from children under the age of 13 without your prior consent, you may contact Stingray as set forth in the Section “Contact Stingray about Privacy”.

STINGRAY MESSAGES

If you have consented to receive such information, Stingray may send Stingray Messages to you about the Stingray Services, and/or about products and/or services of its partners and licensors. Separate Stingray Services and lines of business may send separate
Stingray Messages. You may opt-out of receiving Stingray Messages as set forth in the Section “Contact Stingray about Privacy”. However, Stingray may continue to send you Stingray Messages to inform you about available upgrades or critical technical service issues relating to a Stingray Service that you requested or purchased, or to provide you with important information on your account.

SECURITY OF INFORMATION

Stingray takes appropriate precautions to protect your Information. Stingray uses physical, electronic, and procedural safeguards that comply with applicable regulations to protect your Information.

USE OF COOKIES AND AUTHENTICATION TOKENS

Stingray stores certain Information using “cookies” and/or authentication tokens. A cookie or an authentication token is a piece of data stored on the user's computer or other Internet-connected devices tied to information about the user. Stingray uses cookies to provide you with a tailored experience when visiting and using the Stingray Services. Stingray also uses cookies to understand traffic patterns on the Stingray Services, to authorize access to certain premium or trial content and product features, to target advertising and/or to push notifications. Stingray uses authentication tokens to automatically authenticate users of certain of the Stingray Services. Stingray treats any Information that may be contained in cookies and authentication tokens with the same level of confidentiality as other Information you provide to Stingray. Cookies can be managed and/or disabled through your browser's cookie settings. If you want more information about how to manage and/or disable cookies, visit http://www.allaboutcookies.org/manage-cookies/.

ONLINE BEHAVIORAL ADVERTISING

Stingray may collect, use and/or allow third parties to collect and use certain of your Information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over, number of views of an advertisement, advertising conversion rates, monetization rate, purchase history, information concerning your use of the Stingray Services, information concerning your use of third-party websites, age, gender, geolocation data, Internet provider information, device information, hardware information and other similar information) when you interact with the Stingray Services and/or other third parties’ websites and services in order to provide or allow third parties to provide advertisements about goods and services likely to be of interest to you. To learn more about this behavioral advertising practice, please contact Stingray as set forth in the Section “Contact Stingray about Privacy”. In no event will Stingray permit behavioral advertising to children where it has actual knowledge that the user is under the age of 13.

CHANGES TO STINGRAY'S PRIVACY POLICY

Stingray frequently revises this Privacy Policy to keep it up to date with applicable legislation and the Stingray Services. Updated notices may be used to alert users to recent changes and to the date of the last update, but the posting of the revised Privacy Policy on the Stingray Services shall be considered sufficient notice to you. Unless stated otherwise, Stingray's current Privacy Policy applies to all Information that Stingray has about you.

FAILURE TO COMPLY

Stingray will take prompt corrective action when it learns of any failure to comply with this Privacy Policy. Stingray shall not be liable for any incidental, consequential or punitive damages relating to this Privacy Policy.

You may file a complaint with a competent authority at any time if you believe that Stingray is not processing your Information in a manner that is compliant with this Privacy Policy or with the applicable laws.

STORAGE AND INTERNATIONAL TRANSFERS OF YOUR INFORMATION

By using the Stingray Services, you are consenting to have your Information transferred to and processed in Canada, the United States and/or the United Kingdom. Your Information will be held by Stingray in Canada, the United States and/or the United Kingdom.

The European Commission has recognized Canada and the United States (limited to the Privacy Shield framework) as providing adequate protection to personal data. As a result, Stingray may transfer your Information from the European Economic Area (“EEA”) to these countries without any further safeguard being necessary. When your Information is transferred from the EEA to other countries (or to the United States without the Privacy Shield framework) that have not received such adequacy decision from the European Commission, Stingray takes steps to ensure that your Information is adequately protected by appropriate technical, organizational, contractual or other lawful means. If you would like to obtain more information on these security measures please contact Stingray as set forth in the Section “Contact Stingray about Privacy”.
CONTACT STINGRAY ABOUT PRIVACY, INCLUDING YOUR RIGHTS

If you have questions about the privacy aspects of the Stingray Services, would like to know more about Stingray’s legitimate interests, would like to make a complaint, to withdraw your consent (if any), to object to the use of your Information by Stingray, to request access to the Information Stingray holds about you, to modify, delete or correct such Information, if you wish that Stingray discontinues or limits the use of your Information, or if you wish to receive a copy of all Information that Stingray has about you in a structured, commonly used and machine-readable format, please do so through the “Contact Us” section or link on the Stingray Services, when such link is available, or please contact Stingray at:

- If you are located in America: Customer Support re Privacy, Stingray Digital Group Inc., 730 Wellington Street, Montreal, Quebec, Canada H3C 1T4, tel: 1-514-664-1244, fax: 1-514-664-1143, e-mail: privacy@stingray.com.
- If you are located in Europe or in the rest of the world: Customer Support re Privacy, Stingray Digital International Limited, Riverside Studios, 65 Aspenlea Road, London W6 8LH, United Kingdom, tel: +44 (0) 208 237 1197, email: privacy@stingray.com

Your request may be accepted or denied by Stingray based on the applicable laws.

Stingray Digital Group Inc. is the data controller for the purposes of the personal data processed under this Privacy Policy.

LANGUAGE

It is the express wish of the parties that this document and all related documents, including notices and other communications, be drawn up in the English language only.

Il est la volonté expresse des parties que ce document et tous les documents s’y rattachant, y compris les avis et les autres communications, soient rédigés et signés en anglais seulement.

Es el deseo expreso de las partes que este documento y todos los documentos relacionados, incluidos los avisos y otras comunicaciones, se redacten únicamente en inglés.

É o desejo expresso das partes que este documento e todos os documentos relacionados, incluindo avisos e outras comunicações, sejam elaborados apenas na língua inglesa.

È espressamente richiesto, che questo documento e tutti documenti correlati, comprese le comunicazioni e le altre comunicazioni, siano redatti esclusivamente in la lingua inglese.

Es ist der ausdrückliche Wunsch der Parteien, dass dieses Dokument und alle zugehörigen Dokumente, einschließlich Mitteilungen und sonstige Benachrichtigungen, nur in englischer Sprache verfasst werden.

Het is de uitdrukkelijke wens van de partijen dat dit document en alle bijbehorende documenten, waaronder mededelingen en andere communicatie, alleen in het Engels zijn opgesteld.