

Effective date: March 19, 2021

# Noisedeck Privacy Statement

## What information Noisedeck collects

"User Personal Information" is any information about one of our Users which could, alone or together with other information, personally identify them or otherwise be reasonably linked or connected with them. Information such as a username and password, an email address, a real name, an Internet protocol (IP) address, and a photograph are examples of "User Personal Information."

User Personal Information does not include aggregated, non-personally identifying information that does not identify a User or cannot otherwise be reasonably linked or connected with them. We may use such aggregated, non-personally identifying information for research purposes and to operate, analyze, improve, and optimize our Website and Service.

## Information users provide directly to Noisedeck

### Registration information

When you create an account with us, we ask you for a valid email address.

### Payment information

If you subscribe to or purchase Noisedeck Pro, we collect your credit card information or other payment information. Noisedeck does not process or store your payment information, but our third-party payment processor does.

## Information Noisedeck automatically collects from your use of the Service

### Usage information

If you're accessing our Service or Website, we automatically collect the same basic information that most services collect, subject, where necessary, to your consent. This includes information about how you use the Service, such as the pages you view, the referring site, your IP address and session information, and the date and time of each request. This is information we collect from every visitor to the Website, whether they have an Account or not. This information may include User Personal information.

### Cookies

As further described below, we automatically collect information from cookies (such as cookie ID and settings) to keep you logged in, to remember your preferences, to identify you and your device and to analyze your use of our service.

## Device information

We may collect certain information about your device, such as its IP address, browser or client application information, language preference, operating system and application version, device type and ID, and device model and manufacturer. This information may include User Personal information.

## What information Noisedeck does not collect

We do not intentionally collect “Sensitive Personal Information”, such as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation. If you choose to store any Sensitive Personal Information on our servers, you are responsible for complying with any regulatory controls regarding that data.

If you are a child under the age of 13, you may not have a Pro account with Noisedeck. Noisedeck does not knowingly collect information from or direct any of our content specifically to children under 13. If we learn or have reason to suspect that you are a User who is under the age of 13, we will have to close your account. Please see our Terms of Service for information about account termination. Different countries may have different minimum age limits, and if you are below the minimum age for providing consent for data collection in your country, you may not have a Pro account on Noisedeck.

Noisedeck performs its processing on your local computer. We do not upload, collect, or store any images, text, or other data that you use or create in the course of using the application.

## How Noisedeck uses your information

We may use your information for the following purposes:

- We use your Registration Information to create your account, and to provide you the Service.
- We use your Payment Information to provide you with Noisedeck Pro.
- We use your email address to communicate with you, if you've said that's okay, and only for the reasons you've said that's okay.
- We use Usage Information and Device Information to better understand how our Users use Noisedeck and to improve our Website and Service.
- We may use your User Personal Information if it is necessary for security purposes or to investigate possible fraud or attempts to harm Noisedeck or our Users.
- We may use your User Personal Information to comply with our legal obligations, protect our intellectual property, and enforce our Terms of Service.

We limit our use of your User Personal Information to the purposes listed in this Privacy Statement. If we need to use your User Personal Information for other purposes, we will ask your permission first.

### Our legal bases for processing information

To the extent that our processing of your User Personal Information is subject to certain international laws (including, but not limited to, the European Union's General Data Protection Regulation (GDPR)), Noisedeck is required to notify you about the legal basis on which we process User Personal Information. Noisedeck processes User Personal Information on the following legal bases:

#### Contract Performance:

When you create a Noisedeck Account, you provide your Registration Information. We require this information for you to enter into the Terms of Service agreement with us, and we process that information on the basis of performing that contract. We also process your email address on other legal bases, as described below.

If you have a Pro account with us, we collect and process additional Payment Information on the basis of performing that contract.

#### Consent:

We rely on your consent to use your User Personal Information under the following circumstances: when you fill out the information in your user profile, and for marketing purposes, where applicable. While you are not able to delete your email address entirely, it is private. You may withdraw your consent at any time by requesting deletion of your account.

#### Legitimate Interests:

Generally, the remainder of the processing of User Personal Information we perform is necessary for the purposes of our legitimate interest, for example, for legal compliance purposes, security purposes, or to maintain ongoing confidentiality, integrity, availability, and resilience of Noisedeck's systems, Website, and Service.

## How we share the information we collect

We may share your User Personal Information with third parties under one of the following circumstances:

#### With your consent

We share your User Personal Information, if you consent, after letting you know what information will be shared, with whom, and why.

