

Privacy Policy

Effective date: August 2024

At DistroKid, we take your privacy seriously. Please read this Privacy Policy to learn how we treat your personal data. **By using or accessing our Services in any manner, you acknowledge that you accept the practices and policies outlined below, and you hereby consent that we will collect, use and share your information as described in this Privacy Policy.**

Remember that your use of DistroKid's Services is at all times subject to our [Terms of Service](#), which incorporates this Privacy Policy. Any terms we use in this Policy without defining them have the definitions given to them in the Terms of Use.

As we continually work to improve our Services, we may need to change this Privacy Policy from time to time. Upon such changes, we will alert you to any such changes by placing a notice on the DistroKid website, by sending you an email and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes.

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What this Privacy Policy Covers

This Privacy Policy covers how we treat Personal Data that we gather when you access or use our Services. "Personal Data" means any information that identifies or relates to a particular individual and also includes information referred to as "personally identifiable information" or "personal information" or "sensitive personal information" under applicable data privacy laws, rules or regulations. This Privacy Policy does not cover the practices of companies we don't own or control or people we don't manage.

Personal Data

Categories of Sources of Personal Data

We collect Personal Data about you from the following categories of sources:

- **You**
 - When you provide such information directly to us.
 - When you create an account or use our interactive tools and Services.
 - When you voluntarily provide information in free-form text boxes through the Services or through responses to surveys or questionnaires.
 - When you send us an email or otherwise contact us.
 - When you use the Services and such information is collected automatically.
 - Through Cookies (defined in the '[Tracking Tools, Advertising and Opt-Out](#)' section below).
 - If you download our mobile application or use a location-enabled browser, we may receive information about your location and mobile device, as applicable.
 - If you download and install certain applications and software we make available, we may receive and collect information transmitted from your computing device for the purpose of providing you the relevant Services, such as information regarding when you are logged on and available to receive updates or alert notices.
- **Third Parties**
 - Vendors
 - We may use analytics providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.
 - Advertising Partners
 - We receive information about you from some of our vendors who assist us with marketing or promotional services related to how you interact with our websites, applications, products, Services, advertisements or communications.
 - Social Networks
 - If you provide your social network account credentials to us or otherwise sign in to the Services through a third-party site or service, some content and/or information in those accounts may be transmitted into your account with us.

Categories of Personal Data We Collect

This chart details the categories of Personal Data that we collect and have collected over the past 12 months:

<u>Category and Examples of Personal Data</u>	<u>Categories of Third Parties With Whom We May Share this Personal Data:</u>	<u>Business or Commercial Purpose(s) of Collection</u>
Profile or Contact Data <ul style="list-style-type: none">• First and last name• Email• Phone number• Artist ID	<ul style="list-style-type: none">• Service Providers• Advertising Partners• Analytics Partners• Business Partners	<ul style="list-style-type: none">• Providing, Customizing and Improving the Services• Marketing the Services• Corresponding with You

