

# BONEZYARD LIMITED Privacy Policy

*Effective as of JULY 2020*

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## 1. INTRODUCTION

Hi there! Thank you for being part of our BONEZYARD family.

We at BONEZYARD.com Inc. (“BONEZYARD, we, our, us”) are focused on providing our end users (“End User”, “you”, “your”) with innovative online music (BONEZYARD.com) and audiobook (eStories.com) services. Furthermore, we are committed to transparency regarding how we collect, use, and maintain information from and about you.

This Privacy Policy describes our practices in connection with information that we collect through our web site, software applications (including mobile), and other products and services made available to you by BONEZYARD (collectively, the “Site”). By using this Site, you consent to the collection, use, and disclosure of your information in accordance with this Privacy Policy.

This Privacy Policy will explain the following:

- The types of information we collect from you and how that information is collected;
- How we use such information;
- The circumstances under which we disclose such information to others;
- The choices you have regarding our use of, and your ability to modify, such information; and

- The mechanisms we have implemented that are designed to protect your personally identifiable information.

## **2. YOUR RIGHTS AND PREFERENCES – YOUR CONTROL AND CHOICE**

As you may know a new European Union/European Economic Area law, called the General Data Protection Regulation (“GDPR”) recently went into effect. The GDPR gives you certain rights in relation to your personal data. As a result, we have made it easier for you to control your data and otherwise take advantage of your rights. The rights afforded to you are as follows:

- Right to Access – you have the right to request confirmation about whether we are processing your data, where it is being processed, and if so for what purpose it is being processed.
- Right to Data Portability – you have the right to request and receive, free of charge, a copy of your personal data.
- Right to be Forgotten – you have the right to request erasure of your personal information (however, please keep in mind that we will not be able to provide any services to you if you request, we delete your account information).
- Right to Correct Errors – you have the right to request that we correct errors in your personal data in a timely manner.
- Right to Object – you have the right to object to our use of your personal data for purposes of direct marketing.

You’ve already been able to update your account information via the My Account section of the Site, and that won’t change. You can now visit Your Privacy Centre to update your communications preferences, to access your stored data, and to request that your data be deleted from our databases.

You’ve also already been able to manage the emails you receive from us, and that won’t change. You have the option to receive fewer or no promotional communications by opting out. You may opt out in one of two ways (1) select promotional communications by following the instructions included in the specific communication, or (2) by adjusting your email preferences in the My Account section of the Site.

Additionally, we have designated a Data Protection Officer (“DPO”) who you can contact with any questions or concerns. You may contact us at [support@BONEZYARD.com](mailto:support@BONEZYARD.com) or the address on our website we will need to verify you’re you, so please include the email address associated with your account. Our DPO will respond within a timely manner. If you are unhappy with the way your personal data is being used you may also contact and lodge a complaint with your local Data Protection Authority.

## **3. INFORMATION WE COLLECT**

We collect information about you when you visit and use our Site and, particularly, when you enter or input information in connection with your use of the Site. However, you can visit the Site and learn about BONEZYARD, our related products and services, and find out how to contact us without giving us information that may be considered to be personally identifiable. We may also engage third party service providers who may collect information from you when you visit and use our website. Such third-party services may include payment processing, data analysis, IT services and infrastructure, customer service, email delivery, marketing and advertising, and other similar services.

We collect Personally Identifiable Information (“PII”) from you when you provide it to us in connection with your use of the Site. Such information may include your name, email address, mailing address, phone number, and, where appropriate, a valid credit card number with expiration date or other payment method details. You may manually input this information or you may provide same via a social media application you use to register. For example, you may be required to provide this information to us if you: (1) complete a registration form (e.g., sign-up forms for registering for an account, receiving email newsletters, registering for special offers, promotions or programs, entering a contest/sweepstakes or responding to a survey); (2) fill out a form to request information; (3) register to participate in message boards and other community features (if any); or (4) purchase any products or services through the Site. Your provision of such information constitutes your consent to its collection in accordance with this Privacy Policy. Of course, you may choose not to provide us with this information, but this will limit the products, services, and support that we are able to offer or provide to you.

