

Privacy Policy

Effective as of 26-11-2018

You can view summaries of changes to this Policy on our website at www.libratone.com.

You are strongly encouraged to read this Privacy Policy (**Policy**) carefully before signing-up to use the Libratone or LibraRadio mobile apps (**Apps**), as it explains what data (including personal data) we collect from your use of the Apps with your Libratone product (**Product**) and how we use that data.

You should read this Policy together with our Terms & Conditions, which apply to your use of the Apps.

READ THIS FIRST! One of the key features of the Apps is to connect you to personalized audio content based on your listening preferences and interactions with the Apps (which is described more fully below). If you are not interested in this feature, you should not sign-up to use the Apps and you should delete the Apps from your device. This will not affect your ability to stream audio content to your Product via Bluetooth, Wi-Fi or any other means of connectivity (connectivity options vary between models).

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1. **WHO WE ARE**

The Apps are provided by Libratone A/S. We are a private corporation registered in Denmark under company registration (CVR) number 32647642. Our registered office is at Sundkaj 9, 2150 Nordhavn, Denmark.

2. **OUR COMMITMENT TO PROTECTING YOUR PRIVACY**

When we say we are committed to maintaining the privacy of your personal data, we truly mean it. We make money by selling audio hardware products and accessories, not by selling or commercially exploiting data which identifies you personally – and we promise that we never will.

If any data that we have collected from your use of the Apps and our Product would be of interest to another organization, we will only share it with them once it has been anonymised in accordance with regulatory guidance and best industry practice, so that it cannot identify you personally.

3. CHILDREN

Please see our Terms & Conditions regarding age restrictions. We do not knowingly collect personal data from any individual who does not meet our age restrictions and you should not use the Apps if you do not meet them. If you are a parent or guardian and are concerned that the Apps may have inadvertently collected personal information from your child, please notify us by sending an email to support@libratone.com.

4. LEGAL GROUNDS FOR PROCESSING YOUR PERSONAL DATA

We will only process your personal data when we are allowed to do so by law. We will generally rely on one of the following legal grounds for processing your personal data for the purposes described in this Policy:

Performance of our contract with you: where processing your personal data is necessary to perform our contract with you (for example, providing the advertised functionality of our Product or Apps).

Legitimate interests: where processing your personal data is necessary for our legitimate interests or those of a third party (for example, using technical data about your use of the Apps or Product to improve our services or those of our technical service providers), as long as those interests do not override your fundamental rights and interests. Where we rely on this legal ground and you do not have the ability to change your preferences within the Apps, you may exercise your right to object (see Your rights below).

Compliance with legal obligations: processing your personal data is necessary for compliance with legal obligations.

Consent: generally we do not rely on consent as a legal ground for processing your personal data, except in relation to sending you direct marketing by electronic means. Where we rely on consent, you have the right to withdraw your consent at any time (see Your rights below).

5. DATA WE COLLECT FROM YOU AND HOW WE USE IT

This section of the Policy is important, as it explains the data that we collect from and about you and how we will use it.

We will use the data we collect from you for four primary purposes:

- (1) to provide you with a personalized user experience which is based on your listening preferences (to the extent you allow us access to the location of your device and any other functions as identified below);
- (2) to improve our products and services through understanding how you use the Apps and your Product and the technical data that they feed back to us;

(3) to ensure the safety and security of our products and services for you, us and our partners; and
 (4) communicating with you about other products and services we offer that are similar to those you have already purchased or enquired about (if you agree to receiving such communications).

Our objective is to ensure that you are never surprised by how we use your personal data, through being completely transparent with you about the purposes for which we process your personal data.

DATA WE COLLECT	HOW WE USE IT	LEGAL GROUND
<p><u>Your account details:</u> If you are resident outside of mainland China, you will need to provide an email address and choose a password when signing up to use the Apps. If you are resident within mainland China, you will need to provide your mobile number and you will receive a text message with a one-time code to complete sign-up. You will need to do this each time you sign-out of the Apps or reset your account.</p>	<p>Providing you with access to the Apps and performing our obligations and enforcing your obligations under our Terms & Conditions</p>	<p>Performance of our contract with you</p>
	<p>Providing you with information about other products and services we offer that are similar to those you have already purchased or enquired about</p>	<p>Your consent</p>
	<p>Notifying you about changes to our products and services, this Policy or our Terms & Conditions</p>	<p>Performance of our contract with you and our legitimate interests</p>
<p><u>Your enquiries:</u> You may provide us with information when you contact us, request help and support, report a problem with the Apps or your Product or make a complaint.</p>	<p>Responding to your enquiries, reports or complaints</p>	<p>Performance of our contract with you and our legitimate interests</p>
<p><u>Your devices:</u> We will collect technical data about the device that you use to access the Apps and the network used to connect your Apps to your Product. This includes data about the type of your device, operating system/firmware version, browser version, IP address of your device and network, device identifiers (such as the IMEI number of your device and MAC address of its wireless network interface), time zone, regional and language settings.</p>	<p>Ensuring that the Apps is presented in the most effective manner for your device; understanding the types of devices used to access the Apps and networks used to connect to the Product so that we can improve our products and services; and ensuring that the Apps are secure and that your personal data are protected</p>	<p>Legitimate interests</p>