<p>Payment Data</p> <ul style="list-style-type: none"> • Payment card type • Last 4 digits of payment card • Billing address, phone number, and email 	<ul style="list-style-type: none"> • Service Providers (specifically our payment processing partner, currently Paypal Holdings, Inc., Tipalti, and Stripe, Inc.) 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services
<p>Device/IP Data</p> <ul style="list-style-type: none"> • IP address • Device ID • UUID • Domain server • Type of device/operating system/browser used to access the Services • IP-address-based location information 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Analytics Partners • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services • Marketing the Services
<p>Web Analytics</p> <ul style="list-style-type: none"> • Web page interactions • Statistics associated with the interaction between device or browser and the Services 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Analytics Partners • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services • Marketing the Services
<p>Social Network Data</p> <ul style="list-style-type: none"> • Email • Phone number • User name 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Analytics Partner • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services • Marketing the Services • Corresponding with You
<p>Demographic Data</p> <ul style="list-style-type: none"> • Date of Birth • Zip code • Hometown • Birthdate • Primary Locale 	<ul style="list-style-type: none"> • Service Providers • Business Partners • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services
<p>Photos, Videos and Recording</p> <ul style="list-style-type: none"> • Photos, videos or recordings, as may be captured in music content 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Analytics Partners • Business Partners • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services • Marketing the Services
<p>Categories of Data that may be Considered “Sensitive”</p> <ul style="list-style-type: none"> • Personal identification numbers, including social security, driver’s license, passport, or state ID card numbers • A person’s account log-in, password, or credentials allowing access to a Distrokid account • Personal data revealing citizenship or immigration status 	<ul style="list-style-type: none"> • Service Providers • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • See the “Purposes for Processing Sensitive Personal Data” section below
<p>Other Identifying Information that You Voluntarily Choose to Provide</p> <ul style="list-style-type: none"> • Identifying information in emails, letters, texts, or other communication you send us 	<ul style="list-style-type: none"> • Service Providers • Business Partners • Parties You Authorize, Access or Authenticate 	<ul style="list-style-type: none"> • Providing, Customizing and Improving the Services • Corresponding with You

Our Commercial or Business Purposes for Collecting or Disclosing Personal Data

- **Providing, Customizing and Improving the Services**
 - Creating and managing your account or other user profiles.
 - Processing orders or other transactions; billing.
 - Providing you with the products, services or information you request.
 - Meeting or fulfilling the reason you provided the information to us.
 - Providing support and assistance for the Services.
 - Improving the Services, including testing, research, internal analytics and product development.
 - Personalizing the Services, website content and communications based on your preferences.
 - Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as California Consumer Privacy Act, as amended by the California Privacy Rights Act of 2020 (the “CCPA”), the Virginia Consumer Data Protection Act, the Colorado Privacy Act, the Connecticut Data Privacy Act, the Utah Consumer Privacy Act, the Texas Data Privacy and Security Act, the Oregon Consumer Privacy Act, and the Montana Consumer Data Privacy Act (collectively, the “State Privacy Laws”).
- **Marketing the Services**
 - Marketing and selling the Services.
 - Showing you advertisements, including interest-based or online behavioral advertising.
- **Corresponding with You**
 - Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about DistroKid or the Services.
 - Sending emails and other communications according to your preferences or that display content that we think will interest you.

Other Permitted Purposes for Processing Personal Data

- **Meeting Legal Requirements and Enforcing Legal Terms**
 - Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
 - Protecting the rights, property or safety of you, DistroKid or another party.
 - Enforcing any agreements with you.
 - Responding to claims that any posting or other content violates third-party rights.
 - Resolving disputes.
- **Business Transfers**
 - In connection with a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business.
- **Aggregating, De-Identifying, Anonymizing Data**
 - We may create aggregated, de-identified or anonymized data from the Personal Data we collect, including by removing information that makes the data personally identifiable to a particular user.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice. Please

Purposes for Processing “Sensitive Personal Data”

Please note that we only collect “sensitive” categories of Personal Data for the purposes of Meeting Legal Requirements and Enforcing Legal Terms (described above) and Corresponding with You (also described above) as required to provide our Services to you. We do not process “sensitive” categories of Personal Data for the purpose of inferring characteristics about you.

How We Disclose Your Personal Data

We disclose your Personal Data to the categories of service providers and other parties listed in this section. Depending on state laws that may be applicable to you, some of these disclosures may constitute a “sale” of your Personal Data. For more information, please refer to the [“Targeted Advertising, “Sharing,” and “Selling”](#) section.

