

Privacy Policy

Freshsessions' Privacy Policy

Last modified: June 23, 2014

At FreshSessions, Inc. ("Freshsessions"), we recognize that privacy is important. We have created this Privacy Policy to inform you of how we and our affiliates, if any, collect, use and disclose your personally identifiable information. As we update and expand our services, this Privacy Policy may change, so please refer back to it periodically. By accessing the Freshsessions website or otherwise using Freshsessions services, you consent to our information practices.

This Privacy Policy applies to consumer users of Freshsessions' websites, applications and other online services (the "services"). It does not, however, apply to entities that Freshsessions does not own or control, websites, products or services not offered by us or to people that Freshsessions does not employ or manage. Where additional information is needed to explain our privacy practices with respect to a portion of Freshsessions, we may post supplementary privacy notices to describe how we process personally identifiable information with respect to that part of Freshsessions. Freshsessions may process personally identifiable information on servers in the United States and in other countries. In some cases, we may process personal information on a server outside your own country. By using Freshsessions, you consent to having your personal data transferred to and processed in the United States and in other countries.

For more information, or if you have questions or concerns regarding this Privacy Policy, you may email us at info@freshsessions.com or write to us at: FreshSessions Inc, 225 Bush Street, Floor 12, San Francisco, CA 94105 USA, Attn.: Privacy Matters.

Freshsessions is not directed at or intended for use by anyone under the age of 13. If you are under 13, please do not attempt to register with Freshsessions or submit any personally identifiable information about yourself to Freshsessions. Minors between the ages of 13 and 17 must get the permission of their parent(s) or legal guardian(s) before registering with Freshsessions or using any Freshsessions services.

What Information Do We Collect?

We collect information about you in various ways when you use our services. For example,

- To utilize services offered through Freshsessions, you are required to register with Freshsessions. When you register, we ask or permit you to provide certain information, including personally identifiable information such as your name, email address, postal address, and phone number (including your mobile phone number). As you use the services you may be able to add additional information to your account or your profile with the services. We may supplement the personal information you provide with publicly available information about you as well as information from

other sources, such as third-party websites, applications and services through which you connect with our services.

- For certain services, such as when we act as a limited payment agent for studio owners who list their recording studios through our services, you may also be required to provide payment information such as credit or debit card account information.
- When you use certain features of our services, in particular our mobile applications, we may collect different types of information such as your information about your mobile device and your location data. If you access the services through a mobile device and you do not want your device to provide us with location-tracking information, you can disable the location-tracking functions on your device, provided your device allows you to do this. See your device manufacturer's instructions for further details.
- Freshsessions permits you to submit reviews, comments, feedback and other information about recording studios and other users and the services.
- We may also provide community activities, such as user forums, chat rooms, message boards or blogs, to Freshsessions users. You are not required to disclose any personally identifiable information when submitting or posting comments or other information through such community activities, but you will be able to do so in connection with the submitted or posted information that you generate. Such information may also be associated with your Freshsessions username. Accordingly we urge you not to use any personally identifiable information when selecting your username. The post or submissions may further be distributed by you or other Freshsessions users through social media applications. Accordingly, we urge you to use caution when including personally identifiable information in any such submissions or posts.
- When you send email or other communications to us, we may retain those communications in order to process your inquiries, respond to your requests and improve Freshsessions.
- Freshsessions may elect to implement a referral service to allow you to refer another studio owner, artist or other potential user to Freshsessions. In such event, we will ask you to provide certain information about such person (such as name and email address) and send such person a one-time communication inviting him or her to use Freshsessions. Freshsessions will store this information for the sole purpose of sending this one-time communication and may use this information to track the success of the referral program. The referred person may, at any time, contact Freshsessions at 225 Bush Street, Floor 12, San Francisco, CA 94105 USA and request that his or her information is deleted from our database.
- We may keep track of actions you take on Freshsessions and collect information related to your use of Freshsessions services, including but not limited to your online activity, your responses to Freshsessions queries, correspondence, device types, operating systems, internet protocol addresses, content you viewed through the Freshsessions services and related activity. This information may be used to evaluate and improve Freshsessions and to diagnose problems. Information regarding your interaction with Freshsessions will also be used to create a profile that

we keep on users that details their preferences and behavior and may be tied to your personal information provided in registration for our internal use in tailoring your interaction with Freshsessions as well as targeting marketing and sales activities to you.

