

PulsBeat Inc. – Privacy Policy

Effective as of June 30, 2021

Welcome

Respect for your privacy is part of Pulsbeat's DNA. We have built our platform with a keen awareness that strong privacy principles are essential.

As used in this policy, "PulsBeat" refers to PulsBeat Inc. and includes its affiliates and subsidiaries. This policy applies to all PulsBeat authorized operations and applications, whether provided to you directly through its audioMine application or through the Artist Specific application we manage for the artist community. We may refer to PulsBeat as "we", "us" or "our". We may refer to you as "listener", "you" or "your" and we refer to the audioMine application and the Artist Specific application as the "Service" or "Services."

The audioMine application creates a social network between listeners of music allowing them to share music, video, lyrics and more. The Artist Specific application is provided to the artist community and is managed and operated by PulsBeat. The Artist Specific application features the creative works of the artist and allows the artist to maintain control of and manage those works. The Services are available on mobile devices and tablets and through other consumer electronic devices.

The Services deliver music combined with slide shows, video, gaming and more. The applications also talk to each other for the consumer's enjoyment, allowing the experience of digital media "with Artificial Intelligence." The listener's mobile device becomes an instant high fidelity music player, a karaoke lyric expert, a playing companion and a second screen video, photo and gaming experience. The Services unite friends, fans and artists through their music and allow them to join a social community based on the exploration of music and artists, new and old, while earning rewards that can translate into additional benefits.

The purpose of this policy is to inform you about the information we collect, how we use and share that information, and the ways in which you can control how we use and share that information. By submitting your information through our Service, you agree to the terms of this policy and you expressly consent to the collection, use and disclosure of your information in accordance with this policy.

It is important that you understand the types of information we collect as you journey through the audioMine application and the Artist Specific application. You also need to understand how we use the information gathered and what control you have over the permissions granted. You can adjust your privacy settings to control what we collect and how your information is used. If you have any questions concerning this policy please contact us at www.Pulsbeat.com .

Children

The Services are not intended for children under the age of 13. (In some countries, stricter age limits may apply. See our [Terms and Conditions of Use](#).) We do not knowingly collect personal information from children under 13 or other applicable age limit (the “Age Limit”). If you are under the Age Limit, do not use the Service and do not provide any personal information to us. If you are a parent of a child under the Age Limit and become aware that your child has provided personal information, please contact us at privacy@PulsBeat.com and you may request exercise of your applicable access, rectification, cancellation, and/or objection rights. If you are a California resident under the age of 18 and you wish to remove publicly available content, please contact us at privacy@PulsBeat.com.

This Privacy Policy will address the following matters.

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1 Introduction

This Privacy Policy is intended to accomplish three main objectives:

1. To ensure that you understand what information we collect when you use the Service and how we might use that information;
2. To explain the way we use information that you share with us in order to build a great Service and enhance your experience with it;
3. To hold us accountable for protecting your rights and your privacy under this policy.

We obtain information from:

1. Registration data;
2. Payment information;
3. Voluntary submitted information;
4. Listening activity;
5. Community postings;

6. Technical information;
7. Contract information;
8. Device information;
9. Location information; and
10. Third party personal information.

The above sources of information can also be described by category. There are essentially two categories of information we collect. The first relates to information that we need in order for you to use the Services and the second relates to information that we use to provide additional features and improved experiences related to the Services.

The first category includes:

1. Registration information, including your name, birth date, address and other information you provide when you sign up for the Service.
2. Information we derive from your IP address including non-specific location data. This information enables the artists to make suggestions to you based on your general location, such as upcoming concerts, performances or activities.
3. We will note the artists you chose to interact with, the music you listen to and your interactions with the Service. This information allows us to interact with you directly to make recommendations and suggest other content. You have the ability to share this information with your friends, followers, artists and the public.
4. Finally, we will also collect certain technical information to ensure the Services operate as efficiently as possible. This includes the type of browser and device you use, data from the touchscreen and information from your device's accelerometer and gyroscope sensors. This allows us to do simple things like sync videos, sync slide shows, provide gaming experiences and allow you to socially interact with your friends directly through the Service.