- **Service Providers.** These parties help us provide the Services or perform business functions on our behalf. They include:
 - Hosting, technology and communication providers.
 - Support and customer service vendors.
 - Tax and residence verification providers, currently, Tipalti, Inc. (Tipalti).
 - Please see Tipalti’s terms of service and privacy policy for information on its use and storage of your Personal Data.
 - Payment processors.
 - Our payment processing partner Stripe, Inc. (“Stripe”) collects your voluntarily-provided payment card information necessary to process your payment. Please see Stripe’s terms of service and privacy policy for information on its use and storage of your Personal Data.
 - Our payment processing partner Tipalti collects your voluntarily-provided payment card information necessary to process your payment. Please see Tipalti’s terms of service and privacy policy for information on its use and storage of your Personal Data.
- **Advertising Partners.** These parties help us market our services and provide you with other offers that may be of interest to you. They include:
 - Ad networks.
 - Marketing providers.
- **Analytics Partners.** These parties provide analytics on web traffic or usage of the Services. They include:
 - Companies that track how users found or were referred to the Services.
 - Companies that track how users interact with the Services.
- **Business Partners.** These parties partner with us in offering various services. They include:
 - Businesses that you have a relationship with.
 - Musicians or content creator customers that you interact with.
- **Parties You Authorize, Access or Authenticate**
 - Third parties you access through the services.

- We use YouTube API services to provide you with YouTube videos, YouTube Music, or other YouTube content or services. When you engage with such products or services, Google LLC (“Google”) will receive certain Personal Data in connection with your engagement. Please see [YouTube’s Terms of Service](#) and [Google’s Privacy Policy](#) for information on Google’s use and storage of your Personal Data.
 - Social media services.

Legal Obligations

We may disclose any Personal Data that we collect with third parties in conjunction with any of the activities set forth under “Meeting Legal Requirements and Enforcing Legal Terms” in the “Our Commercial or Business Purposes for Collecting Personal Data” sections above.

Business Transfers

All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

Tracking Tools, Advertising and Opt-Out

The Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser, tell us how and when you visit and use our Services, analyze trends, learn about our user base and operate and improve our Services. Cookies are small pieces of data— usually text files – placed on your computer, tablet, phone or similar device when you use that device to access our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s).

We use the following types of Cookies:

- Essential Cookies. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- Functional Cookies. Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- Performance/Analytical Cookies. Performance/Analytical Cookies allow us to understand how visitors use our Services. They do this by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services’ content for those who engage with our advertising. For example, Google’s uses cookies in connection with its Google Analytics services. Google’s ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the

option to opt-out of Google's use of Cookies by visiting the Google advertising opt-out page at www.google.com/privacy_ads.html or the Google Analytics Opt-out Browser Add-on at <https://tools.google.com/dlpage/gaoptout/>.

- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the 'Information about Interest-Based Advertisements' section below.

You can decide whether or not to accept Cookies through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. If you do this, however, you may have to manually adjust some preferences every time you visit our website and some of the Services and functionalities may not work.

To explore what Cookie settings are available to you or to modify your preferences with respect to Cookies, you can access your Cookie management settings by clicking the "cookie settings" tab at the bottom of our website. To find out more information about Cookies generally, including information about how to manage and delete Cookies, please visit <http://www.allaboutcookies.org/> or <https://ico.org.uk/for-the-public/online/cookies/> if you are located in the European Union.

Information about Interest-Based Advertisements:

We may serve advertisements, and also allow third-party ad networks, including third-party ad servers, ad agencies, ad technology vendors and research firms, to serve advertisements through the Services. These advertisements may be targeted to users who fit certain general profile categories or display certain preferences or behaviors ("Interest-Based Ads"). Information for Interest-Based Ads (including Personal Data) may be provided to us by you, or derived from the usage patterns of particular users on the Services and/or services of third parties. Such information may be gathered through tracking users' activities across time and unaffiliated properties, including when you leave the Services. To accomplish this, we or our service providers may deliver Cookies, including a file (known as a "web beacon") from an ad network to you through the Services. Web beacons allow ad networks to provide anonymized, aggregated auditing, research and reporting for us and for advertisers. Web beacons also enable ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to view, edit or set their own Cookies on your browser, just as if you had requested a web page from their site.