### With service providers

We share User Personal Information with a limited number of service providers who process it on our behalf to provide or improve our Service, and who have agreed to privacy restrictions similar to the ones in our Privacy Statement by signing data protection agreements or making similar commitments. Our service providers perform payment processing, network data transmission, security, and other similar services. While Noisedeck processes all User Personal Information in the United States, our service providers may process data outside of the United States or the European Union.

### For legal disclosure

Noisedeck strives for transparency in complying with legal process and legal obligations. Unless prevented from doing so by law or court order, or in rare, exigent circumstances, we make a reasonable effort to notify users of any legally compelled or required disclosure of their information. Noisedeck may disclose User Personal Information or other information we collect about you to law enforcement if required in response to a valid subpoena, court order, search warrant, a similar government order, or when we believe in good faith that disclosure is necessary to comply with our legal obligations, to protect our property or rights, or those of third parties or the public at large.

For more information about our disclosure in response to legal requests, see our [Guidelines for Legal Requests of User Data](#).

### Change in control or sale

We may share User Personal Information if we are involved in a merger, sale, or acquisition of corporate entities or business units. If any such change of ownership happens, we will ensure that it is under terms that preserve the confidentiality of User Personal Information, and we will notify you on our Website or by email before any transfer of your User Personal Information. The organization receiving any User Personal Information will have to honor any promises we made in our Privacy Statement or Terms of Service.

### Aggregate, non-personally identifying information

We may share certain aggregated, non-personally identifying information with others about how our users, collectively, use Noisedeck.

We do not sell your User Personal Information for monetary or other consideration.

Please note: The California Consumer Privacy Act of 2018 ("CCPA") requires businesses to state in their privacy policy whether or not they disclose personal information in exchange for monetary or other valuable consideration. While CCPA only covers California residents, we voluntarily extend its core rights for people to control their data to all of our users, not just those who live in California. You can learn more about the CCPA and how we comply with it [here](#).

## Data retention and deletion of data

Generally, Noisedeck retains User Personal Information for as long as your account is active or as needed to provide you services.

If you would like to cancel your account, you may do so through our customer portal. We retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements, but barring legal requirements, we will delete your full account (within reason) within 90 days of your request.

## Our use of cookies and tracking

### Cookies

We use cookies solely to provide, secure, and improve our service. For example, we use them to keep you logged in, remember your preferences, identify your device for security purposes, analyze your use of our service, compile statistical reports, and provide information for future development of Noisedeck.

By using our Pro service, you agree that we can place these types of cookies on your computer or device. If you disable your browser or device's ability to accept these cookies, you will not be able to log in or use our Pro service.

## How Noisedeck secures your information

Noisedeck takes all measures reasonably necessary to protect User Personal Information from unauthorized access, alteration, or destruction; maintain data accuracy; and help ensure the appropriate use of User Personal Information.

In the event of a data breach that affects your User Personal Information, we will act promptly to mitigate the impact of a breach and notify any affected Users without undue delay.

Transmission of data on Noisedeck is encrypted using SSH, HTTPS (TLS). No method of transmission, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

## Noisedeck's global privacy practices

Noisedeck is the controller responsible for the processing of your personal information in connection with the Service.

We store and process the information that we collect in the United States in accordance with this Privacy Statement, though our service providers may store and process data outside the United States. However, we understand that we have Users from different countries and regions

with different privacy expectations, and we try to meet those needs even when the United States does not have the same privacy framework as other countries.

We provide the same high standard of privacy protection—as described in this Privacy Statement—to all our users around the world, regardless of their country of origin or location. We work hard to comply with the applicable data privacy laws wherever we do business. We collect only the minimum amount of User Personal Information necessary for our purposes.

## How we communicate with you

We use your email address to communicate with you, if you've said that's okay, and only for the reasons you've said that's okay.

## Resolving complaints

If you have concerns about the way Noisedeck is handling your User Personal Information, please let us know immediately. We want to help. You may email us directly with the subject line "Privacy Concerns." We will respond promptly — within 45 days at the latest.

## Dispute resolution process

In the unlikely event that a dispute arises between you and Noisedeck regarding our handling of your User Personal Information, we will do our best to resolve it. Additionally, if you are a resident of an EU member state, you have the right to file a complaint with your local supervisory authority, and you might have more options.

## Changes to our Privacy Statement

Although most changes are likely to be minor, Noisedeck may change our Privacy Statement from time to time. We will provide notification to Users of material changes to this Privacy Statement through our Website at least 30 days prior to the change taking effect by posting a notice on our home page or sending email to the address associated with your Noisedeck account.

## Contacting Noisedeck

Questions regarding Noisedeck's Privacy Statement or information practices should be directed to [noisedeck.art@gmail.com](mailto:noisedeck.art@gmail.com).