

## Audius Privacy Policy

Last Updated: October 31, 2023

Welcome to Audius! Tiki Labs, Inc. (“**Audius**,” “**we**,” “**us**,” “**our**”) respects the privacy of our users. This Privacy Policy describes how we collect, use, and share certain information about you (“**you**,” “**your**,” “**user**”) in connection with our website located at <https://audius.co/>, each of the “Audius” branded desktop and mobile applications, and our blockchain-based streaming platform, <https://audius.co/> (the “Service”). It also explains your rights and choices with respect to such information and the steps you can take to protect your privacy.

Please read this policy carefully. By visiting or using the Service, clicking “I agree” or any other button indicating your acceptance of this Privacy Policy, or otherwise providing information to Audius, you are consenting to the collection, use, and sharing of your information as described in this Privacy Policy.

**A note about blockchain:** Audius’ streaming service is hosted on blockchain-based networks (POA Network and Ethereum). Blockchains are immutable, and Audius’ Listeners’ and Creators’ transactions and certain information about our Listeners and Creators are stored on blockchains (detailed below in the Section “Information on Blockchain Networks”). Because blockchains are immutable, any Listener and Creator information that is stored on chain, once created, cannot be changed or removed. You understand that when you use Audius, any information stored on blockchains will remain there and we will not be able to remove it.

### Audius Users

Audius’ Service is available to different types of users, including Listeners, Creators, Service/Infrastructure Providers, and Users who visit the Audius website and Service (each individual or collectively a “user” or “you”). The information that the Service collects from and shares about you may depend on your user type, and you may interact with the Services in any or all of these user types.

- A **Listener** is an individual who has registered for the Service to discover and listen to music by Creators.
- A **Creator** is an individual who has registered for the Service to share his or her music with other Listeners and Creators and who may also use the service as a Listener to discover music and Creators.
- A **User** is an individual that visits or uses the website, and includes Listeners and Creators.
- A **Service/Infrastructure Provider** is an individual or company who operates a creator node, discovery service, content service, or other hosted technology service by running the Audius open-source code and registering in the network, or who provides arbitration services by self-registering as an arbitrator. A Service/Infrastructure Provider can also be a Listener, Creator, User or any combination of the above. Please note, Service/Infrastructure Providers operate independently of Audius; they are neither employees nor contractors of Audius and are not otherwise directed or controlled by Audius in any way.

## Information that We Collect

We and our third-party Vendors collect a variety of information through the Service. We collect information from you directly when you provide it to us through the Service and when you engage in certain actions on the Service. We may also automatically collect certain information about you and your computer, smartphone, or other device when you use, access, or interact with our Service. This information includes, but is not limited to:

- **Account and profile information.** In order to create an account for you on the Audius streaming service as a Listener or Creator, we collect your name, email address, password, and user handle. You may optionally provide us with a profile photo and your location. We will create a user ID to be associated with your account.
- **Social media information.** Listeners and Creators may choose to log in to the Service using a third-party social media service, such as Twitter or Instagram. If you do so, we collect information about you from the social media provider, including, for example, your name, username, email address, and available public profile information. We will ask for your consent prior to your logging in to the Service using your social media account or connecting your social media account to the Service.
- **Information about your transactions and interactions on the Audius streaming service.** We collect information about you as you interact and transact with our streaming service. For example, we collect information about the following types of actions taken by Listeners and Creators: uploading tracks; saving or removing a track from your library; creating, publishing, or deleting playlists; playlist names; playlist content such as the tracks and the order of the tracks; albums; actions to repost tracks, albums, or playlists; and following and unfollowing other Users on Audius. For Creators who upload works to the Service, we collect the tracks uploaded, the title of the track and the Creator's user ID, the track length, cover art for the track, information about the date of creation and release of the track, and any uploaded images.
- **Comments on albums, playlists, or tracks.** We may offer you the ability to publicly comment on Listener and Creator albums, playlists, and tracks. When you leave comments, they will be publicly available and will be associated with your name and user handle.
- **Chat messages.** Audius may offer chat feature that allows you and other Listeners and Creators to communicate through the streaming service. Through its vendors, Audius will collect and store the contents of chat messages that occur through the chat feature.
- **Information you provide to us directly when you contact us.** We collect User information when Users communicate with us through the Service, such as through any "Contact" or "Help" feature on the Service.
- **Surveys.** From time to time, we may ask Users to provide us with feedback through surveys or interviews to help us improve the Service. Such surveys or interviews may be used to collect information about you. Participation in these surveys and interviews is completely voluntary, and you therefore have a choice whether or not to disclose your information.
- **Information collected automatically.** When you use our Service, we or our third-party service providers may automatically receive and record certain information. For example, this may

include your device's IP address, information about your use of the Service during your current session and over time (including the pages you view and the files you download), the date and time of your visit, how you interact with the Service including mouse movements and mouse clicks, links you click, searches conducted, the website visited before navigating to the Service, your software and hardware attributes (including browser and operating system type and version, device type, and device identifiers, such as IDFA or Google Ad ID), and your general location inferred from IP address. To obtain such information, we or our third-party service providers may use the following technologies to recognize your device and collect information about your Service usage:

- **Server logs.** When you use the Service, we automatically receive and record certain information from your computer (or other device) and your browser. To obtain such information, we may use server logs or applications that recognize your device and gather information about its online activity.
- **Cookies.** We also use cookies on the Service. Cookies are small files that are stored on your device by your web browser. A cookie allows us to recognize whether you have visited before and may store user preferences or other information. We also use cookies for analytics purposes. If you are concerned about having cookies on your device, you can set your browser to refuse all cookies or to indicate when a cookie is being set, allowing you to decide whether to accept it. You can also delete cookies from your device. However, if you choose to block or delete cookies, certain features of the Service may not operate correctly.
- **Web beacons, tags, pixels, and similar technologies.** The emails that you receive from Audius may use an application known as a "web beacon" (also known as a "tag" or "pixel") and similar technologies. Web beacons are small strings of code that provide a method for delivering a graphic image on a web page or in an email message for the purpose of transferring data. For example, it may allow an email sender to determine whether a user has opened a particular email.
- **Local storage.** We may use Local Storage Objects (LSOs) such as HTML5 to store user authentication information. Your browser may offer its own management tool to manage LSOs.

We may combine information collected through the Service with information that we collect in other contexts, such as information from our email communications or phone calls with you, and data we collect offline. We will treat such combined information in accordance with this Privacy Policy.

### **Information on Blockchain Networks**

As noted, the Audius streaming service utilizes blockchain networks. This section explains what information will be on these networks.

When you create an account, your name, user handle, user ID, your location (if you've provided one), a reference to your profile photo (if you've provided one), and any Creator tracks are stored on chain along with the time of creation and/or modification of each of these pieces of information.

Your interactions on the Audius streaming service are also stored on chain. These are stored by your user ID and the time of the action and include: saving or removing a track from your library; creating, publishing, or deleting playlists; playlist names; playlist content such as tracks and the order of the tracks; albums; actions to repost tracks, albums, or playlists; following and unfollowing other Users on Audius. Any comments you make on albums, playlists, or tracks will also be stored on chain and associated with your name and handle.

Your email address and password are not stored on chain, but your transactions and the above information are stored both on and off chain by us.

### **How We Use Information that We Collect**

We and the third-party Vendors we work with use the information that we collect for a variety of purposes related to Audius' Service and business, including:

- **Providing the Service.** To create an account for you on Audius, to provide you with the music uploading, listening, and social experience on our Service, to fulfill the terms of any agreement you have with us, to respond to your requests, and for other purposes related to managing our business;
- **Communicating with you.** To communicate with you regarding your Audius account, updates regarding our Service, and other administrative issues, and to respond to your questions or requests;
- **Sending emails, newsletters or other promotional messages.** To send you newsletters or other promotional messages regarding our Service or other services that may be of interest to you;
- **Conducting analytics and improving our Service.** To count and recognize users of the Audius Service, analyze how the Service is used, improve the Service and the User experience, create new products and services, conduct analytics, including as described in the section below titled "Analytics and Interest-based Advertising";
- **Tailoring our content and advertisements.** To tailor content on the Audius Service and target out advertising, including as described in the section below titled "Analytics and Interest-based Advertising";
- **Compiling aggregated and de-identified information.** To compile aggregated and de-identified statistics or reports that we may share with our partners or other third parties;
- **Legal purposes.** For legal or other necessary purposes, including as described below in the section below titled "How We Share information."

### **How We Share Information**

We share information with third parties for a variety of reasons, including as follows:

- **Vendors.** We use third-party service providers (Vendors) to help us manage and improve our Service. These Vendors may collect and use your information only to assist us in achieving the purposes discussed in this Privacy Policy. For example, we may use third-party Vendors to host

our website and perform data storage and processing services, provide help chat service features, send emails, and perform analytics. Our Vendors are distinct from our Users who act as Service/Infrastructure Providers as part of the on-chain service.