Users in the European Union should visit the European Interactive Digital Advertising Alliance's user information website <http://www.youronlinechoices.eu/>.

Data Security

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism; limiting access to your computer or device and browser; and signing off after you have finished accessing your account. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

Data Retention

We retain Personal Data about you for as long as necessary to provide you with our Services or to perform our business or commercial purposes for collecting your Personal Data. When establishing a retention period for specific categories of data, we consider who we collected the data from, our need for the Personal Data, why we collected the Personal Data, and the sensitivity of the Personal Data. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

For example:

- We retain your profile information and credentials for as long as you have an account with us.
- We retain your payment data for as long as we need to process your purchase or subscription.
- We retain your device/IP data for as long as we need it to ensure that our systems are working appropriately, effectively and efficiently.

Personal Data of Children

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data from children under 18 years of age; if you are a child under the age of 16, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child under 18 years of age, we will delete that information as quickly as possible. If you believe that a child under 18 years of age may have provided Personal Data to us, please contact us at support@distrokid.com.

U.S. Consumer Privacy Rights

If you reside in certain U.S. states such as California, Colorado, Connecticut, Virginia, Utah, Texas, Oregon, or Montana, you may have certain rights afforded to you (as described below) depending on your state of residence (and the applicable State Privacy Law). Please see the '[Exercising Your Rights under U.S. Privacy Laws](#)' section below for instructions regarding how to exercise these rights. Please note that we may process Personal Data of our customers' end users or employees in connection with our provision of certain services to our customers. If we are processing your Personal Data as a service provider, you should contact the entity that collected your Personal Data in the first instance to address your rights with respect to such data. Please note that your rights may be subject to certain conditions or exceptions in accordance with applicable law.

If you have any questions about this section or whether any of the following rights apply to you, please contact us at support@distrokid.com.

- Access: You have the right to request confirmation of or access to the Personal Data that we process about you. You can also request access to a portable copy of your Personal Data.
- Deletion: You have the right to request that we delete the Personal Data that we have collected about you.
- Correction: You have the right to request that we correct any inaccurate Personal Data we have collected about you.
- Portability: You have the right to request a copy of your Personal Data in a machine-readable format, to the extent technically feasible.

Targeted Advertising, “Sharing,” and “Selling”

As described in the “Tracking Tools, Advertising and Opt-Out” section above, we have incorporated Cookies from certain third parties into our Services. These Cookies allow those third parties to receive information about your activity on our Services that is associated with your browser or device. Those third parties may use that data to serve you relevant ads on our Services or on other websites you visit. Under certain U.S. privacy laws, you may have the option to opt out from the sharing your data through third party Cookies for targeted advertising or cross-contextual behavioral advertising (“Sharing”) of your Personal Data. In some states, such Sharing may also be deemed “selling.” You can opt out from these activities by following the instructions in this section. Please note that we do not sell Personal Data for monetary consideration.

We share your Personal Data the purposes of advertising our Services to the following categories of third parties:

- Advertising Partners
- Analytics Partners

Over the past 12 months, we may have shared the following categories of your Personal Data with third parties for targeted advertising purposes:

- Device/IP Data
- Web Analytics

You have the right to opt-out of the “Sharing” of your Personal Data for the purposes of targeted advertising and the “sale” of your Personal Data. You can opt-out using the following methods:

- By accessing your cookie consent mechanisms by clicking the “cookie settings” tab at the bottom of our website.
- By implementing the Global Privacy Control or similar control that is legally recognized by a government agency or industry standard and that complies with the applicable law. The signal issued by the control must be initiated by your browser and applies to the specific device and browser you use at the time you cast the signal. Please note this does not include Do Not Track signals.

Once you have submitted an opt-out request, we will not ask you to reauthorize the sale of your Personal Data for at least 12 months. To our knowledge, we do not sell the Personal Data of minors under 16 years of age.

