

## **BANGIN-BEATS.COM TERMS OF USE AND PRIVACY POLICY**

**IMPORTANT:** Agreement to Bangin-Beats' Terms of use and Privacy Policy is REQUIRED for purchase before checkout. All users certify that by downloading or ordering Bangin-Beats sounds/software, that you have read both, and that you are bound in agreement to both documents. Feel free to contact us for a printable copy of either. If you have any questions or concerns regarding our Terms of Use and/or Privacy Policy, please contact us directly prior to ordering products or services from Bangin-Beats.com.

### **TERMS OF USE**

Any download or order constitutes agreement to these terms:

You understand (as outlined in our Privacy Policy), that Bangin-Beats reserves the right to embed your personally identifiable information into the meta-data of any files you receive from Bangin-Beats. You agree that any sample/sound software or files downloaded, ordered or sent to you from Bangin-Beats is for your own personal production/music creation or for the use of your own commercial studio clients to be used at your place of business. You agree that under no circumstance will you ever sell, give or trade, in whole or in part, any format of sound files or sequences composed or produced and distributed by Bangin-Beats or any producing affiliate featured in any Bangin-Beats publication, website, catalog, newsletter etc. Bangin-Beats soundware is not for use in products similar in nature and/or products marketed to musicians, composers, or producers. Purchasers of Bangin-Beats sound software, are granted a limited, non-exclusive, non-transferable royalty free license to use one copy of the software for equipment residing at residence or place of business. Acceptance of trial sounds does not constitute a license or any registered user status. Software piracy is a crime, and any reproduction or altering and selling, giving or trading, digitally or tangibly, in whole or in part, of Bangin-Beats sample software will be considered copyright infringement and prosecuted to the fullest extent of the law. All Bangin-Beats customer's IP addresses are logged and we reserve the right to use any and all personal information collected with or without your knowledge to pursue persons suspected of copyright infringement or breach of these terms.

### **PRIVACY POLICY**

At Bangin-Beats.com, we take your privacy seriously. Our primary goal in collecting information from you is to provide you with a smooth and customized experience while you use our services. Except as otherwise contemplated in this Privacy Policy, we do not disclose any personally identifiable information about you to any third party without your permission, unless we believe in good faith that we are required to do so by law. We may share aggregated information about our clients with third parties, such as advertisers or partners, for marketing and promotional purposes.

**This document will answer the following privacy concerns:**

- 1. What information does Bangin-Beats.com gather and track?**
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## **1. What information does Bangin-Beats.com gather and track?**

In general, we collect information about you in the following ways:

### **Registration**

When you use the Bangin-Beats.com site, products, or services, we may ask that you give us non-personal information such as the purpose for which you will be using our web site as well as the name of the person who may have referred you. If you're a customer, we also ask that you give us personal information such as your name, email address, zip code, country, etc. When you make a purchase on our site, we ask that you provide us with additional information, such as your mailing address, credit card number and credit card expiration date. As a customer, your personally identifiable information, entered by you at the time of ordering, may be embedded into the meta-data of any sound files you order. This is to prevent illegal file sharing with unlicensed users and provide Bangin-Beats with a definitive source of shared files, when discovered online. Unless Terms of Use are breached by the soundware customer, this embedded information is not accessible to anyone but Bangin-Beats, and the licensed user of the files.

### **Usage Tracking/Hardware/Software/Cookies**

While you are on our web site(s), we automatically track information related to your use of Bangin-Beats.com. This information may include (among other things) files viewed by the user, and a user's path through our web site(s). There is also information about your computer hardware and software that is automatically collected by Bangin-Beats.com. This information can include information such as: your browser type, type of operating system, type of Java virtual machine, Internet connection speed, access times and identification of any software program which has previously caused technical problems with the Bangin-Beats.com site(s). This information may be matched with your personal information. In addition, when you connect to Bangin-Beats.com or any of our web sites, we will detect your IP address and store a cookie on your computer. An explanation of cookies can be found in #8.

### **Technical Support/Information**

When, as a Bangin-Beats.com Client, you request technical support or information for Bangin-Beats.com products, we ask you for your personal information and other information necessary to answer your question or resolve your problem.

### **Promotions or Contests**

When you enter a contest or promotion sponsored by Bangin-Beats.com and/or our partners, we ask for your contact information so that our partners or we can administer the contest or promotion, and notify winners.

### **Discussion Boards**

If you choose to post messages on any public Bangin-Beats.com forum or discussion boards or leave feedback for other clients, we may collect such information about you as you choose to disclose.

### **Surveys/Questionnaires**

We occasionally ask Bangin-Beats.com Clients or visitors to fill out optional surveys and/or questionnaires. These surveys/questionnaires may ask for demographic information and other information about computer use.

### **Other Information You Give Us**

When you visit Bangin-Beats.com, or any affiliated website(s), we may collect any information that you enter or give us in any other way in order to contact you about Bangin-Beats.com products or services. Additionally, if you want to learn more about our products or services, we may request that you fill out a form in which we ask for information such as your first/last name, mailing address, email address, as well as your phone number. We only use this information to

contact you in order to provide you with information about Bangin-Beats.com products and services, answer any questions that you may have, and/or help you decide on our products or services.