- We and our business partners may use cookies and other similar technologies on the services. As a result, when you access or use the services, you will provide certain information to us and to our business partners. While you may disable the usage of cookies through your browser settings, we do not change our practices in response to a "Do Not Track" signal in the HTTP header from your browser or mobile application. We may track your activities if you click on advertisements for our services on third party platforms such as search engines and social networks, and may use analytics to track what you do in response to those advertisements. We may also track your behavior on our services. In addition to cookies and other tracking technologies, we and our business partners may use other technologies, including web beacons or pixel tags, to gather information on how our users interface with our services or our communications such as emails.
- We also may work with companies that serve online ads on our behalf. These companies may use information about your visits to our website to serve you ads about our services. They may also offer you a way to stop receiving those ads. Please note that if you opt out, you may continue to receive online ads, including ads from Freshsessions; however these ads may not be as relevant to you.
- You may be able to register for the Services or be able to connect your Freshsessions account to certain social media websites and applications. If you choose to register through or connect to a social media website or application, you'll be able to take advantage of various social features we will be creating as well as features available from such websites or applications. These features will be designed to share information with others - the essence of social media. For example, Freshsessions may personalize and otherwise enhance your experience based on your information from social media websites or applications and share information you share through such websites or applications with other Freshsessions users or publicly. You may be able to disconnect or control how certain information is shared with social media websites or applications in your privacy settings with such websites or applications. Please note however that Freshsessions may retain and continue to use information obtained prior to such disconnection or change in your privacy settings. Please refer to the privacy policy of the third party providing the social media website or application to find out more about its data practices, such as when data is collected about you and how the third party uses the data.
- Freshsessions may also collect information from other sources and add it to our database. For example, we may use third party marketing and sales services or manual updates by our employees to supplement existing databases of user information.

How Do We Use Information That We Collect?

We use personal information collected through our services for the purposes described in this Privacy Policy or disclosed to you on our services or otherwise in connection with our services. For example, we may use your information to:

- enable you to access and use the services and to otherwise provide you with the services, such as to make and change studio reservations made through our services, to facilitate payment between artists and studio owners for reservation and use of recording studios listed through our services
- to operate and maintain the services, such as ensuring the technical functioning of the services
- to improve our services, such as to perform analytics, conduct research, and develop new products and services
- understand you and your preferences to enhance, personalize, and customize your experience and enjoyment using our services, such as understanding your use of recording studios through our services to make recommendations about other recording studios you may like and to display relevant advertising
- create, publish, disclose and use information from which we have removed personally identifiable information, for example by summarizing, aggregating or removing certain data elements for industry analysis, demographic profiling, marketing and advertising and other business purposes
- respond to your comments and questions and provide customer service
- send you information relating to our services, including studio reservation requests and confirmations, receipts, technical notices, updates, security alerts, and support and administrative messages and otherwise communicate with you about your account and use of the services
- communicate with you about contests, offers, promotions, rewards, upcoming events, and other news about products and services offered by Freshsessions, our subsidiaries, and affiliates, select recording studios, and our other selected partners
- link or combine with other personal information we get from third parties to help understand your needs and provide you with better service
- authenticate your credit or debit card account information
- protect, investigate, and deter against fraudulent, unauthorized, or illegal activity
- protect our rights and property and those of our users
- comply with our legal obligations, resolve any disputes we may have with any of our users, and enforce our agreements with third parties

By providing your mobile phone number, you expressly consent to receive direct dial calls, autodialed and prerecorded message calls, and text messages from us relating to our product and services at that number.

When Do We Share Personal Information With Others?

Information Shared with Other Users

When you submit a request to reserve use of a recording studio through our services, certain information, including your full name, is provided to the studio owner of the studio you choose to reserve, just as it

would if you made a reservation by calling or emailing the studio, or using the studio's website. If you provide a mobile phone number, studios may send you text messages regarding your reservation. Some studios also require you to provide credit or debit card account information to secure your reservation. When you make a studio reservation through our services and/or make a payment to a studio owner through our services, we may also share with the studio owner additional information, such as information about your studio preferences and history or information that we collect your use of the services or social media websites or applications. You also have the option of indicating special preferences or providing comments about your reservation that Freshsessions will pass on to that studio.

