



SOUNDMOUSE SERVICES PRIVACY POLICY

1 INTRODUCTION

1.1 This policy (the **Privacy Policy**) sets out the basis on which any personal data that Soundmouse collects from you, or about you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

1.2 For the purpose of data protection law, the data controller of your data is Soundmouse Limited (**Soundmouse, we, us**), a company registered in England and Wales with registered company number 03962610 and registered address at 26 Litchfield Street, London, WC2H 9TZ. As a data controller we have registered with the Information Commissioner's Office and our registration number is Z930458X.

2 DEFINITIONS

In this Privacy Policy capitalised words and expressions shall have the meanings given to them in the Soundmouse Terms of Use unless defined below:

Company means the business you work for or represent, if any.

Producer means the owner and/or producer of a Production.

Production means an audio or audiovisual production and/or transmission of any kind, including films, TV programmes, TV channels, radio stations, videos, advertisements, sound recordings, idents, websites and apps.

Soundmouse Customer means any person authorised by Soundmouse to access and use the Soundmouse Services.

Soundmouse Services means the range of services provided on the Soundmouse and Silvermouse platforms from time to time.

you means you, the data subject, whose personal data we process, and **your** shall be understood accordingly.

3 THE INFORMATION THAT SOUNDMOUSE COLLECTS ABOUT YOU

Soundmouse Services users

3.1 If you wish to use the Soundmouse Services, you will be required to register first. When you register, Soundmouse will collect necessary personal information about you including your name, title, fixed line number, mobile number, fax number, email address, preferred language, username, territory, primary country of operation, company name and other company details. This data allows us to provide a personalised service to you. This information may be provided to us by your employer if you work for a Company.

3.2 We may also collect technical data including your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices

you use to access the Soundmouse Services. Please also see section 3.8 below for additional personal data we may collect from you as a visitor to our website.

3.3 We may also hold your personal information in usage logs which record your activities while uploading, amending or deleting data uploaded via the Soundmouse Services.

3.4 We will create an account for your use of the Soundmouse Services based on the information you give (an **Account**). We may also ask that you provide other information to us for the Account. You are under no obligation to provide such information. However, if you choose to withhold requested information, Soundmouse may not be able to provide the Soundmouse Services to you.

Actors, crew, performing artists, songwriters and others

3.5 The Soundmouse and Silvermouse databases are repositories of data relating to Productions and creative content that is available for use in Productions or in isolation. The data is provided and used by broadcasters, production companies, record labels, music publishers and other Producers, and collecting societies, industry organisations and others. If you are or were involved in the creation or production of a Production or creative content, your data may be included in a file relating to that Production or creative content on the database. Such information may be limited to your name alone, but in the case of actors and some others certain other data may be included such as the details of your participation in the Production or the creative content, details of your agent, your collecting society or union membership, your music rights or other rights you hold in relation to Creative Content. Your name and the nature of your participation in a Production or creative content may also be collected as part of any analysis of the creative content of a Production that we carry out.

Creative Diversity Network Diamond project contributors

3.6 We will collect your personal data if you complete and submit a form in contribution to the Creative Diversity Network Diamond project. The data involved, and the terms under which we collect, store and process your Diamond data, are set out in the privacy policies on the CDN Diamond page, which are available via this link: <http://creativitydiversitynetwork.com/diamond/contributors/>

Suppliers, business contacts and others

3.7 We may collect your personal data in person, by your filling in forms, from third parties, from publicly available sources, or by corresponding with you by post, phone, email or otherwise. This data may include your name, contact details, job title, the company or business you work for and other business-related information.

Website visitors

3.8 If you visit our website we may automatically collect technical data about your equipment, browsing actions and patterns. If so, we collect this personal data by using cookies, server logs and other similar technologies. See section 10 below for more information about cookies.

4 HOW YOUR INFORMATION IS USED

4.1 We have set out below a description of all the ways we may use your personal data, and which of the lawful bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

4.2 Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data.

Soundmouse Services users

4.3 We will use your personal data to do one or more of the following:

- (a) to administer and assist in the provision of the Soundmouse Services to you;
- (b) to monitor, develop and improve the Soundmouse Services and your experience;
- (c) to process and deal with any complaints or enquiries made about or by you or your Company;
- (d) to contact you about a submission you have made to the Soundmouse Services; and/or
- (e) to understand customer trends and patterns.