The second category is under your control and we never use this type of information without your express approval. This category includes:

1. **Your specific location:** We will never gather or use your specific device location without first getting your explicit permission. This information enables us to create collaborative listening experiences (only with others who have also given permission) and to provide even better recommendations about locally popular music, live venues and concerts.
2. **Your photos:** We will only access images that you specifically choose, and we will never scan or import your photo library or camera roll. This allows you to choose individual pictures to change your profile picture or create cover art for a playlist. You can stop sharing photos and revoke access at any time.
3. **Your contacts:** We will never scan or import your contacts unless you ask us to. If you agree, we will use your contact information to help you find friends or contacts who either already use the Services or those that you wish to invite to use the Service.
4. **Your microphone:** We will never access or use your microphone unless you give us explicit permission and you will always have the ability to disable access to the microphone.

The distinction between these two categories is important. Information in the first category is information you must provide in order to access the Services. When you agree to this Privacy Policy, you give us the right to collect this information and use it for the purposes described.

We will ask for your permission before accessing information in the second category. We will only use the information for the purpose as described in this Policy, and you will always have the ability to change your mind and revoke that permission. Acceptance of our Privacy Policy does not mean you have granted us permission to access or use information in the second category. However, in the future, we might ask you for that permission if you wish to take advantage of certain features.

We will be clear with you about how and when we might share information. For example, we may share some information with third parties such as your mobile provider and, it is possible that they will share some information with us in order to allow the efficient operation of the Services.

We may also share information with our music industry partners to help them understand how the content is performing, with marketing partners who help us with promotional efforts and with advertisers that might allow us to offer an add based free service. You might want to share playlists with friends or you might wish to share information (like your email address) with artists, record labels or other partners who may want to directly send you news or promotional offers. These types of permissions can be revoked by you at any time.

This Privacy Policy will refer to Terms of Service that are defined in our “Terms and Conditions of Use” document.

If you have any questions or concerns, please let us know at www.pulsbeat.com.

You also need to know why we collect information from you. This will be explained in detail throughout this Policy, but generally includes the following purposes:

1. To process payments for use of the Services;
2. To help you efficiently access your information and features of the Services;
3. To store information so you will not have to re-enter it during your visit or the next time you visit the Services;
4. To provide personalized content and information to you and others, which could include online ads or other forms of marketing;
5. To improve, test, and monitor the effectiveness of our Services;
6. To calculate settlements for content owners;
7. To develop and test new products and features;
8. To monitor metrics such as total number of visitors, traffic, and demographic patterns;
9. To diagnose or fix technology problems; or
10. To detect and investigate misuse of the Services

2 The GDPR

The General Data Protection Regulation ("GDPR") recently passed by the European Union, provides a host of legal rights to individuals with regard to their personal data. Pulsbeat has implemented additional transparency and access controls in our Privacy Settings to help you to understand and take advantage of those rights.

The rights provided are the:

1. Right of Access - the right to be informed of and request access to the personal data we process about you;
2. Right to Rectification - the right to request that we amend or update your personal data where it is inaccurate or incomplete;
3. Right to Erasure - the right to request that we delete your personal data;
4. Right to Restrict - the right to request that we temporarily or permanently stop processing all or some of your personal data;
5. Right to Object - the right, at any time, to object to us processing your personal data on grounds relating to your particular situation; the right to object to your personal data being processed for direct marketing purposes;
6. Right to Data Portability - the right to request a copy of your personal data in electronic format and the right to transmit that personal data for use in another party's service; and
7. Right not to be subject to Automated Decision-making - the right to not be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect on you or produce a similarly significant effect.

Access to your Account Settings page allows you the ability to exercise those rights and to record your preferences. The Privacy Settings allows you to control some of the categories of personal data we process about you, enables you to access your personal data with a "Data Download" button and includes a link to the Privacy Centre on pulsbeat.com where you can find out more information about how we use your personal data and what your rights are.