**2. How does Bangin-Beats.com use my information?** Bangin-Beats.com uses your information on an aggregated basis to do such things as operate and enhance our web site(s). We statistically analyze site usage, including the behavior of our Clients, to improve the content, layout, and services of the Bangin-Beats.com web sites, as well as to enhance our marketing and promotional efforts

From time to time, we share aggregate information about our Clients with third parties, such as advertisers or partners, for marketing and promotional purposes. However, except as otherwise contemplated in this Privacy Policy, we do not disclose any personally identifiable information about you to any third party without your permission or as otherwise required by law.

We use the information we collect to better understand your needs. Additionally, we use the information we collect to process payments, confirm renewal charges or payments to your account, administer your account and the like for any products or subscription services we offer currently or in the future.

Finally, we may use the information we collect to occasionally notify you about important functionality changes to the web site, new Bangin-Beats.com products or services, and special offers (including promotion of our product or third party products) we think you'll find valuable. Except for communications sent to you regarding material company announcements or policy changes, if you would rather not receive this information you can indicate your preference. You may choose not to receive messages from us by following the opt-out instructions listed in #6.

**The following describes some of the ways your information may be used:**

Your contact information from the sign-up form is used to send you information about our company and products. We also use this information to contact you when necessary. Except as otherwise contemplated in this Privacy Policy, you may choose not to receive messages from us by following the opt-out instructions listed in #6.

Your unique IP address is used when we need to diagnose technical problems with our site. We also use your IP address to track receipt of digital deliveries and to investigate & prosecute software piracy cases. We use cookies to correctly deliver account information to you. To find out more about cookies, please see #8.

Any information collected regarding your hardware or software is used for the operation of the Services, to maintain the quality of the services, to improve our products or services or to provide general statistics regarding use of the Bangin-Beats.com Services.

Any information you provide to us through a form, email, or telephone requesting customer support, or information, is used for that specific situation only or to administer our service to you.

We may occasionally offer sweepstakes or contests on our web site. To participate, you will likely be asked to provide some personal information, such as e-mail address. This information may be shared with sponsors if the sweepstake/contest is co-sponsored by Bangin-Beats.com and a business partner.

We also partner with other companies that can help us provide enhanced services to our clients. Any information you provide through a registration form for any Service, is used to administer the Service(s).

Any information you submit in a survey or questionnaire is used to help us better understand and serve our Clients. This research is compiled and analyzed on an aggregated basis; we may share this aggregated data with advertisers or business partners.

The contents of email correspondence to us or postings on any discussion boards may be used for promotional purposes, such as customer testimonials.

Any information that you enter on any of our web sites and/or any contact information that you provide to Bangin-Beats.com may be used to send you email messages and direct mailings which supply detailed information about Bangin-Beats.com and/or the applicable Bangin-Beats.com product(s) or service(s). We may also use your telephone number to call you in order to discuss Bangin-Beats.com products or services and assist you if you choose to become a Client.

**3. Does Bangin-Beats.com share client account information?** As a general rule, except as otherwise contemplated in this Privacy Policy, Bangin-Beats.com will not disclose any of your personal information without your permission, except under special circumstances, such as when we believe in good faith that the law requires it.

**Business Partners:** In addition to disclosing personal information to agents who provide services to you on Bangin-Beats.com's behalf, Bangin-Beats.com may disclose your personal information to business partners, but this is specifically described to you prior to data collection or prior to transferring the data. Our business partners have separate privacy and data collection practices. Bangin-Beats.com has no responsibility or liability for these independent policies. For more information regarding the partner or service and their privacy policies, return to that partner's home page and click on their Privacy Policy link. Additionally, Bangin-Beats.com may disclose your personal information to a third party who is a successor in interest, in the event of a merger, reorganization, change of control, acquisition or sale of all or substantially all of Bangin-Beats.com's assets.

**Agent:** We employ other companies and individuals who are subject to confidentiality obligations, to perform functions on our behalf. Examples include, but are not limited to, web site design services, sending postal mail and e-mail, registering a respective domain name, removing repetitive information from customer lists, analyzing data, providing marketing assistance, providing customer service, and collecting and processing payments for the Bangin-Beats.com subscription service. They have access to personal information needed to perform their functions, but may not use it for other purposes.

**Promotions, Sweepstakes/Contests:** Some Bangin-Beats.com promotions, sweepstakes/contests may require that you provide additional information, such as your e-mail address, mailing address or phone number. Such information may be shared with a third party if such third party is sponsoring the "event" or if the information is necessary in order to administer services. Some Bangin-Beats.com promotions and sweepstakes/contests may also offer opportunities to request additional information from sponsors and/or may require that you share some basic information in order to participate. By requesting more information or by participating, you give Bangin-Beats.com permission to transfer your personal information to the sponsor or partner so they can fulfill your request.