Opt In and/or Opt-Out of Certain Processing Activities

- **Profiling and Automated Processing:** You have the right to opt-out from the processing of your Personal Data for the purposes of profiling in furtherance of decisions that produce legal or similarly significant effects to you, if applicable. However, we do not process your Personal Data in this manner.
- **Sensitive Personal Data:**
 - **Consent to Collect Personal Data:** As needed, we may reach out to you to provide us with “sensitive” Personal Data, including: Personal identification numbers, including social security, driver’s license, passport, or state ID card number; your account log-in, Personal Data revealing citizenship or immigration status when you provide this information to us. By providing us with the requested Personal Data, you are consenting to our collection and processing of such information. We collect and process Sensitive Data about you as described in the [‘Categories of Personal Data We Collect’](#) section for the purposes listed in the [‘Purposes for Processing “Sensitive Personal Data”](#)’ section.
 - **Right to Restrict Processing of Sensitive Personal Data:** California consumers have the right to request that we limit the use or sharing disclosure of their Sensitive Personal Information. However, since we only process your Sensitive Personal Data for the permitted purposes under Section 7027(m) of the CCPA Regulations and we do not infer characteristics from your Sensitive Personal Data, we do not offer a way for you to submit such a request.

Anti-Discrimination

We will not discriminate against you for exercising your rights under applicable privacy laws. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under applicable privacy laws. However, we may offer different tiers of our Services as allowed by applicable data privacy laws with varying prices, rates or levels of quality of the goods or services you receive related to the value of Personal Data that we receive from you.

Appealing a Denial

If we refuse to take action on a request within a reasonable period of time after receiving your request in accordance with this section, you may appeal our decision. In such appeal, you must (1) provide sufficient information to allow us to verify that you are the person about whom the original request pertains and to identify the original request, and (2) provide a description of the basis of your appeal.

You may appeal a decision by us using the following methods:

- Email us at: support@distrokid.com (title must include “Privacy Rights Appeal”)

Please note that your appeal will be subject to your rights and obligations afforded to you under the applicable privacy law. We will respond to your appeal within the timer period required by applicable privacy law. If we deny your appeal, you have the right to contact the Attorney General in your state of residence (for example, the Attorney Generals in Virginia, Colorado, Connecticut, and Utah).

Exercising Your Rights under U.S. Privacy Laws

To exercise the rights described in this Privacy Policy, you or, if you are a California, Colorado, or Connecticut resident, your Authorized Agent (defined below) must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Data (such as by logging into your DistroKid account), and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it. Each request that meets both of these criteria will be considered a “Valid Request.” We may not respond to requests that do not meet these criteria. We will only use Personal Data provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within the time period required by applicable law. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request using the following methods:

- Email us at: support@distrokid.com
- Write to us at: DistroKid LLC, 228 Park Ave S PMB 75830, New York, New York 10003-1502

If you are a California, Colorado, or Connecticut resident, you may also authorize an agent (an “Authorized Agent”) to exercise your rights on your behalf. To do this, you must provide your Authorized Agent with written permission to exercise your rights on your behalf, and we may request a copy of this written permission from your Authorized Agent when they make a request on your behalf.

Other State-Specific Privacy Rights

California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties’ direct marketing purposes; in order to submit such a request, please contact us at support@distrokid.com.

Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites and web applications and services that you do not wish such operators to track certain of your online activities over time and across different websites. Our Services do not support Do Not Track requests at this time. To find out more about “Do Not Track,” you can visit www.allaboutdnt.com.

Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties. You can exercise this right by contacting us at support@distrokid.com with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account. Please note that we do not currently sell your Personal Data as sales are defined in Nevada Revised Statutes Chapter 603A.

European Residents

If you are a resident of the European Union (“EU”), United Kingdom (“UK”), Lichtenstein, Norway or Iceland, you may have additional rights under the EU or UK General Data Protection Regulation (the “GDPR”) with respect to your Personal Data, as outlined below.