- **Creators.** When you transact with a Creator on the Audius Network, we may share your contact information with that Creator to foster a relationship between the two parties. Note that we have limited control over how a Creator may use your information.
- **Other users of the Service.** When you create an account and engage in transactions on the Service, other Users of the Service may view the on-chain information as described in the Section “Information on Blockchain Networks” above. Other users may also view the comments you post and your interactions on the Service. Please ensure you do not submit any information that will be stored on chain that you do not want to be shared with other users.
- **Facebook Custom Audiences and Similar Programs.** We may partner with Facebook Twitter and other social media partners to deliver advertisements to our Users via Facebook Custom Audiences or similar third-party programs. In order to identify and reach our users on Facebook or another third-party service, we may share information such as an email address. For more information about custom audience targeting and how to adjust your social media advertising preferences, please review the privacy policy of your social media provider.
- **Third-party plugins.** The Service may integrate third-party plugins (such as a Facebook “like” button and Twitter “follow” button). Even if you do not click on these plugins, they may collect information about you, such as your IP address and the pages that you view. They also may set and/or access cookies or use similar technologies. These plugins are governed by the privacy policies of the companies providing them.
- **Legal purposes.** We may use or share your information with third parties when we believe, in our sole reasonable discretion, that doing so is necessary:
  - To comply with applicable law or a court order, subpoena, or other legal process;
  - To investigate, prevent, or take action regarding illegal or prohibited activities, suspected fraud, violations of our rules or terms and conditions, or situations involving threats to Users, our property, or the property or physical safety of any person or third party;
  - To establish, protect, or exercise our legal rights or defend against legal claims.
- **Organizational transfers.** We may share your information with third parties to facilitate the financing, securitization, insuring, merger, acquisition, sale, assignment, bankruptcy, or other disposal of all or part of our organization or assets.
- **Aggregated and de-identified information.** We may share aggregated and de-identified information with third parties, such as by publishing or sharing reports with third parties about trends in the usage of Audius’ streaming service.

## **Analytics and Interest-based Advertising**

We partner with certain third-party service providers to collect information to engage in analytics, auditing, research, and reporting. These third parties may use server logs, web beacons, tags, pixels, and similar technologies, and they may set and access cookies on your computer or other device.

In particular, we use Google Analytics on our Service to help collect and analyze certain information for the purposes discussed above. You can learn more about Google Analytics' data practices by clicking [here](#) and opt out of the use of cookies in web browsers by Google Analytics by clicking [here](#).

We may also use analytics providers, including [Mouseflow](#), [FullStory](#), [Hotjar](#), and [Optimizely](#), that engage in heat mapping and that record mouse movements, clicks, scrolls, and keystrokes during your use of Audius. These services help us identify and address technical issues and understand usage of our Service, which we use to improve the Service for you. You can opt-out of our use of these providers [here](#) for Mouseflow, [here](#) for FullStory, [here](#) for Optimizely, and [here](#) for Hotjar.

We also may partner with third parties to provide advertising services that are targeted based on your online activities across websites, mobile apps, and devices over time (commonly referred to as "interest-based advertising"). Our advertising partners may collect information about your activities on our Services on your current device and combine it with information about your activities on other websites, mobile apps, and devices. They may collect such information using server logs, cookies, web beacons, tags, pixels, mobile advertising IDs (such as Apple's IDFA or Google's Advertising ID), cross-device linking, and similar technologies. For example, our advertising partners may use the fact that you visited our websites or used our mobile apps to target advertising to you on non-Audius websites and mobile apps on your current device or on other devices you use. You can opt out of interest-based advertising in web browsers and mobile apps on your current browser or device by following the instructions below.

For more information about interest-based advertising and cross-device linking, please visit the [Network Advertising Initiative website](#), the [Digital Advertising Alliance website](#), and the [European Interactive Digital Advertising Alliance website](#). You may also opt out of interest-based advertising and cross-device linking in web browsers and mobile apps on your current browser or device by following the instructions below.

- **Web Browser Opt-Out.** To opt out in web browsers, please visit <http://optout.aboutads.info/>, <http://optout.networkadvertising.org>, and <http://youonlinechoices.eu/>. To help preserve the choices that you make in the DAA's WebChoices page, you can install the DAA's "Protect My Choices" extension that is available at <http://www.aboutads.info/PMC>. Please note that our Services do not respond to browser Do Not Track signals at this time.
- **Mobile Application Opt-Out.** To opt out in mobile apps, you can adjust the advertising preferences on your mobile device (for example, in iOS, visit Settings > Privacy > Advertising > Limit Ad Tracking, and in Android, visit Settings > Google > Ads > Opt out of interest-based ads). You can also opt out for companies that participate in the Digital Advertising Alliance's AppChoices tool by downloading it at [www.aboutads.info/appchoices](http://www.aboutads.info/appchoices) and following the instructions in the app. For more information about opting out on mobile devices, please see <https://www.networkadvertising.org/mobile-choice>.