**Legally Compelled Disclosure and Other:** Bangin-Beats.com may disclose or access account information when we believe in good faith that the law requires it or for the protection of our legal rights. Bangin-Beats.com may also disclose information in special cases when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating the Bangin-Beats.com Client Agreement. We can disclose any personal information about you to law enforcement or other government officials as we, in our sole discretion, believe necessary or appropriate, in connection with a violation of the Bangin-Beats.com Client Agreement, an investigation of fraud, intellectual property infringements, or other activity that is illegal or may expose us to legal liability.

**4. How private is my account information?** Bangin-Beats.com makes every effort to ensure the confidentiality of all information you provide about yourself. As a general rule, except as otherwise contemplated in the Privacy Policy, Bangin-Beats.com will not disclose any of your personal information without your permission, except under special circumstances, such as when we

believe in good faith that the law requires it. If personally identifiable data about you will be shared, we will tell you, whenever possible, before we collect or transfer the data.

Our Client Support staff has access to your account information, which is viewed for reasons such as when technical support is requested or maintenance is required. In addition, any partner you request to provide services to your account may have access to your account information.

Bangin-Beats.com may make chat rooms, guest books, discussion boards, and other means of online communication and collaboration available to its clients. Please understand that any information that is disclosed in these areas becomes public information. You should exercise caution when deciding to disclose your personal information in a public forum such as a chat room, guest book, or discussion board.

**5. How secure is my account information?** Bangin-Beats.com uses industry standard efforts to safeguard the confidentiality of your personally identifiable information, such as firewalls and Secure Socket Layers either in house, or through third party services. We make every effort to protect the loss, misuse, and alteration of the information under our control. In addition, we always use a secure connection when collecting personal financial information from you. However, no data transmission over the Internet can be guaranteed to be 100% secure.

#### **6. Email Privacy**

Bangin-Beats.com is committed to the protection of your information. We use industry standard security measures to protect against the loss, misuse and alteration of data used by our system. We will never share, sell, or rent your personal information with anyone without your advance permission. Any cookies we use are in no way linked to any personally identifiable information while on our site. Every email we send is certified compliant with the CAN-SPAM act of 2003, and contains full contact information and easy one-click links to cancel your subscription at any time. To view our third party contact management company's current Security Metrics security certificate, [click here](#).

**7. How do I opt out of receiving messages from Bangin-Beats.com?** Except as otherwise contemplated in this Privacy Policy, as a Bangin-Beats.com Client, if you do not want to receive messages from Bangin-Beats.com about new features or products, tips on product use, and promotions, you can indicate your preference by selecting the "Cancel" link in the bottom of every "non-personal" email correspondence. This link will allow you to opt out of our Client database completely, or just choose to not receive promotional emails.

Since it is necessary for us to contact you regarding certain matters, we reserve the right to send messages relating to material company announcements or policy changes, or administrative matters relating to your account, like billing, collections, customer support or the like.

If you have been contacted by Bangin-Beats.com as a result of information you entered on our web site or if you provided your personal information to Bangin-Beats.com for the purposes of receiving more information about a Bangin-Beats.com product or service before choosing to sign up as a Client, and you no longer want to be contacted by Bangin-Beats.com, simply click the "Cancel" link which is automatically generated in the bottom of all promotional emails.

**7. How do I update my e-mail address?** If you'd like to change your email address, select "Update Email" in the bottom of any promotional email and follow the prompts. You may also [contact us](#) directly with your new contact information.

**8. What are cookies and how does Bangin-Beats.com use them?** Cookies are small pieces of information stored on your hard drive, not on our site. The use of cookies is an industry standard, generally used by most major Web sites to improve their services. Bangin-Beats.com uses

cookies because they help us track your behavior on our site so that we can tailor our marketing message to better match your needs and interests. By tracking behavior on our site, cookies allow us to better understand how clients use our site, which in turn helps us focus our resources on features that are most popular with our clients. You are always free to decline our cookies if your browser permits, but some parts of our site may not work properly if you do so.

**9. How does Bangin-Beats.com notify clients of changes to the Privacy Policy?** This policy is periodically reviewed by Bangin-Beats.com and may be subject to change. Therefore, please check this Privacy Policy periodically and you may refer to the date posted at the top of this page to determine when this policy was last updated. Use of the Bangin-Beats.com websites or Service(s) constitutes consent to any policies then in effect.

If we are going to use your personally identifiable information in a manner different from that as provided in our Privacy Policy at the time of collection we will notify you via email. You will have a choice as to whether or not we use your information in this different manner. In addition, if we make any material changes in our privacy practices that do not affect Client information already stored in our database, we will post a prominent notice on our web site(s) notifying Clients of the change. In some cases where we post the notice we will also email Clients who have opted to receive communications from us, notifying them of the changes in our privacy practices.

**10. Bangin-Beats.com and Children**

Bangin-Beats.com is not intended for use by persons under the age of 18. We do not knowingly collect personal information from children. Please do not use Bangin-Beats.com if you are under the age of 18.

**If you have any questions or concerns regarding our privacy policy, please contact us directly prior to ordering products or services from Bangin-beats.com.**