In addition to PII, we also collect Other Information (“OI”) from you that, on its own, does not identify a specific individual. OI includes but is not limited to the files and content you upload to your cloud, your location, the URL that you just came from (whether this URL is on the Site or not), the URL you next go to (whether this URL is on the Site or not), your computer/mobile browser information, your IP address, the type of mobile device you use, your mobile device’s unique ID, and information about the way you use the Site.

We automatically track certain Other Information based upon your use of the Site and your use of our products. We use this information on an aggregated basis for various reasons, such as research on our users’ demographics, interests, and preferences, to improve the Site and user experience, and to offer you new or improved products, services and promotions.

If you choose to leave feedback regarding content, or provide any other public content, we will collect this information at the time that you provide it to us. We retain this information as necessary to resolve disputes, provide customer support and troubleshoot problems, and as otherwise permitted by law.

If you send us personal correspondence, such as emails or letters, or if other users or third parties send us correspondence about your activities or postings on the Site, we may collect and store such information into a file specific to you.

We may use third party advertising companies to serve advertisements when you visit the Site. These companies may collect Other Information regarding your use of the Site to provide advertisements about goods and services that may be of interest to you.

We and our third-party service providers may collect information from you, from a particular computer or device, to predict your preferences or interests, and deliver ads to said computer or device based upon your preferences and interests. The information collected includes, but is not limited to, your web viewing behaviour over time, as well as your web viewing behaviour across non-affiliated websites.

### **3a. COOKIE POLICY**

We use data collection devices such as “cookies” (small text files placed on your computer’s hard drive when you visit a web site) to assist us in providing our services. Cookies make using the Site easier by, among other things, saving your passwords and preferences for you, helping identify you

when you return to our Site, and reducing the number of times you are required to enter your password during a session. Cookies can also help us provide information that is targeted toward your interests and preferences. Third party service providers may also place or recognize a unique cookie in your browser when serving advertisements to the Site.

You can adjust your browser settings at any time to refuse all or some cookies or to prompt you before accepting a cookie. However, if you choose to refuse cookies, you may not be able to use certain features on the Site and you may be required to re-enter your password more frequently during a session.

#### **4. OUR USE OF YOUR INFORMATION**

We will use your PII and/or OI for our business purposes, including the following instances

- provide to you the Site, our products and our services;
- enforce our Terms of Use;
- update you about new products or services;
- send you information regarding your purchases as well as changes to our services, terms, conditions, or policies (which you may not opt out of receiving);
- send you information regarding products, services, special deals, promotions or information which we think may interest you (which you may opt out of receiving);
- improve our Site, products, and services
- analyse Site usage and perform market research.

**BONEZYARD is Payment Card Industry (PCI) compliant. BONEZYARD does not store nor have access to your complete credit card information. This is held by third party provider Braintree (a division of PayPal) who is required to confirm their PCI compliance with us.** If your location settings on your device are turned on, we may collect your device's geolocation data and save your device's coordinates to offer certain features and content to you. You can control your device's location settings on your device, and it is in your discretion whether you share your geolocation data. If you decide not to share this data, we may still be able to access your country, state, and city via your IP address.

