

**HEARTOUT CORPORATION**  
**PRIVACY POLICY**  
**Revised Date: August 27,2020**

This Privacy Policy, together with our Terms of Use which are incorporated herein by reference, (collectively, these "Terms"), explain how HeartOut Corporation and its affiliates (collectively "HeartOut", "Company," "we", "us" or "our") collect, store, use and disclose your information when you use the mobile applications, websites and services on or to which these Terms are linked or within which they are referenced (collectively, the "Services").

By using the Services, and in particular by registering a user account and creating a member profile (the "User(s)", or "Member", or "Membership") you are consenting to the use of your information in the manner set out in this Privacy Policy.

**PLEASE REVIEW THIS PRIVACY NOTICE CAREFULLY. WHEN YOU USE OR ACCESS THE SERVICES AND WHEN YOU SUBMIT INFORMATION TO OR THROUGH THE SERVICES, YOU DO SO WITH CONSENT TO THE COLLECTION AND PROCESSING OF SUCH INFORMATION AS DESCRIBED IN THIS PRIVACY POLICY.**

We care about online privacy and want you to know how we collect, use, share and protect information about you and the choices you have regarding our use of your information. If you have any questions concerning this Privacy Policy, please email us at: [info@heartout.io](mailto:info@heartout.io). We may change or add to this Privacy Policy from time-to-time, so we encourage you to review it periodically.

**IF YOU DO NOT AGREE WITH ANY PART OF THIS PRIVACY POLICY OR OUR TERMS, THEN PLEASE DO NOT USE THE SERVICES.**

**1. SCOPE:**

This Privacy Policy applies to the collection of personal information from Users of the Services, including any updated and new products or services that we may be offer in the future. It relates to information we collect from you, including personally identifying information (also referred to as "PII") and information that does not identify you personally. PII may include, for example, some or all of the following: your name, mailing address, email address, telephone number, mobile phone number, passwords, credit/debit card information, username and password, and demographic information.

**2. YOUR CONSENT TO THIS PRIVACY POLICY:**

This Privacy Policy is incorporated into and subject to our Terms and Conditions that apply to the use of the Services. By using the Services, you consent to our Terms and Conditions and Privacy Policy, including our use and disclosure of your PII and other personal information as stated in this Privacy Policy, whether or not you register to use the Services as a Member.

**3. HOW INFORMATION IS COLLECTED AND USED:**

While you don't need to provide us with any personal data in order to visit the Services, certain Services do require that you register for an account and, by doing so; you will provide us with certain information. For instance, registered Users may post an audition(s), link to music, sound recordings, musical works, compositions, videos, photographs, pictures, graphics, names,

likeness, images, biographical information, and other information or materials owned and/or created by them (the "Profiles"). Registered Users can change their Profile information at any time.

When Users register to use the Services, HeartOut collects User submitted personal information such as name, mailing address, email address, telephone number. HeartOut uses that information to authenticate Users and to send notifications to Users relating to, without limitation, the Services and other opportunities.

As is standard practice, HeartOut also logs non-PII, including IP address, profile information, aggregate User data, and browser type, from your use of the Services. This data is used to improve the Services, to analyze trends, to administer the Services, to track Users' movements around the Services and to gather demographic information about our User base as a whole. HeartOut will not use the information collected to market directly to that person. This non-PII may be shared with third parties to provide more relevant services and advertisements to Users. User IP addresses are recorded for security and monitoring purposes and to facilitate User interaction in the HeartOut community.

HeartOut may also use a User's email address to send updates, a newsletter or news regarding the Services. HeartOut may send email messages, which use a "click-through URL" linked to content on the Services. When a User clicks one of these URLs, they pass through our web server before arriving at the destination web page. HeartOut tracks this click-through data to help determine interest in particular topics and measure the effectiveness of our customer communications. If you prefer not to be tracked simply avoid clicking text or graphic links in the email.

From time to time, HeartOut or a partner may sponsor an opportunity, promotion, or contest through the Services. Users may be asked to provide personal information including name, email address or home address or to answer questions in order to participate. HeartOut may transfer personal information to certain advertising partners that you have explicitly requested to receive information from. It will be clear at the point of collection who is collecting the personal information and whose privacy statement will apply.

HeartOut may also collect information for market research purposes to gain a better understanding of our customers and thus provide more valuable service. HeartOut also collects information regarding customer activities on our Services, and on related websites. This helps us to determine how best to provide useful information to customers and to understand which parts of our Services are of most interest to them.

