

Privacy Policy

Last Updated May 24, 2016

Nalani & Sarina LLC is concerned about privacy issues and wants you to be familiar with how we collect, use and disclose information. This Privacy Policy describes our practices in connection with information that we or our third-party service providers collect through certain of our owned or controlled websites and web properties (e.g., widgets and applications) and mobile applications (“Mobile Apps”) (collectively the “Properties”). By providing Personal Information (as defined below) to us through the Properties, you agree to the terms and conditions of this Privacy Policy.

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third party, including Facebook, Inc., Instagram, Twitter, SoundCloud Limited, BandCamp, Inc., Spotify Limited, Apple Inc., Google Inc., Microsoft Corp., Blackberry, any wireless carriers, our affiliates and any third party operating any site or property to which any Property contains a link. In addition, the inclusion of a link on any Property does not imply endorsement of, or affiliation with, the linked site or Property by us or by our affiliates. Please note that the Properties may include the ability to access and submit (including, for example, via a third-party software application or service that is available through or in connection with a Property) certain information directly to third parties such as, but not limited to, Facebook or any other social media, or to any application or music distribution platform such as Wix Music, iTunes Store or iTunes Music, Amazon, Apple’s App Store or Google Play. Such information is submitted by you directly to such third parties; this Privacy Policy does not apply to any information submitted by you to third parties.

The Properties are controlled and operated from the United States; accordingly, this Privacy Policy, and our collection, use and disclosure of your Personal Information, is governed by U.S. law, and the Properties are not intended to subject Company or any of its affiliates to the laws or jurisdiction of any state, country or territory other than that of the United States. If you are located in the European Union (EU), please note that we abide by the Safe Harbor framework agreed to by the U.S. Department of Commerce and the EU with respect to Personal Information collected by entities located in the European Economic Area and transferred to us in the United States. More information about the Safe Harbor framework can be found at <http://www.export.gov/safeharbor/>.

The Properties are not directed to individuals under the age of thirteen (13), and we request that such individuals do not provide Personal Information through the Properties.

Your California Privacy Rights: If you are a California resident, you may request certain information once per year about our disclosure of certain categories of Personal Information during the preceding calendar year to third parties for such third parties’ own direct marketing purposes. Please send your request by email to info@nalanisarina.com. We reserve our right not to respond to requests submitted other than to the email specified in this section.

UPDATES TO THIS PRIVACY POLICY

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

PERSONAL INFORMATION

Personal Information We May Collect

Two types of information are collected in connection with the Properties: Personal Information and Other Information. “Personal Information” is information that identifies you as an individual. “Other Information” is any

information that does not reveal your specific identity. Other Information is addressed separately below, under the heading "OTHER INFORMATION".

We and our third-party service providers may collect the following Personal Information from you:

- Name
- Postal address (including billing and shipping addresses)
- Telephone number
- Email address
- Credit and debit card number

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

- When you purchase a product or make a request.
- When you register for newsletters or other communications through the Properties.
- When you participate in a contest, promotion, sweepstakes, survey or other promotion through the Properties.
- When you participate in a blog or forum or social media including, but not limited to, Facebook, Inc., et al.

How We May Use Personal Information

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

- To respond to your inquiries and fulfill your requests, such as to send newsletters to you or to provide you with information about our products and services.
- To send to you administrative information, including information regarding the Properties and changes to our terms, conditions and policies.
- To complete and fulfill your purchase, for example, to process your payments, have your order delivered to you, communicate with you regarding your purchase and provide you with related customer service.
- To send to you marketing communications that we believe may be of interest to you (including, without limitation, by our third-party service providers that send direct mail, email, and other types of advertising, such as display advertising or sponsored advertising on the Properties or other properties, to those whose email addresses we have collected).
- To allow you to participate in sweepstakes, contests and similar promotions and to administer these activities. Some of these activities have additional rules, which could contain additional information about how we use and disclose your Personal Information, so we suggest that you read these rules carefully; in the event of a conflict between such rules and this Privacy Policy, such rules will govern.
- For our business purposes, such as data analysis, audits, developing new products, enhancing the Properties, improving our services, identifying usage trends and determining the effectiveness of promotional campaigns.
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- We may combine Personal Information that you submit on or through the Properties with information that we collect from and about you from other online and offline sources, including from our own websites and web properties (including apps, widgets and players) and third-party sources, which may include social media services you interact with through our Properties. We treat such combined information as Personal Information as long as it is so combined.