4.4 We will process your data on the lawful basis that it is necessary for the purposes of our legitimate interest in providing the Soundmouse Services to you and (if applicable) your Company and developing and improving the Soundmouse Services, and the legitimate interest of your Company (if applicable) in receiving the Soundmouse Services. If you are accessing the Platform under our Standard Terms and Conditions of Business (and not on behalf of your Company) we will process your data, to the extent necessary, on the lawful basis that it is necessary to fulfil our obligations to you under the Terms and Conditions of Business.

Actors, crew, performing artists, songwriters and others

4.5 We will use your personal data to do one or more of the following:

- 4.5.1 to enable Producers to create and access a database of creative data relating to Productions so as to facilitate the management, licensing and operation of the Production;
- 4.5.2 to create music cue sheets in respect of audiovisual Productions;
- 4.5.3 to analyse and report on the usage of creative content as contained in Productions or in isolation; and
- 4.5.4 to carry other operations required of us by our customers.

4.6 We will process your data on the lawful basis that it is necessary for the purposes of our legitimate interest in providing the Soundmouse Services to Producers, and the legitimate

interest of Producers in being able to manage their Productions, and the legitimate interest of rightsholders and others (including you if applicable) who are entitled to revenue/royalties from the exploitation of Productions so as to enable them to be appropriately credited and paid.

Creative Diversity Network Diamond project contributors

- 4.7 The purpose for which and the lawful basis on which Diamond data is collected and processed is set out in the Diamond privacy policies which are available via this link: <http://creativediversitynetwork.com/diamond/contributors/>

Suppliers, business contacts and others

- 4.8 We will process your data on the lawful basis that it is necessary for the purposes of our legitimate interest in doing business with your Company, and your Company's legitimate interest in doing business with us.

All individuals

- 4.9 We may use your data to deliver marketing and event communications to you across various platforms, such as email, telephone, text messaging, direct mail, and online. If we send you a marketing communication, it will include instructions on how to opt out of receiving these communications in the future. Any such communications will be made on the lawful basis of our legitimate interests in developing our business, and will comply with all laws regarding marketing communications.
- 4.10 We may be required to use and retain personal information for legal and compliance reasons or under a legal obligation, such as the prevention, detection, or investigation of a crime or fraud. We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate under applicable law; to respond to requests from courts, law enforcement agencies, regulatory agencies and other authorities; or to enforce our terms and conditions. The lawful basis on which we will carry out any of these actions will be our requirement to carry out a legal obligation, or our legitimate interest in protecting our rights.

5 WILL SOUNDMOUSE SHARE PERSONAL INFORMATION WITH ANYONE ELSE?

- 5.1 We will only share your personal data with others in the following circumstances:

Soundmouse Services users

- 5.2 We may allow access to your personal data by other users of the Soundmouse Services who are involved with the Production(s) in which you are involved, or who have a legitimate interest in accessing details concerning the Production(s). Any such access will only be permitted by way of the normal operational functions of the Soundmouse Services.

Actors, crew, performing artists, songwriters and others

- 5.3 If your personal data is included in any Production dataset available via in the Soundmouse Services, that personal data will be accessible by the Production producer(s) and any other person or business with rights in or to the Production, or with a legitimate

interest in accessing details concerning the Production. Any such access will only be permitted by way of the normal operational functions of the Soundmouse Services.

Creative Diversity Network Diamond project contributors

- 5.4 The extent to which your Diamond data is shared with third parties is set out in the Diamond privacy policies which are available via this link: <http://creativediversitynetwork.com/diamond/contributors/>

Suppliers, business contacts and others

- 5.5 We may share your personal data with our group companies, affiliates, other suppliers and business contacts in the course of our business.

All individuals

- 5.6 We engage third party service providers to manage our data, systems and communications. Personal information will be made available to these parties only where necessary to fulfill the services they provide to us, such as software, system, and platform support; cloud hosting services; advertising; data analytics; and customer fulfilment. Our third party service providers are not permitted to share or use personal information we make available to them for any other purpose than to provide services to us.

6 **EXPORT OUTSIDE THE EEA**

We will not export your personal information outside the EEA except in the following limited circumstances: some of our third party service providers are based outside and/or process data outside the EEA. These organisations act as data processors under our instructions, and make no use of any data except as directed by us. We will ensure that suitable safeguards are in place in respect of all such processors, in the form of either the standard data protection controller/processor clauses approved by the European Commission in its decision 2010/87/EU, which may be accessed via this link: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en, or on the basis that the country in question is the subject of an adequacy decision by the European Commission, or (in the case of a processor in the USA) that is has certified under the Privacy Shield scheme: <https://www.privacyshield.gov/welcome>.