Access to your Notification Settings allows you to choose what information you receive from Pulsbeat, manage your publicly available personal data and set your sharing preferences.

The Privacy Center puts you in control of how we process your personal data and what happens if you make adjustments to your settings on your Account Settings page. It will also provide you with information on how to opt out of receiving messages from Pulsbeat.

You may also withdraw consent or declare your objection ("opt-out") at no cost if we send you electronic marketing messages based on your consent or as otherwise permitted by applicable law. Electronic marketing messages you receive from us (e.g. those sent via email) will also include an opt-out mechanism with the unsubscribe link.

If you have any questions about your privacy, your rights or how to exercise them, please contact us using the 'Contact Us' link on the Privacy Center. We will respond to your request within a

reasonable period of time upon verification of your identity. You may also contact us at any time to voice your thoughts.

3 Consent: What are you consenting to

By using or interacting with the Service, you are consenting to:

1. the use of cookies and other technologies;
2. the transfer of your information outside of the country where you live;
3. the collection, use, sharing, and other processing of your information, including for advertising-related purposes, but only as described in the rest of this Privacy Policy; and
4. the public availability of and your control over information you choose to share, as described in Sharing information.

Your Preferences section describes the controls and relevant settings associated with your PulsBeat account. You must not use the Services if you do not agree with the terms of this Privacy Policy.

4 The information we collect

General

We may collect and store information such as your name, email address, social network particulars, iCloud, mobile number, land line phone number, Skype name, the number of devices you use and the device models. We also collect information about the interaction between the Services we provide your browser, including IP address, crash reports, system activity and the date and time you interact with the Service.

When you sign up for the Service, we may ask you for information such as your username, password, email address, date of birth, gender, address, postal code and country. We may also collect other information available on or through any third party application account, including, for example, your name, profile picture, country, hometown, email address, date of birth, gender, friends' names and profile pictures and networks.

You may also choose to voluntarily add other information to your profile, such as your mobile phone number and mobile service provider.

Usage, log data & cookies

When you use or interact with the Service, we may use a variety of technologies that collect information about how the Service is accessed and used. This information may include:

1. information about your type of subscription and your interactions with the Service, such as interactions with songs, playlists, artists, other audiovisual content, other users, third party applications, and advertising, products and services that are offered, linked to or made available on or through the Service;
2. the details of the queries you make and the date and time of your request;
3. technical data, which may include URL information, cookie data, your IP address, the types of devices you are using to access or connect to the Service, unique device ID, device

attributes, network connection type (e.g., WiFi, 3G, LTE) and provider, network and device performance, browser type, language, information enabling digital rights management, operating system and the Services application version.

4. motion-generated or orientation-generated mobile sensor data (e.g., accelerometer or gyroscope).

You may integrate your Services account with third party applications. If you do, we may receive similar information related to your interactions with the Service on such third party application, as well as information about your publicly available activity on such third party application. We may use cookies and other technologies to collect this information. Please see the section titled information about Cookies and other technologies of this Privacy Policy.

Your mobile device

We may provide features that rely on the use of additional information on your mobile device or require access to certain services on your mobile device that will enhance your experience with us, but are not required to use the Service. In other words, information that falls in the second category described in the Introduction to this Policy. For example, we might allow you to upload photos to your profile, connect with friends or let you use voice commands to control the Service. Granting us access does not mean you are granting us unlimited access to that information or that we will access specific information without your permission. Before we access this information or these features of your mobile device, we will ask for your permission. If you provide such permission, we will collect the information for the specific purposes explained. You do not have to give us such permission in order to use the Services, and acceptance of this Privacy Policy does not mean you have granted us permission to access this information without permission.