When a request to reserve a recording studio is accepted by the studio owner, we will disclose certain information regarding the user making the reservation to the studio owner and certain information regarding the studio owner to the user making the reservation.

If you provide reviews, feedback or other comments about another user through our services, those comments may be shared with that user or other users. We will not tie your comments with other information that can identify you, but another user may be able to tell who you are from your comments, particularly if you give your name in the comments or provide contact information, such as an email address.

Information regarding your use of the services, such as if you have cancelled or not shown up for reservations made by you through the services, may be shared with a studio or studio owner so that the studio or studio owner may make an informed decision about a requested reservation.

Information you choose to share with a studio owner or another user when you make or accept a reservation and/or pay or accept payment through our services may be used by the other user for its own purposes. Freshsessions does not control the privacy practices of its user. Please contact the user directly if you want to learn about its privacy practices.

Payment Card Information

To use certain of our services, such as to make reservations for use of studios or to make payments to studio owners and to purchase any products or services we may make available for purchase, we may require credit or debit card account information. By submitting your credit or debit card account information through our services, you expressly consent to the sharing of your information with studios, studio owners, third-party payment processors, and other third-party service providers (including but not limited to vendors who provide fraud detection services to us and other third parties), and you further agree to the following terms:

- When you use a credit or debit card to secure a reservation through our services, we provide your credit or debit card account information (including card number and expiration date, but excluding the CVV number) to our third-party payment service providers and the applicable studio owner.
- When you initially provide your credit or debit card account information through our service in order to use our services to pay a studio owner for use of a recording studio or otherwise pay for a product or service through our services, we provide your credit or debit card account information to our third-party payment service providers. These third parties may store your credit or debit card

account information, other than your CVV number, so you can make payments through our services in the future. Your CVV will not be stored and must be re-entered for each purchase.

- For information about the security of your credit or debit card account information, see Section called "How Do We Protect the Integrity and Security of Personal Information?" below.

Information You Share Publicly or Socially

Portions of your profile data are intended to be public and will be displayed to other users of the services. If you are a studio owner, your public listing page for your recording studio will always include some minimum information, such as location and other public profile information, and may include information such as the reviews or other feedback from users. If you chose to provide reviews or feedback, such reviews or feedback may be provided to other users or made public through the services or shared with social media websites or applications with whom you have connected your Freshsessions account. Our services may further allow you to connect and share your actions, comments, content, and information publicly or with friends. Our services may also allow you to connect with us on, share on, and use social media websites and applications, including those on which Freshsessions has a presence.

Please be mindful of your personal privacy needs and the privacy needs of others as you choose whom to connect with and what to share and make public. We cannot control the privacy or security of information you choose to make public or share with others. Freshsessions also does not control the privacy practices of third parties such as social media websites or applications. Please contact those websites and applications directly if you want to learn about their privacy practices.

Other Sharing

We do not share your personal information with third parties other than as described above and as follows:

- We may share personal information when you authorize us to share your information with other third parties for their own marketing purposes, which are subject to the separate privacy policies of such third parties.
- We may share personal information with affiliates, third-party vendors, consultants, and other service providers who work for us. Such third-party vendors may include vendors who provide fraud detection services to us and other third parties.
- We may share your credit or debit card account information with third parties as described in the section called "Payment Card Information" above.
- We may share aggregate statistical data for the improvement of services offered by our Sites.
- We share personal information with third parties who provide services to us, such as data collection, reporting, ad response measurement, and site analytics, as well as assistance with delivery of relevant marketing messages and advertisements. These third parties may view, edit, or set their own cookies. We and our third-party service providers, advertisers, and/or partners may also place web beacons for these third parties. The use of these technologies by these third parties is subject to their own privacy policies and is not covered by this Policy.

