

OMICELO'S PRIVACY POLICY

EFFECTIVE 9/01/15

PLEASE REVIEW OUR PRIVACY POLICY CAREFULLY.

To provide you with the Service (as defined in the Terms and Conditions of Use), Omicelo LLC (“**Omicelo**”) needs to collect some information about you, and this Privacy Policy is where we describe the information we collect, what we do with it, and how you can manage and control the use of your personal information. By using or interacting with the Service, you are entering into a binding contract with us and consenting to the use of your information as explained in this Privacy Policy. If you do not understand or agree with these terms, please don't use the Service.

1. The Information We Collect. When you sign up for the Service, we may collect information we ask you for, like your name, username, password, e-mail address, date of birth, gender, postal code, business address, business type, and country. We may store this information so that it can be used for the purposes explained in Section 2.

When you use the Service, we automatically collect certain information, including: (i) information about your interactions with the Service, including with songs and playlists and advertising, products and services which are offered, linked to or made available on the Service; (ii) technical data, which may include the URL you are coming from and your IP address; and (iii) location information. We may store this information so that it can be used for the purposes explained in Section 2.

When you make any purchases through the Service, your credit card information and other financial data that we need to process your payment are collected and stored by third party payment processors, and we may collect some limited information, such as your postal code and details of your transaction history. We may store this information so that it can be used for the purposes explained in Section 2.

A cookie is a small text file that resides on your computer, mobile phone, or other device, and allows us or our business partners to recognize your device when you return to the Service. We may use cookies to perform functions essential to the operation of the Service, track site usage and trends, provide advertising on the Service, and improve and customize your experience. We may also allow certain business partners to place or recognize cookies for those purposes.

From time to time, we may offer you the chance to participate in promotions, contests, and surveys (“**Special Promotions**”) through the Service. Participation in a Special Promotion is entirely voluntary. A Special Promotion may be governed by a privacy policy and/or terms and conditions that are 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 separate terms and conditions or privacy policy shall prevail. If you choose to participate in a Special Promotion, we may ask you for certain personal information in addition to what is stated in this Privacy Policy. That additional information may be combined with other account information and may be used and shared as described in this Privacy Policy.

You also provide a variety of information during your interactions with the us and Service, such as emails you may send us, polls or surveys you choose to participate in, ads you respond to, and emails or newsletters that you sign up to receive. Omicelo receives data from you whenever you provide us with any of this type of information. We may store this information so that it can be used for the purposes explained in Section 2.

2. How We Use the Information We Collect. We may use the information we collect, including your personal information, to: (i) provide, personalize, and improve your experience with the Service and products and services made available through the Service, for example by providing customized or localized content and advertising; (ii) ensure technical functioning of the Service and products and services made available through 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 in the Service; (iii) communicate with you for Service-related purposes, including promotional e-mails or messages; (iv) enable and promote the Service, including features and content of the Service and products and services made available through the Service, such as sharing, user interactions, notifications and suggestions, and integration with third party services; (v) pay artists and copyright owners for tracks you hear, by reporting listening information to copyright licensing agencies; (vi) enforce this Privacy Policy and the Terms and Conditions of Use, including to protect the rights, property or safety of Omicelo, users or any other person and the copyright-protected content of the Service; and (vii) as otherwise stated in this Privacy Policy.

With regards to email, we do not sell or give your email address to other companies for their own marketing purposes without your permission. However, we may use your email address or other personally identifiable information to provide you with technical support, send you notices about the Service or other promotional offers you have elected to receive, and to serve you with ads that are more relevant to your interests. We may occasionally work with data partners and advertising platforms to help increase the relevancy of ads we provide to our listeners.

We also use cookies to serve you with advertisements through the Service. Some advertisements may be relevant to you and your interests. These cookies may also help us and our business partners regulate the advertisements you receive and measure their effectiveness. Our business partners may use their cookies on the Service for the same general purposes. Third parties may use cookies and other similar technologies to collect information about your online activities over time and across different websites. Most web browsers also allow you to manage your cookie preferences. You can also set your browser to refuse cookies, or delete certain cookies. Please be aware that this may impair or prevent due functioning of the Service.

3. How We Share The Information We Collect. We may share the information we collect, including your personal information. We may from time to time engage third party service providers to perform functions and process user data. Third party service providers' processing of user data will always be subject to security and confidentiality obligations consistent with this Privacy Policy and applicable law. In addition to the above, we may also share your information to third parties for these limited purposes: (i) to allow a merger, acquisition, or sale of all or a portion of our assets; (ii) to our parent, subsidiary and affiliated companies with whom we conduct

business; (iii) to respond to legal process (e.g. a court order or subpoena), if we believe in good faith that it is necessary to do so, to comply with requirements of mandatory applicable law, to protect the safety of any person, to protect the rights and property of Omicelo, including to enforce the Terms and Conditions of Use, and to address fraud, security or technical issues; (iv) to inform business partners about use of the Service and products and services made available through the Service, in the form of aggregated statistics or otherwise in a format which does not reveal your identity; and (v) if you expressly opt in to such sharing.

You agree and understand that the privacy policies of the third parties will govern all use of information that we provide to it or that it collects from you.

We may share non-personally identifiable information we receive or collect from you with third parties. Such anonymous, non-personally identifiable or aggregated data may include general demographic or location information (derived from zip code or IP address), information about the computer or device from which you access the Service, or information about the tracks, and artists you listen to. Additionally, we may de-identify personally identifiable information, such as listening data and share it in a de-identified or aggregated form with third parties, advertisers, and/or business partners in order to analyze Service usage, improve the Service and your listener experience, or for other similar purposes. The use and disclosure of such information is not subject to any restrictions under this policy.

4. Links. Our Service and certain advertisements on our Service include links to other websites whose privacy practices may differ from those of Omicelo. If you submit personal information to any of those websites, the privacy statements of those websites govern their use of your information. We encourage you to carefully read the privacy statement of any website you visit.

5. 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 sign off after having used the Service. While we take reasonable data protection precautions, no security measures are completely secure, and we do not guarantee the security of user information at any time.

6. Children. The Service is not directed to children under the age of 13, and we do not knowingly collect personal information from children under 13. If you are under 13 years of age, do not use the Service and do not provide any personal information to us. If we discover that a child under 13 has provided us with personal information, we will delete it.

7. Accessing and Updating User Information. You can access and amend some of the information we keep on you through your settings by contacting help@omicelo.com. **8. Do Not Track** – Omicelo does not track its customers over time and across third party websites to provide targeted advertising and therefore does not respond to Do Not Track (DNT) signals.

9. Changes to the Privacy Policy. We may make changes to this Privacy Policy from time to time, so please visit this Privacy Policy regularly. If we make changes which we believe are material, we will inform you through the Service. Your continued use of the Service thereafter constitutes acceptance of the changes.

10. Contact Us. If you have any questions about this privacy policy, or the privacy practices of Omicelo, please email us at help@omicelo.com.