How Personal Information May Be Disclosed

Your Personal Information may be disclosed:

- To our third-party service providers (and in some cases, our affiliates) who provide services such as hosting, data analysis, payment processing, order fulfillment, infrastructure provision, IT services, customer service, email delivery, credit card processing, auditing and other similar services to enable them to provide such services.
- To our affiliates, to permit them to send marketing communications to you.
- To unaffiliated third parties or their vendors, to permit them to send, or to cause to be sent, marketing communications to you in online and offline media.
- To Nalani & Sarina LLC and their representatives, so that the artists and their representatives may use this information to send to you communications (including marketing communications) that they believe may be of interest to you, including, for example, if you (a) sign up to join our mailing list and/or to receive our newsletters, (b) register with our website, or (c) have otherwise indicated that you would like to receive information and/or marketing communications from us. We do not control, and are not responsible for, band members and their representatives' use of Personal Information.
- To third parties that sponsor contests, sweepstakes and similar promotions.
- To a relevant artist or band member who is no longer affiliated with us, if you indicated an interest in such artist (for example, by registering with the artist's or band member's website).
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to allow us to pursue available remedies or limit the damages that we may sustain.

Retention Period

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.

Sensitive Information

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

OTHER INFORMATION

Other Information We May Collect

We and our third-party service providers may collect Other Information (defined above), such as:

- Browser and device information
- Mobile App usage data
- Server log files
- Geographic location information
- Demographic information and other non-personally identifiable information provided by you
- Information about how you use the Properties
- Aggregated information

How We May Collect Other Information

We and our third-party service providers may collect Other Information in a variety of ways, including:

- Through your browser or your device: Certain information is collected by most browsers, such as your Media Access Control (MAC) address, device type (Windows or Macintosh), screen resolution, operating system version, Internet browser type and version and the type and version of a Property that you are using. We and our service providers may also collect a unique device identifier assigned by us or our service providers to the device from

which you are accessing a Property and other transactional information for the device that we and our service providers may use to serve content to the device.

- Through your use of Mobile Apps: When you download and use a Mobile App, we and our service providers may track and collect Mobile App usage data, such as the date and time the Mobile App on your device accesses our servers and what information and files have been downloaded to the Mobile App based on your device number.

- Through server log files: An Internet Protocol (IP) address is a number that is automatically assigned to your device from which you are accessing a Property by your Internet Service Provider (ISP), and is identified and logged automatically in our server log files whenever you visit the Property, along with the time of the visit and the activity on the Property. We and our service providers use IP addresses for purposes such as calculating Property usage levels, helping diagnose server problems, administering the Properties and determining your approximate geographic location.

- Using cookies: We and our service providers may use cookies, pixel tags, web beacons, Adobe Flash technology (including Flash Local Stored Objects (“Flash LSOs”)) and other similar technologies to, among other things, better serve you with more tailored information for our products and services, and for those of third parties, facilitate your ongoing access to and use of the Properties, and collect and store information about your use of the Properties. For example, pixel tags and web beacons may be used in connection with a Property to, among other things, track the actions of such Property’s users, measure the success of marketing campaigns and compile statistics about such Property’s usage and response rates.

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

- If your device stores Flash LSOs, and if you do not want Flash LSOs stored on your device through which you access the Properties, you can adjust the settings of your Flash player to block Flash LSO storage using the tools contained using the Website Storage Settings Panel. You can also control Flash LSOs by going to the Global Storage Settings Panel and following the instructions (which may include instructions that explain, for example, how to delete existing Flash LSOs (referred to as “information” on the Macromedia site), how to prevent Flash LSOs from being placed on your device without you being asked, and (for Flash Player 8 and later) how to block Flash LSOs that are not being delivered by the operator of the page you are on at the time). Please note that setting the Flash Player to restrict or limit acceptance of Flash LSOs may reduce or impede the functionality of some Flash applications, including, potentially, Flash applications used in connection with the Properties or our content. We expect our service providers and technology suppliers to honor any decision by you to restrict or limit Flash LSOs, but we cannot guarantee that they will do so.