- We may disclose your personal information (i) to comply with laws and to respond to lawful requests and legal process, (ii) to protect the rights and property of Freshsessions, our agents and customers, and others, including to enforce our agreements, policies, and terms of use, and (iii) in an emergency to protect the personal safety of Freshsessions, its users, or any person.
- We may disclose or transfer your personal information to a third party if we sell, transfer, divest, or disclose all or a portion of our business or assets to another company in connection with or during negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction, or proceeding.
- We may also share aggregated or de-identified information with third parties in our discretion.

How Do We Protect the Integrity and Security of Personal Information?

We take reasonable measures to protect the integrity and security of personally identifiable information that we collect. The security measures we take include physical, technological and organization procedures designed to protect the integrity and security of your personally identifiable information. We also take reasonable steps to ensure that the personal information we process is accurate, complete, and current, but we depend on our users to update or correct their personal information whenever necessary. Your Freshsessions registered user account information is protected by a password that you select for your privacy and security. We encourage you to use "strong" passwords (that use a combination of upper and lower case letters, number and symbols). Please also make sure to protect your account information and log off when you are done using the Freshsessions services, especially if other users have access to the device you are using to access the services.

When your credit or debit card account information is being transmitted to or through our services, it will be protected by encryption technology, such as Secure Sockets Layer (SSL). To be clear, Freshsessions does not itself store your credit or debit card account information, and **we do not have direct control over or responsibility for your credit or debit card account information.** Our contracts with third parties that receive your credit or debit card account information require them to keep it secure and confidential.

Please be aware, however, that no protection measures are perfect or impenetrable. Although we believe the measures we take are reasonable measures to protect the integrity and security of your personally identifiable information, we cannot guarantee its absolute integrity and security or that unauthorized third parties will never be able to defeat the security measures taken by Freshsessions or our third-party service providers. **We assume no liability or responsibility for disclosure of your information due to errors in transmission, unauthorized third-party access, or other causes beyond our control.** You play an important role in keeping your personal information secure. You should not share your user name, password, or other security information for your Freshsessions account with anyone. If we receive instructions using your user name and password, we will consider that you have authorized the instructions.

How Can You Update, Correct or Delete Your Personal Information?

Freshsessions will provide you with a means to update or correct your registration information or to delete/deactivate your registered user account. If a means is not provided or available to update, correct or delete your information through your registered user account, you may send requested updates, corrections or deletions about your registration information to FreshSessions Inc, 225 Bush Street, Floor 12, San Francisco, CA 94105 USA, and we will make reasonable efforts to incorporate the updates, corrections or deletions promptly. When information is corrected, updated or deleted, we may keep a copy of the prior version for our records. You may not be able to change or remove information you submit or post publicly while participating in the services once such information has been submitted or posted.

[Your California Privacy Rights \(As Provided by California Civil Code Section 1798.83\)](#)

A California resident who has provided personal information to a business with whom he/she has established a business relationship for personal, family, or household purposes (a "**California Customer**") may request information about whether the business has disclosed personal information to any third parties for the third parties' direct marketing purposes, subject to certain exceptions. In general, again, subject to certain exceptions, if the business has made such a disclosure of personal information, upon receipt of a request by a California Customer, the business is required to provide a list of all third parties to whom it disclosed personal information in the preceding calendar year, as well as a list of the categories of personal information that were disclosed. One of the exceptions allows Freshsessions to provide California Customers a cost-free means to opt out of these disclosures instead of providing such list. Any California Customer may request to opt out of these disclosures, or request further information about our compliance with this law, by contacting Freshsessions as described in the Section entitled "How Can You Update, Correct or Delete Your Personal Information" above.

[How Can This Privacy Policy Be Changed?](#)

The terms of this Privacy Policy will govern the use of any information collected by Freshsessions. Freshsessions reserves the right to change this Privacy Policy at any time. If we make a change, this Privacy Policy will be updated accordingly. We recommend that you review this Privacy Policy periodically so that you are aware of any changes. If we make a change to this Privacy Policy so that we are using personally identifiable information in a manner materially different from the manner as stated at the time of collection, we will endeavor to notify you here (inside the Privacy Policy), by email, or by means of a prominent notice on Freshsessions. Changes will take effect immediately upon posting of the updated Privacy Policy. Your continued use of any portion of Freshsessions following posting of the updated Privacy Policy constitutes your acceptance of the changes.