7 **KEEPING OUR RECORDS ACCURATE**

We aim to keep our information about you as accurate as possible, but we ask you to help us by notifying us of any change to your personal information whenever necessary. You can change the details you have supplied to us at any time by sending your name, Company (if applicable) and full details of the change required to privacy@soundmouse.com.

8 **HOW LONG DO WE KEEP YOUR PERSONAL DATA?**

- 8.1 We keep your personal information only for as long as is necessary for the purposes for which it is processed. Here are some examples of our retention periods:

Soundmouse Services users

- 8.2 We keep your personal information for a period of seven years after you (or your Company) terminates the Account which you use to access the Soundmouse Services.

However, any personal data contained in usage logs that we create will be held in those logs for as long as our customers may need to access that data via the Soundmouse Services.

Actors, crew, performing artists, songwriters and others

8.3 We keep your personal data on the applicable database(s) that we operate as part of the Soundmouse Services for as long as users of the Soundmouse Services may need to access the relevant data.

Creative Diversity Network Diamond project contributors

8.4 The retention period of your data is set out in the Diamond privacy policies which are available via this link: <http://creativitydiversitynetwork.com/diamond/contributors/>

9 **YOUR RIGHTS**

9.1 You have the following rights at law in relation to your personal data:

- The right of access to a copy of the personal data we hold about you;
- The right to require us to correct any inaccuracies in your personal data;
- The right to object to decisions about you being taken by automated means (although we do not make any decisions by automated means);
- If we have sought your consent as regards any processing, the right to withdraw your consent at any time; and
- The right to ask us not to process your personal data for direct marketing purposes.

9.2 You also have the following rights at law in relation to your personal data in certain circumstances:

- The right to restrict or object to our use of your personal data;
- The right to require us to provide a copy of your personal data to others; and
- The right to require us to erase your personal data.

9.3 If you contact us to exercise your rights we will respond as required under data protection legislation, but please note that not all rights are absolute. Sometimes they may not apply, or other legal obligations or third party rights will take precedence.

9.4 If you contact us by telephone, email or by any other remote means we may require proof of ID before acting.

9.5 You can find out more about your rights on the Information Commissioner's Office website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

10 **IP ADDRESSES, COOKIES AND WEB BEACONS**

10.1 Soundmouse may collect information about your computer, including where available your computer's IP address, operating system and browser type, for system

administration. This information is limited to statistical data about Soundmouse Customers' browsing actions and patterns, and does not identify any individual.

10.2 For the same reason, Soundmouse may obtain information about your general internet usage by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that helps us to improve the Soundmouse Services and to deliver a better and more personalised service. They enable us to:

10.2.1 identify who you are and to access your Account information;

10.2.2 estimate our audience size and patterns; and

10.2.3 track preferences and to improve and update the Soundmouse Services.

10.3 You may refuse to accept cookies by activating the setting on your Internet browser which allows you to refuse the setting of cookies. You can also delete cookies that have been installed on your hard drive – consult your Company's software manual for further help. However, if you select the refuse setting, or delete cookies, you may be unable to access certain parts of the Soundmouse Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our site.

10.4 To learn more about cookies and how to disable them please visit www.youronlinechoices.com and www.allaboutcookies.org.

11 **SECURITY**

We have installed security measures to ensure that any personal data entered via the Soundmouse Services is protected against loss, misuse or alteration. However, due to the nature of the internet, Soundmouse cannot guarantee the protection of your personal information and Soundmouse cannot be responsible for any outcomes resulting from a breach of security when the Soundmouse Services are used.

12 **CHANGES TO THIS PRIVACY POLICY**

We may occasionally update this Privacy Policy. When we do, we will revise the "last updated" date at the bottom of this Privacy Policy and we will take reasonable steps to make you aware of any material changes to it. We also recommended that you revisit this page regularly to keep informed of our current privacy practices.

13 **CONTACTING SOUNDMOUSE**

If you have any questions or comments about this Privacy Policy or our processing of your personal data, or you would like to exercise any rights you have, or you would like to terminate your Account, please contact us at privacy@soundmouse.com.

Policy last updated 18 May 2018