For this section, we use the terms “Personal Data” and “processing” as they are defined in the GDPR, but “Personal Data” generally means information that can be used to individually identify a person, and “processing” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. DistroKid will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at support@distrokid.com. Note that we may also process Personal Data of our customers’ end users or employees in connection with our provision of certain services to customers, in which case we are the processor of Personal Data. If we are the processor of your Personal Data (i.e., not the controller), please contact the controller party in the first instance to address your rights with respect to such data.

Personal Data We Collect

The ‘[Categories of Personal Data We Collect](#)’ section above details the Personal Data that we collect from you.

Personal Data Use and Processing Grounds

The ‘[Our Commercial or Business Purposes for Collecting Personal Data](#)’ section above explains how we use your Personal Data.

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our “legitimate interests” or the legitimate interest of others, as further described below.

- **Contractual Necessity**: We process the following categories of Personal Data as a matter of “contractual necessity”, meaning that we need to process the data to perform under our Terms of Use with you, which enables us to provide you with the Services. When we process data due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.
 - Profile and Contact Data
 - Payment Data
 - Categories of Data that may be Considered “Sensitive”
- Other Identifying Information that You Voluntarily Choose to Provide
- **Legitimate Interest**: We process the following categories of Personal Data when we believe it furthers the legitimate interest of us or third parties:
 - Profile or Contact Data
 - Identifiers
 - Payment Data
 - Device/IP Data
 - Web Analytics
 - Social Network Data

- Demographic Data
- Geolocation Data
- Photos, Videos and Recording
- Categories of Data that may be Considered “Sensitive”
- Other Identifying Information that You Voluntarily Choose to Provide

We may also de-identify or anonymize Personal Data to further our legitimate interests.

Examples of these legitimate interests include (as described in more detail above):

- Providing, customizing and improving the Services.
- Marketing the Services.
- Corresponding with you.
- Meeting legal requirements and enforcing legal terms.
- Completing corporate transactions.
- **Consent:** In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.
- **Other Processing Grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

Sharing Personal Data

The '[How We Disclose Your Personal Data](#)' section above details how we share your Personal Data with third parties.

EU and UK Data Subject Rights

You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email us at support@distrokid.com. Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data. You can also access certain of your Personal Data by logging on to your account.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can also correct some of this information directly by logging on to your account.
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note, however, that if you exercise this right, you may have to then provide

express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Services.

- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes, such as for direct marketing purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about DistroKid's practices with respect to your Personal Data with the supervisory authority of your country or EU Member State. A list of Supervisory Authorities is available here: https://edpb.europa.eu/about-edpb/board/members_en.

Transfers of Personal Data

The Services are hosted and operated in the United States (“U.S.”) through DistroKid and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Services, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to DistroKid in the U.S. and will be hosted on U.S. servers, and you authorize DistroKid to transfer, store and process your information to and in the U.S., and possibly other countries. In some circumstances, your Personal Data may be transferred to the U.S. pursuant to a data processing agreement incorporating standard data protection clauses.

Data Privacy Framework(s)

DistroKid complies with the EU-U.S. Data Privacy Framework (“EU-U.S. DPF”), the UK Extension to the EU-U.S. DPF (“UK-U.S. DPF”), and the Swiss-U.S. Data Privacy Framework (“Swiss-U.S. DPF”) as set forth by the U.S. Department of Commerce. DistroKid has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (“EU-U.S. DPF Principles”) with regard to the processing of all personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF (the “EU-UK DPF Principles”). DistroKid has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework Principles (“Swiss-U.S. DPF Principles”) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this Privacy Policy and the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles, the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles shall govern. To learn more about the EU-U.S. DPF, the UK-U.S. DPF, and the Swiss-US DPF, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