In particular:

1. **Photos and Camera:** We will not access your photos or camera without first getting your explicit permission and we will only use images that you specifically choose to share with us. You may select the photo or photos you choose to share, but we will never import the photos you review except those you explicitly share.
2. **Location:** We will not gather or use the specific location of your mobile device (by using, for example, GPS or Bluetooth) without first getting your explicit permission. And if you choose to share location information but later change your mind, you will always have the ability to stop sharing. Please note that this does not include IP address. We will continue to use your IP address as described above, to determine for example, what country you are in to ensure compliance with our licensing agreements and local laws and regulations.
3. **Voice:** We will not access your microphone without first getting your explicit permission. You will always have the ability to disable microphone access.
4. **Contacts:** We will only use the contact information to help you find friends or contacts if you choose to do so, and we will not use contact information for any other purpose without first getting your separate explicit permission. Local law may require that you seek the consent of your contacts to provide their personal information, and we may use that information for the purposes specified in this Privacy Policy.

Widget data

Other websites may integrate with certain features of the Services, such as the playLists, liveLink and other touch commands (“Widgets”). When you visit a site with a widget embedded, we may receive certain information, including information about the web page you visited. The Services and the Widget can recognize you, and the Widget may be used to show personalized content or advertising. We know when you interact with a Widget and websites containing the Widget may receive this information.

Payment data

If you sign up for a trial, purchase any of our paid services or make other purchases through the Service, your credit or debit card information (such as card type and expiration date) and other financial data that we need to process your payment may be collected and stored by us and/or the payment processors. We may also collect other information necessary to provide the Service, such as your postal code, mobile number and details of your transaction history.

Sweepstakes, contests & surveys

From time to time, we may offer you the opportunity to participate in promotions such as sweepstakes, contests, offers and/or surveys (“Special Promotions”). A Special Promotion may be governed by a privacy policy and/or terms and conditions that are additional to, or separate from, this Privacy Policy and the Terms and Conditions of Use. If the provisions of the Special Promotion’s privacy policy or terms and conditions conflict with this Privacy Policy or the Terms and Conditions of Use, those additional or separate provisions shall prevail. If you participate in a Special Promotion, we may ask you for certain information in addition to what is stated in this Privacy Policy, including personal information. That additional information may be combined with other account information and may be used and shared as described in this Privacy Policy.

PulsBeat service providers and partners

We may also receive information about you from third parties that we use to personalize your experience, to measure ad quality and responses to ads and to display ads that are more likely to be relevant to you. These third parties include:

1. Service, advertising and marketing partners that provide or make available advertising, features and functionality and content on or through the Service. These partners may provide us with certain information for the purposes of serving advertisements and/or marketing offers to their customers on the Service. They may also create, maintain and distribute professional marketing lists or segments, or maintain and distribute other marketing or similar data.
2. Governmental or quasi- or pseudo-governmental agencies or organizations that provide or make available to the public census and demographic data.
3. Third-party social media websites, applications or services that you use, when we allow those websites, applications or services to interact through the Service to provide personalized services to you. In some cases, those websites, applications or services may automatically provide us with information about you to facilitate personalization unless

you use the controls available on those websites, applications or services to opt-out of such sharing.

4. Others who store or post information about you on the community features of the Service, or by your enabling connectivity with another website, application or service where friends or other listeners store such information. For instance, your friends may store information about you in places such as their friend lists, address books or photos on our Service or other websites, applications or services such as social media applications with which the Service interacts.

By accepting this Privacy Policy, you authorize us to use and share information collected with other companies in our group, as well as trusted business partners and service providers. Some of our business partners or service providers may be domiciled outside of the country in which you reside. It is possible that some do not provide the same level of protection of personal data as the country in which you reside. Your consent will be accepted for the duration of your relationship with the Services.

5 How we use the information we collect

Consistent with the permissions you give us to collect the information, we may use the information we collect, including your personal information:

1. to provide, personalize and improve your experience with the Service, products and services, and advertising (including for third party products and services) made available on or outside the Service (including on other sites that you visit). For example, by providing customized, personalized or localized content, recommendations, features and advertising on or outside of the Service;
2. to ensure technical functionality of the Service, develop new products and services and analyze your use of the Service, including your interaction with applications, advertising, products and services that are made available, linked to or offered through the Service;
3. to communicate with you for Service-related or research purposes including via emails, notifications, text messages or other messages that you agree to receive;
4. to communicate with you, either directly or through one of our partners, for marketing and promotional purposes via emails, notifications or other messages consistent with any permissions you may have communicated to us through your account settings. We will inform you of the controls you can use to opt out from receiving certain messages;
5. to use your mobile phone number to send you informational, marketing and promotional text messages using an automatic dialing system; you are not required to provide consent as a condition of signing up for the Services;
6. to enable and promote the Service and other services or products, either within or outside the Service, including features and content of the Service and products and services made available through the Service;
7. to process your payment or prevent or detect fraud;
8. to enforce this Privacy Policy, the Terms and Conditions of Use, and any other terms that you have agreed to, including to protect the rights, property or safety of the Service, its users, or any other person, or the copyright-protected content of the Service;

9. to provide you with features, information, advertising or other content which is influenced by your location and your location in relation to other users of the Service; and
10. as otherwise stated in this Privacy Policy.

6 Sharing information

Sharing by You

The Service provides a social network that offers many ways to find, enjoy and share content. We encourage you to take advantage of these social features with others on the Service. Your name and/or username, profile picture, who you follow, who follows you and your user profile will always be publicly available.

Your activity on the Service, including playlists created or followed, recently played artists, top tracks, top artists and content you post, upload and/or contribute to the Service are made publicly available by default. Your activity on the Service will automatically appear on the Service and will, for example, be accessible by users who follow you or view your profile. If you create a playlist, the playlist will be publicly displayed by default, which means that it will also be displayed publicly in third-party search engine results and may appear together with other public profile information, such as your picture and name and/or username. Although this information is made public by default, we describe the controls and other relevant settings associated with your account that you can use to limit the sharing of your information.

Please remember that certain information is always publicly available, which means that it can be accessed by third party applications through our APIs and developer tools. Based on your permissions, some additional information can be shared with third party applications and with others through these applications. Similarly, you may consent to provide third party applications with access to your email address, subscription status, location, birthday or similar information, upon their request.

We may use your public information to promote the Services and to help others find and follow you and/or your content. Your information may be used to notify others, including within the Service, via email, and third party applications, about your use of the Service or activity related to the Service, such as adding or removing tracks from a playlist).

With your explicit permission, we may notify other users of your location. Likewise, with other users' explicit permissions, we may notify you about their whereabouts. We may offer you the ability to share this information to create shared experiences.

Learn more about how to manage notifications, your publicly available information, and what you share with others in [Your Preferences](#) below.

Third Party Applications

If you connect your account to a third party application (such as You Tube, Twitter, WeChat, Skype, WhatsApp or Facebook), we may automatically share your activity with that service, including the content you consume. You understand and agree that that such information may be attributed to your account on such third party application and may be published on such service. Although this information may be automatically shared by default, we inform you of the controls that you can use to limit the sharing of this information in the section Your Preferences. The third party application may also provide similar controls.

If you log into a third party application with your account, then that application may have access to certain information such as your playlists, content saved and activity. With your permission, we may also share additional information such as your email address, subscription status, location or birthdate.

The Services also enable you to share a particular item of content or a playlist that you have created with third party applications, third party services, other users of the Service and others. Please note that if you share content with a third party application or a third party service, it will be viewable by other users of the Service, regardless of your account settings.

You understand and agree that a third party application's use of information collected from you (or as authorized by you) is governed by the third party application's privacy policies and your settings on that service, and you agree that we have the right to use such information even if you have not granted that permission in your account settings.

7. Your Preferences

We provide you with settings to allow you to choose which communications you receive from us, manage your public information and set your sharing preferences. However, as explained in the section Sharing by You, certain information may always be publicly available to others. Some information is made publicly available to others by default, and if you share information to a third party application, that information is viewable by us, regardless of how you set your privacy settings.

To change whether certain information is publicly available, you can adjust the settings in your account. View instructions for adjusting the relevant settings on PulsBeat's website.