In cases where you use a mobile device to access our Services, we may receive information about the location of your device. We may use this information to develop, deliver, and improve our products, Services, and other offerings.

#### 4. GEOGRAPHIC LOCATION (GPS) TRACKING DISCLOSURE:

We may monitor, collect and use your wireless geographic location information obtained by our Services, to provide you with location specific results to your search and to maintain and improve the Services. The results you receive in connection with your use of the Services and

or Services may include results related to you and your specific geographic location. Please also be aware that persons with whom you share your computer or mobile device may log in to the Services and consent to our geographic location tracking of your computer or mobile device. If you turn off location-based services for the Services or the Services, we will not capture any location information. However, HeartOut may cease to function properly, since results are sometimes delivered through the Services based in part on your particular location.

#### 5. USE OF COOKIES:

HeartOut uses cookies to store Users' preferences and to record session information, for purposes including: (i) ensuring that visitors are not repeatedly offered the same advertisements, to customize newsletter, advertising, and Web page content based on browser type and User profile information; (ii) to help track usage to help us understand which parts of our Services are most popular, where our visitors are going, and how much time they spend there; (iii) to make usage of our Services even more rewarding as well as to study the effectiveness of our customer communications, and (iv) to customize each visitor's experience and provide greater convenience.

The cookies may reflect de-identified demographic or other data linked to data you voluntarily have submitted to us, e.g., your email address, which we may share with a data provider solely in hashed, non-human readable form. You may be able to configure your browser to accept or reject all or some cookies, or notify you when a cookie is set -- each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences -- however, you may need to enable cookies from HeartOut in order to use most functions on the Services. Please note that HeartOut may allow third party advertisers that are presenting advertisements on some of our pages to set and access their cookies on your computer. Among other things, these third parties may use cookies, pixel tags and other technologies to enable such third parties to record which ads your browser has loaded and which pages you may have been viewing when the ads were delivered or accessed. Advertisers' use of cookies is subject to their own privacy policies, not the HeartOut Privacy Policy.

#### 6. DO-NOT-TRACK:

Our Services does not respond to "do-not-track" settings in Users' web browsers at this time. However, there are various ways to opt out of interest-based advertising, such as TRUSTe's Ad Choices, the Network Advertising Initiative's Consumer Opt-Out Page, or you can also visit Google's Ad Settings to manage the ads Google serves.

#### 7. LINKS:

These Services may contain links to third party websites. HeartOut is not responsible for the privacy policies and/or practices on other sites. When linking to another site, a User should read the privacy policy stated on that site. Our Privacy Policy only governs information collected on the Services.

#### 8. USING SOCIAL FEATURES OF OUR APPLICATIONS:

Our social features promote and facilitate interaction among our application Users. When you use our Services, or feature at a site not controlled by us, such as a social networking site ("SNS") like Facebook, that site may allow us to access certain information about you. You may also be required to read and accept the SNS's terms of service and privacy policy. By accessing our Services through a SNS, you are authorizing us to collect, store, and use in accordance with

this Privacy Policy any and all information that you agreed the SNS could provide to us through the SNS.

The information you allow us to access varies by application and SNS, and it is affected by the privacy settings you and your friends establish at the SNS. You can find out more about these settings at the SNS where you access our Services.

If you choose (opt in) to use one of our social features, you may be asked to log into a SNS, such as Facebook, through our Services. The SNS may provide us with the following information:

Your SNS User ID.

Your profile picture or its URL (if available).

The User IDs and profile pictures of the people you are connected to on the SNS, such as your Facebook friends.

Contact information (such as your name and email address).

Demographic information (such as your gender and your date of birth).

Your physical location and that of your access devices.

Other information you provided to the SNS, such as occupation, interests, hobbies, music preferences, biographical information, and potentially any and all information that you agreed the SNS or other party could provide to us when you use our Services.

While using a social feature in the Services, you may be able to see your friends' profile pictures and their most recent use of the feature. Similarly, when your friends are using the feature, they may be able to see your profile picture and your most recent use of the feature. You may be able to invite your friends to join you in a social feature, such as by posting a message to your Facebook wall. You are never required to use our social features in order to use our Services.