The Federal Trade Commission each has jurisdiction over DistroKid’s compliance with the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF. This Privacy Policy describes the types of Personal Data we collect, the purposes for which we collect and use your Personal Data, and the purposes for which we disclose your Personal Data to certain types of third parties in the sections above. Pursuant to the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF, EU, UK, and Swiss individuals have the right to obtain our confirmation of whether we maintain Personal Data relating to them in the U.S. Upon request, we will provide EU, UK, and Swiss individuals with access to the Personal Data that we hold about them. EU, UK,

and Swiss individuals may also correct, amend, or delete the Personal Data we hold about them where it is inaccurate, or has been processed in violation of the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question, or where the rights of persons other than the individual would be violated. An EU, UK, and Swiss individual who seeks access, or who seeks to correct, amend, or delete inaccurate data transferred to the U.S. under the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF, should direct their query to support@distrokid.com. If requested to remove data, we will respond within a reasonable timeframe. For more information about rights afforded to EU, UK, and Swiss individuals, please see the "European Union, United Kingdom, and Swiss Data Subject Rights" section of this Privacy Policy.

In addition, under the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF, we will provide EU, UK, and Swiss individuals with the choice to opt-out from the sharing of their Personal Data with any third parties (other than our agents or those that act on our behalf or under our instruction), or before we use it for a purpose that is materially different from the purpose for which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to support@distrokid.com.

In addition to any other disclosures described in our Privacy Policy, in certain situations, we may be required to disclose Personal Data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

DistroKid accountability for Personal Data that it receives in the U.S. under the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF and subsequently transfers to a third party acting as an agent on our behalf is described in the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles. In particular, DistroKid remains liable under the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles if our agents process Personal Data in a manner inconsistent with the EU-U.S. DPF Principles, the EU-UK DPF Principles, and the Swiss-U.S. DPF Principles, unless DistroKid proves that we are not responsible for the event giving rise to the damage.

In compliance with the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF, DistroKid commits to resolve EU-U.S. DPF Principles, EU-UK DPF Principles, and Swiss-U.S. DPF Principles-related complaints about our collection and use of your Personal Data. EU, UK, and Swiss individuals with inquiries or complaints regarding our handling of personal data received in reliance on the DPF should first contact DistroKid at support@distrokid.com.

In compliance with the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF, DistroKid commits to refer unresolved complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF to JAMS, an alternative dispute resolution provider based in the U.S. If you are an EU, UK, or Swiss individual and you do not receive timely acknowledgment of your EU-U.S. DPF Principles, EU-UK DPF Principles, or Swiss-U.S. DPF Principles-related complaint from us, or if we have not addressed your EU-U.S. DPF Principles, EU-UK DPF Principles, or Swiss-U.S. DPF Principles-related complaint to your satisfaction, please visit <https://www.jamsadr.com/dpf-dispute-resolution> for more information or to file a complaint. The services of JAMS are provided at no cost to you.

In compliance with the EU-U.S. DPF, the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. DPF, Railway commits to cooperate and comply respectively with the advice of the panel established by the EU data protection authorities (DPAs) and the UK Information Commissioner's Office (ICO) and the Gibraltar

Regulatory Authority (GRA) with regard to unresolved complaints concerning our handling of human resources data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF in the context of the employment relationship.

If your EU-U.S. DPF, the EU-UK DPF, and the Swiss-U.S. DPF complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Annex 1 of the Data Privacy Framework Principles, located at <https://www.dataprivacyframework.gov/framework-article/ANNEX-I-introduction>.

Contact Information:

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Data or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- <https://distrokid.com/>
- support@distrokid.com
- Attn: DistroKid, 228 Park Ave S, PMB 75830, New York, New York 10003

If you are located in the EU, UK, or Switzerland, you may use the following information to contact our EU, UK or Swiss-Based Member Representative, respectively:

- EU Representative: EDPO (Avenue Huart Hamoir 71, 1030 Brussels, Belgium)
- UK Representative: EDPO UK LTD (8 Northumberland Avenue, London, WC2N 5BY, United Kingdom)
- Swiss Representative: EDPO Switzerland (Rue de Lausanne 37, 1201 Geneva)