Information that is publicly available, such as playlists, may be used, re-shared or linked to by others on the Service, so please use the Services carefully and be mindful of your settings. Remember that even if you remove a playlist or make a playlist private, others who already subscribe to it or who otherwise have access to it (e.g., via a link) may still have access to it. Also keep in mind that playlists and other information added to your profile may include personal information, such as username, which could enable other persons to find you within the Service or other services.

8. Transfer to other countries

We transfer, process and store information about our users on servers located in a number of countries. Accordingly, we may share your information with other companies in our group in order to carry out the activities specified in this Privacy Policy. We may also subcontract processing to, or share your information with third parties located in countries other than your home country. Your personal information may therefore be subject to privacy laws that are different from those in your country of residence. Information collected within the European Economic Area (“EEA”) and Switzerland may, for example, be transferred to and processed by third parties identified above, located in a country outside of the EEA and Switzerland, where you may have fewer legal rights in relation to your information. We will process your information as described in this Privacy Policy.

9. Links

We may display advertisements from third parties and other content that links to third party websites. We cannot control or be held responsible for third parties’ privacy practices and content. Please read their privacy policies to find out how they collect and process your personal information.

10. Security

We are committed to protecting our users’ information. Your password protects your user account, so you should use a unique and strong password, limit access to your computer and browser and log out after having used the Service. While we take data protection precautions, no security measures are completely secure, and we do not guarantee the security of user information.

11. Accessing and updating user information

You can view and amend much of the information we keep about you through your account and profile pages. If you have questions about your privacy on the Service, this privacy policy or information we have about you, please contact us at privacy@PulsBeat.com. You can also contact our privacy representative by sending a letter to PulsBeat, Attn: Privacy Officer, Legal Department, #203, 571 – 6 Street NE, Salmon Arm, BC V1E 1R6. We will respond to your request within a reasonable period of time upon verification of your identity in accordance with local laws. We recommend you include documents that prove your identity and a clear and precise description of the information to which you request access.

12. Changes to the Privacy Policy

Occasionally we may, in our discretion, make changes to this Policy and the Terms of Service. When we make material changes, we will provide you with prominent notice as appropriate under the circumstances, e.g., by displaying a prominent notice within the Service or by sending you an email. In some cases, we will notify you in advance, and your continued use of the Service after the changes have been made will constitute your acceptance of the changes. Please therefore make

sure you read any such notice carefully. If you do not wish to continue using the Service under the new terms, you may terminate the Service by contacting us through pulsebeat.com.

13. Cookies and other technologies

This section describes use of cookies and other technologies. For further information about how information may be shared by us, please see the section [Sharing by PulsBeat](#).

A cookie is a small text file that is placed on your computer, mobile phone or other device when you visit a website. The cookie will help website providers to recognize your device the next time you visit their website. There are other similar technologies such as pixel tags (transparent graphic images placed on a web page or in an email, which indicate that a page or email has been viewed), web bugs (similar to pixel tags), and web storage that are used in desktop software or mobile devices.

There are also technologies such as mobile device identifiers and SDK integrations to help companies recognize your device when you return to an app or otherwise use the service.

How we use cookies and other technologies

We use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your device for a set period of time or until you delete them).

We also use mobile device identifiers and the other technologies for the purposes articulated in this Privacy Policy, for example to recognize your device when you use the Services.

Manage your cookie and other preferences

Many web browsers allow you to manage your preferences. You can set your browser to refuse cookies or delete certain cookies. You may be able to manage other technologies in the same way that you manage cookies using your browser's preferences.

Please note that if you choose to block cookies, doing so may impair the Service or prevent certain elements of it from functioning.

There is no accepted standard on how to respond to Do Not Track signals, and we do not respond to such signals. We handle all personal data in accordance with this Policy.

14. More information

For more information about the use of cookies and how to block them, visit allaboutcookies.org, youronlinechoices.eu (Europe), or aboutads.info/choices (United States). If you have any questions or comments about our use of cookies, please contact us at privacy@PulsBeat.com.

You may also contact Alexey Oraevsky, CTO directly at his home anytime, day or night, even when he and his family are sleeping at 519 880 866666.

Thank you for reading our Privacy Policy. We hope you enjoy the Services!