Please note that the opt-outs described above will apply only to the specific browser or device from which you opt out, and therefore you will need to opt out separately on all of your browsers and devices. If you delete or reset your cookies or mobile advertising identifiers, change browsers (including

upgrading certain browsers), or use a different device, any opt-out cookie or tool may no longer work, and you will need to opt out again. Our Service does not respond to Do Not Track signals at this time.

### **Third-Party Links, Websites, and Apps**

The Service may contain links to websites or services of other third parties. If you follow a link to any of these websites or services, please note that these websites (and any services that may be accessible through them) have their own privacy policies. We are not responsible for the privacy practices of other websites or the information you share through such other websites. We encourage our users to be aware when they leave the Services and to read the privacy policies applicable to such third-party websites. This Privacy Policy applies solely to information collected in connection with the Services.

### **Data Security and Retention**

Audius uses physical, technical, and administrative safeguards to protect your information against loss or unauthorized access, use, modification, or deletion. However, no security program is 100% secure, and thus we cannot guarantee the absolute security of your information.

Audius retains your information that is not stored on chain for as long as reasonably necessary for its legitimate business purposes, to provide the Service to you, to fulfill the purposes described in this Privacy Policy, or as required by law.

### **Your Rights and Choices**

You may review your account information on the Audius streaming service at any time by logging in and viewing your profile. You may also update certain information directly through your profile. Please contact us at [legal@audius.co](mailto:legal@audius.co) with any questions.

You may unsubscribe from promotional communications from us by clicking the “Unsubscribe” link at the bottom of each message. Please note, you will still receive administrative messages related to your account from us.

If you would like to opt-out of interest-based advertising, please follow the instructions in the above section “Analytics and Interest-based Advertising.”

You may have rights under applicable laws to request access to, correction of, deletion of, or restrictions on the processing of certain information. You may also have rights under applicable laws to opt out of or withdraw consent to further processing, request copies of your personal data, or lodge a complaint with a data protection authority in your jurisdiction. To make such request and/or inquire about such rights, please send us an email at [legal@audius.co](mailto:legal@audius.co). For your protection, we may only implement requests related to information that we have associated with the email address used to send us your request, and we may need to verify your identity before implementing your request.

As noted, however, on-chain information is immutable and cannot be removed.

### **Information for Individuals Outside the United States**

The information that we collect through or in connection with our Service is controlled by Audius, which is headquartered in the United States at the address listed in the “Contacting Us” section below. The

data that we collect through or in connection with our Service is accessed in the United States for the purposes described above. Audius also may subcontract the processing of your data to, or otherwise share your data with, third parties in the United States or other countries outside your country of residence. The data protection laws in these countries may be different from, and less stringent than, those in your country of residence. By visiting or using the Service, clicking “I agree” or any other button indicating your acceptance of this Privacy Policy, or otherwise providing information to Audius, you expressly consent to such processing.

We will implement data protection mechanisms, as appropriate, to safeguard your information when accessed or processed outside your country of residence. We may process your data in the United States as necessary for the performance of our agreements with you or to establish, exercise, or defend legal claims.

To the extent required by law, our legal basis for processing information will depend on the type of information at issue and the purpose for which it is collected and used. In some cases, we rely on your consent to process information, or we process information as necessary for the performance of our agreements with you. We also may rely on our legitimate interests to process your information, for the purposes described in this Privacy Policy.

### **Children’s Privacy**

The Service is not intended for individuals deemed to be children under the laws of your jurisdiction. We request that children do not provide information to us through the Service.

### **Sensitive Information**

We ask that you not send us, and you not disclose, any sensitive information (*e.g.*, social security numbers, financial information, health information, information related to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, or sexual orientation) on or through the Service or otherwise to us.

### **Changes to This Privacy Policy**

We may revise this Privacy Policy periodically in the future. If we make any material changes, we will post the revised Privacy Policy on our website with an effective date indicating when the revised Privacy Policy will take effect. Your continued use of our Service will serve as an acceptance of any changes to the Policy. We encourage you to review this Privacy Policy periodically.

### **Contacting Us**

If you have any questions or comments regarding our Privacy Policy, please email us at [legal@audius.co](mailto:legal@audius.co) or contact us at:

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