#### 9. CORRECTING/UPDATING OR REMOVING INFORMATION:

As a registered User you may modify or remove any of the personal information contained in your Profile at any time by logging into your account and accessing features such as Edit Profile and Account Info. To manage the information we receive about you from a SNS, when you access one of our Services through the SNS, you will need to follow the instructions at that site for updating your information and changing your privacy settings at that SNS's site. Once we receive your information from an SNS, that information is stored and used by us in accordance with this Privacy Policy, and you may access and update that information as described in the above paragraph.

#### 10. EMAIL CHOICE / OPT OUT:

Users who no longer wish to receive promotional messages or updates may choose not to by opting-out. To opt-out, simply log-in to your User Account, and click the appropriate box to disable the notification emails you no longer wish to receive. All notification emails and our newsletters also include the above instructions for opting-out of those communications in the future. Note that Users who have opted-out of promotional messages or updates may still receive email messages from us where necessary to provide a service you have requested or where necessary to inform you of critical information relating to your use of the Services.

#### 11. THIRD PARTY ADVERTISING:

We or one of our web-advertising partners may deliver ads appearing on the Services to Users of our Services. Our web-advertising partners may set cookies. These cookies allow the ad server to recognize your computer each time they send you an online advertisement. In this way, ad servers may compile information about where you, or others who are using your computer, saw their advertisements and determine which ads are clicked on. This information allows an ad network to deliver targeted advertisements that they believe will be of most interest to you. This Privacy Policy covers only the use of cookies by HeartOut and does not cover the use of cookies by any third-party advertisers.

#### 12. SECURITY:

Our User accounts are secured by user-created passwords. We take precautions to ensure that account information is kept private. We use reasonable measures such as encryption to protect private information that is stored within our database against loss, theft, and misuse, as well as unauthorized access, disclosure, alteration, and destruction, and we restrict access to such private information to those employees who need access to perform their job functions, such as our customer service personnel and technical staff. Among these measures, when you enter sensitive information on our order forms, we encrypt the transmission of that information using secure socket layer (SSL) technology, which creates an encrypted connection between you and our systems. Once we collect your information, it is stored encrypted on restricted-access computers that are not directly accessible via the Internet. Please note that no method of electronic transmission or storage is 100% secure, however, and we cannot guarantee the security of User account information. Unauthorized entry or use, hardware or software failure, and other factors may compromise the security of Member information at any time. Users are urged to also take precautions to protect their personal data by changing passwords often using a combination of letters and numbers and using a secure web browser. For any additional information about the security measures we use on the Services, please contact us at: [info@heartout.io](mailto:info@heartout.io).

#### 13. SHARING AND DISCLOSURE OF INFORMATION HEARTOUT COLLECTS:

Except as otherwise described in this Privacy Policy, HeartOut will not disclose personal information to any third party unless it believes that disclosure is necessary: (1) to conform to legal requirements or to respond to a subpoena, search warrant or other legal process received by HeartOut, whether or not a response is required by applicable law; (2) to enforce the Terms of Use or to protect our rights; or (3) to protect the safety of members of the public and Users of the Services. HeartOut reserves the right to transfer personal information to a successor in interest that acquires rights to that information as a result of the sale of HeartOut or substantially all of its assets to that successor in interest. HeartOut takes your privacy very seriously. HeartOut does not sell or rent your contact information to other marketers. To help us provide superior service, your personal information may be shared internally within HeartOut. There are also times when HeartOut may make certain personal information about you available to organizations that HeartOut has a strategic relationship with or that perform work for HeartOut to provide products and services to you on our behalf. For example, these organizations may help us process information, deliver products to you, manage and enhance customer data, provide customer service, assess your interest in our services, or conduct customer research or satisfaction surveys. These organizations are also obligated to protect your personal information in accordance with HeartOut's policies. Without such information being made available, it would be difficult for these organizations to provide and/or for you to purchase our services, receive

customer service, provide us feedback to improve our services or future product offerings, or access certain services, offers, and content on the Services.

#### 14. COLLECTION OF INFORMATION FROM CHILDREN UNDER 13:

The privacy of children is important to us. This Privacy Policy explains how HeartOut collects, uses and discloses information collected from children under the age of thirteen (3) through our Services. This policy also explains the rights that parents have with respect to their children's personal information.