The use of these technologies allows our vendors and third parties and their vendors to deliver advertisements about our products and services, and the products and services of others, when you use the Properties or other applications or visit websites or web properties across the Internet. These parties may place so-called “pixel tags,” “web beacons,” “clear GIFs” or similar technologies on the device through which you access the Properties, and other applications or websites across the Internet, and also place or recognize third-party cookies when you use the Properties, or other applications, websites or web properties. These vendors may use information about your visits to the Properties, and other applications, websites or web properties (excluding your name, address, and telephone number) to provide advertisements for us and others about goods and services that may be of interest to you. If you would like more information about this practice and to know your choices about not having this information used by these companies, please visit the Network Advertising Initiative at www.networkadvertising.org or the Digital Advertising Alliance at www.aboutads.info.

- Geographic location information: If you use any location-enabled products or services, you may be sending us location information. When you use a location-enabled service, we may collect and process information about your precise geographical location, such as GPS signals sent by a mobile device. We and our third party service providers and partners may use your device’s physical location to provide you with personalized location-based services, content and advertisements. In some instances, you may be permitted to allow or deny such uses of your device’s location, but if you choose to deny such uses, we may not be able to provide you with the applicable personalized services and content.

- From you: We may collect demographic information, such as your zip code or gender, as well as other information, such as your preferred means of communication, when you voluntarily provide this information to us. Unless combined with Personal Information, this information does not personally identify you or any other user of the Properties.
- Information about how you interact on the Properties: We may collect information about how you interact on the Properties. For example, some Properties may utilize analytic tools to help us better serve you through improved products, services, and revisions to the Properties. This collected information may let us know which services and features you are using the most within a Property, as well as device type and hardware features, country and language of download, etc.
- By aggregating information: We may aggregate Personal Information so that the end-product does not personally identify you or any other user of the Properties, for example, by using Personal Information to calculate the percentage of our users who like a particular artist.

How We May Use and Disclose Other Information

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

SECURITY

We seek to use reasonable physical, technical and administrative measures to protect Personal Information under our control. Unfortunately, no data transmission over the Internet or data security system can be guaranteed to be 100% secure.

CHOICES AND ACCESS

Your choices regarding our use and disclosure of your Personal Information

We give you many choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- Receiving marketing-related emails from us and our affiliates: If you do not want to receive marketing-related emails from us and our affiliates on a going-forward basis, you may opt-out from receiving such emails either by using the unsubscribe mechanism provided in the email or by emailing us at info@nalanisarina.com.
- Our sharing of your Personal Information with artists or unaffiliated third parties for their marketing purposes: If you prefer that we not share your Personal Information on a going-forward basis with artists or unaffiliated third parties for their marketing purposes, you may opt-out from such sharing by emailing us at info@nalanisarina.com. In each case, please make clear in your email what you are opting-out from. We will try to comply with your request(s) as soon as reasonably practicable.

Please note that, if you opt-out as described above, we will not be able to remove your Personal Information from the databases of our artists or unaffiliated third parties with which we have already shared your Personal Information as of the date that we implement your opt-out request. Please also note that, if you do opt-out from receiving marketing-related messages from us, we may still send administrative messages to you; you cannot opt-out from receiving administrative messages.

How you can access, change, or remove your Personal Information and Posted Content

If you would like to review, correct, update, suppress, delete or otherwise limit our use of your Personal Information that you have previously provided to us or content you have previously posted on a Property, you may contact us by emailing us info@nalanisarina.com.

In your request, please make clear what Personal Information or posted content you would like to have changed or removed and what limitations (if any) you would like to place on our use of your Personal Information. We will try to comply with your request as soon as reasonably practicable. Please note that such request does not ensure the complete or comprehensive removal of Personal Information or content posted on a Property. For example, we may need to retain certain information or content for recordkeeping purposes, and there may also be residual information or content that will remain within our databases and other records that will not be removed. We are also not responsible for changing, removing or suppressing information or content from the databases of artists or affiliated or unaffiliated third parties with which we have already shared your Personal Information or content.

CONTACTING US

If you have any questions about this Privacy Policy, please contact us by email at info@nalanisarina.com. Please note that email communications are not always secure, so please do not include credit card information or other sensitive information in your email messages to us.

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