#### **5. OUR DISCLOSURE OF YOUR INFORMATION**

We may make your information available to others:

- Who provide information, products, goods or services that you have requested via the Site;
- When we have retained companies to work with or on behalf of BONEZYARD to facilitate our operations and the products and services we provide to you (such companies are contractually obligated to maintain the confidentiality of your information and are restricted from using it in any way not expressly authorized by BONEZYARD);
- Who are users of the Site, solely to the extent you choose to make such information publicly available by posting it to your profile, via our message boards, in content reviews and ratings, or via other BONEZYARD community services;

- When we are legally compelled to do so by a governmental agency, court or other entity (e.g., to respond to subpoenas, court orders, or legal process);
- If we believe such disclosure is necessary to comply with any applicable laws or regulations, to enforce or apply the terms of our Site Terms of Use or any of our terms and conditions and policies relating to specific promotions, programs, product offerings or any other features or functions of the Site, or to protect and/or defend the rights, property or safety of BONEZYARD, its suppliers, advertisers, other customers or users, or any other party;
- Who are parent companies, affiliates, subsidiaries or joint ventures;
- When you use co-branded services, in which case you are giving us permission to share information (but not credit card information) you provide in the context of our co-branding and marketing relationship, with our co-branding partner(s). Use of such information by co-branding partners is subject to their own respective privacy policies;
- Who are trusted third parties (e.g., promotional partners and advertisers) so that they can promote their products and services and those of their affiliates and partners based on your preferences and interests. You may “opt out” of such disclosure(s) to the extent they include your personally identifiable information by sending an email at any time to [support@BONEZYARD.com](mailto:support@BONEZYARD.com) indicating your intent. If you do not opt out and we share your personally identifiable information (but not emails) with such trusted third parties, their use of such information is subject to their own privacy policies; and/or
- In the event of a bankruptcy, or a merger, acquisition, joint venture or other business combination involving us.

## **5. SAFEGUARDING YOUR PERSONAL INFORMATION**

BONEZYARD uses industry-standard security precautions, including physical, electronic, and administrative procedures, designed to safeguard and help prevent unauthorized access to, disclosure of, and use of your PII. For example, when you provide credit or debit card information through the Site, we use secure socket layer (“SSL”) encryption to protect that data.

However, although we use such precautions to protect your information, we cannot guarantee complete security because no computer, system, or exchange of data via the Internet is 100% secure from intrusion. You acknowledge and agree that you provide your PII to us at your own risk.

Please help protect the security of your information by taking measures such as installing the latest computer security updates, using anti-virus software, keeping your password private, and signing out of your account when you are finished with a session, especially when using a public or shared computer.

## **6. CONTENT PROVIDED BY YOU: CONTENT FEEDBACK AND OTHER PUBLIC SUBJECT MATTER**

You are solely responsible for the content you post publicly on the Site. You should be aware that when you voluntarily disclose PII or any Other Information through any public forum associated with the Site, that information can be read, collected, and used by other users of these services and may result in unsolicited messages, both commercial and otherwise.

You agree that you will not use such features for any purpose that is unlawful or prohibited by our Terms of Use or any other BONEZYARD terms and conditions, policies, or guidelines that may be in effect from time to time. We reserve the right to terminate your access to the Site or to take other protective steps if you violate these terms.

## **7. LINKS TO OTHER SITES**

Our Site may contain links to web sites and services owned or maintained by third parties. We are not responsible for, and have no control over, the privacy and data collection policies and practices implemented by such third parties, some of which may be substantially different from our own policies and practices. We encourage you to carefully review the respective privacy policies of these third parties and ask questions directly of them in this regard.

## **8. HOW TO CONTACT US**

If you have any questions or complaints about our Privacy Policy, you can contact our customer service department at [support@BONEZYARD.com](mailto:support@BONEZYARD.com). When we receive such inquiries about our Privacy Policy, we will use your PII to the extent necessary to respond to your question or comment..

## **9. CHANGES IN THIS PRIVACY POLICY**

We reserve the right to modify, alter, or otherwise update this Privacy Policy at any time, so we encourage you to review this Privacy Policy from time to time. When we make changes, we will notify you in this space. We may also, in our discretion, notify you of any such changes to our privacy practices via email or by placing a notice on our home page.

## **10. ACCEPTANCE OF THIS PRIVACY POLICY**

By using this Site, you consent to the collection, use, and disclosure of your information in accordance with this Privacy Policy.