When a child accesses and interacts with the Services, we may collect certain information automatically about those visits. The information we collect includes the type of computer operating system, IP address and/or mobile device identifier, web browser type, content viewed, the frequency with which the child visits various parts of our sites or applications, information regarding the online or mobile service provider, and cookie ID. **We do not collect registration information from children on this site.**

Cookies and other tracking technologies (such as pixels, beacons, and Adobe Flash technology, including cookies) are comprised of small bits of data that often include a de-identified or anonymous unique identifier. Websites, apps and other services send this data to a child's browser when he or she first requests a web page and then stores the data on the child's computer so the website can access the information when the child makes subsequent requests for pages from that service. These technologies may also be used to collect and store information about a child's usage of the Services, such as pages visited, content viewed, search queries run and contextual advertisements served. We only use these types of information to support the internal operations of the Services.

Third parties that may support the Services by serving contextual advertisements or providing services, such as maintaining and analyzing the functioning of the Services, assisting in network communications, stability of the Services, hosting, content delivery, and authentication may also use these technologies to collect similar information; their collection and use of such information only is to support the internal operations of the Services.

We use the information we collect from and about a child to provide the Services and features to him or her, and for various purposes related to our business including: to measure and improve those Services and features; to improve the child's experience by delivering content he or she will find relevant and interesting; and to provide the child and/or parent with customer support and to respond to inquiries.

We use the information we collect from children for these additional purposes:

To allow service providers to assist us in providing and managing the Services. Company may make a child's information available to certain third-party service providers, such as contractors or agents who help us manage or provide the Services. **These service providers only collect and use information from children for our internal purposes, consistent with this Privacy Policy.**

To protect the rights of Company and others. There may be instances when Company may disclose a child's information, including situations where Company has a good faith belief that

such disclosure is necessary in order to: (i) protect, enforce, or defend the legal rights, privacy, safety, or property of Company, our Company affiliates or their employees, agents and contractors (including enforcement of our agreements and our terms of use); (ii) protect the safety, privacy, and security of users of the Services or members of the public; (iii) protect against fraud or for risk management purposes; (iv) comply with the law or legal process; or (v) respond to requests from public and government authorities.

To complete a merger or sale of assets. If Company sells all or part of its business or makes a sale or transfer of its assets or is otherwise involved in a merger or transfer of all or a material part of its business, Company may transfer children's information to the party or parties involved in the transaction as part of that transaction.

Company uses commercially reasonable administrative, technical, personnel and physical measures to safeguard information in its possession against loss, theft and unauthorized use, disclosure or modification. Please be aware that, despite our best efforts, no security measures are perfect or impenetrable.

In the event we discover we have collected information from a child in a manner inconsistent with the Children's Online Privacy Protection Act ("COPPA") requirements, we will either delete the information or immediately seek the parent's consent for that collection.

In the event we start collecting registration information from children, we will provide parents with the ability to access the information collected from their children.

#### 15. INTERNATIONAL USERS:

If you are located outside of the United States, please note that the information you provide to us will be transferred to the United States and governed by applicable United States laws and regulations and this Privacy Policy. By using the Services, you consent to this transfer and the processing of your data (personal or otherwise) in accordance with United States laws and regulations and this Privacy Policy. The applicable laws in the United States regarding the processing of data (personal or otherwise) may be less stringent than the laws in your country.

#### 16. YOUR CALIFORNIA PRIVACY RIGHTS:

California law permits certain Users of our site who are California residents to request certain information regarding disclosure of personal information to third parties for such third parties' direct marketing purposes during the past year. You may make such a request by writing to us at:

info@heartout.io

Please include the full name and contact information for your HeartOut account in your request and include the statement "Your California Privacy Rights" in the subject field of your email. Please allow thirty (30) days for a response.

#### 17. CHANGES IN OUR PRIVACY POLICY:

From time to time we may make changes to our Privacy Policy. The most recent version of the Privacy Policy will be posted on our Services, with the "Revised Date" posted at the top of the Policy. If we make any material changes to our Privacy Policy or how we handle your personal

information, you will know because the Revised Date of the Privacy Policy will change. If we make a significant or material change in the way we use your PII, we will post a more prominent notice (including, for certain services, email notification of privacy policy changes where possible) in advance of any such change for thirty (30) days where feasible. A User is bound by any minor changes to the Privacy Policy when she or he uses the Services after those changes have been posted.

#### 18. CONTACTING US:

If you have any questions about this Privacy Policy, our practices, or your dealings with these Services, please contact us at: [info@heartout.io](mailto:info@heartout.io).

#### 19. DISPUTES:

Any disputes regarding this Privacy Policy are subject to our Terms of Use and will be governed by the laws of the State of Florida and of the United States of America as applicable to agreements made and performed there. Venue for any such disputes shall be within Miami-Dade County, Florida.