<p><u>Your use of the Apps:</u> We collect data about how you interact with the Apps, including how you access sections of the Apps and the duration of use of the Product.</p>	<p>Improving our products and services and identifying and fixing bugs and faults</p>	<p>Legitimate interests</p>
<p><u>Your Product:</u> We use the Apps to collect technical data about the Product that is connected to your Apps. This data includes performance information such as WiFi signal strength, decibel and ambient noise levels (voice-enabled Products only) and how you control the Product whether through the Apps or physical controls.</p>	<p>Improving our product and services and identifying and fixing bugs and faults</p>	<p>Legitimate interests</p>
<p><u>Your location:</u> We will use the IP address of your device to identify your approximate location and may also, with your permission, use information from your device's cellular, Wi-Fi, Global Positioning System (GPS) and/or Bluetooth to determine your location. Note: most devices enable you to turn location tracking services off within settings. However we will still use the IP address of your device to identify your approximate location in order to comply with geographic/territorial restrictions.</p>	<p>Complying with geographic /territorial restrictions and with legal compliance and data residency obligations</p>	<p>Compliance with legal obligations</p>
	<p>Ensuring that the Apps are presented in the most effective manner for your device; and optimizing performance of the Apps depending on the location of our servers</p>	<p>Legitimate interests</p>
<p><u>Your movements:</u> We may collect data from your device's accelerometer, gyroscope and other sensors.</p>	<p>Ensuring that the Apps are presented in the most effective manner for your device</p>	<p>Legitimate interests</p>
	<p>Personalizing your listening experience based on your current activity</p>	<p>Performance of our contract with you</p>

<p><u>Your listening preferences:</u> We collect data about the audio content you listen to and how you interact with audio content (including skipping tracks, adding favorites, listening to related artists. We may combine this data with other data such as your location and your current movements (for example, whether you are sitting or running).</p>	<p>Personalizing your listening experience; and recommending audio content that we think you may like based on your listening preferences</p>	<p>Performance of our contract with you</p>
<p><u>Your voice:</u> Depending on which model of the Product you have, the Product may be controlled using voice commands. The Product will only 'listen' for your voice when you use a specified 'wake word' or push a button on the screen within the Apps. Voice data is streamed from the Apps to the Amazon Voice Service which then converts it into text before passing the command back to the Apps to fulfil your request. The Product does not continuously record audio whether the Apps are open or closed and we do not keep recordings of your voice after a 'wake word' has been used. However we do keep recordings of the specified 'wake word' to improve speech recognition.</p>	<p>Enabling you to interact with and control the Apps using your voice</p>	<p>Performance of our contract with you (note: granting permission to access the microphone on your device is a requirement of your device manufacturer and does not represent consent)</p>
	<p>Improving our products and services</p>	<p>Legitimate interests</p>

6. DATA WE RECEIVE ABOUT YOU FROM OTHERS

We may receive data about you from third parties which we use to authenticate your account and any third party content services (**Content Services**) linked to the Apps and to personalize your experience. You should review the privacy policies of such third parties in relation to the processing of your personal data by them.

DATA WE COLLECT	HOW WE USE IT	LEGAL GROUND
<p><u>Social networks:</u> If you sign-up to use the Apps using Facebook® or Gmail®, we will collect your username and encrypted access</p>	<p>Providing you with access to the Apps and performing our obligations and enforcing your obligations under our Terms & Conditions</p>	<p>Performance of our contract with you</p>

credentials and your basic profile information (including profile image).	Providing you with information about other products and services we offer that are similar to those you have already purchased or enquired about	Consent
	Notifying you about changes to our products and services, this Policy or our Terms & Conditions	Performance of our contract with you and our legitimate interests
<u>Content Services</u> : When you connect the Apps to any Content Services, the Apps will enable you to access your recently played tracks, artists and playlists from those Content Services. Such data are collected from your use of those Content Services and made available to us through their software development toolkits.	Enabling you to play audio content through your Product from the Apps; personalizing your listening experience; and recommending audio content that we think you may like based on your listening preferences	Performance of our contract with you

7. HOW WE UNDERSTAND YOUR LISTENING PREFERENCES

The Apps use software algorithms to build a picture of your listening preferences based on: (a) the audio content you have recently listened to through any Content Services and the characteristics of such audio content (for example, genre, era, tempo); (b) the actions you take and selections you make when you use the Apps (for example, skipping a track or adding an artist to your favorites list); (c) environmental factors (for example, your location and physical activity or state); (d) your proximity to other users of the Apps that have connected to the same Product; and (e) the choices you make within the Apps, including any selections you make when you first launch the Apps and changes you manually make to your profile.

8. YOUR ACCOUNT

If you have downloaded the Apps onto a device which is owned or controlled by you and shared with other users, we recommend that each user creates a separate account and that each user signs out of their account (within Profile settings) between sessions. This will ensure that your listening preferences are not affected by those of other users. Alternatively, if you allow any person that uses your device to create a separate 'persona', you must ensure that the relevant persona is selected when you are using the Apps.

9. WHO WE MAY SHARE YOUR DATA WITH

We will only share your data for the sole purpose of enabling your use of the Apps and the Product. In this context, "share" does not necessarily mean that we hand your data over to any third party, but that they may have access to it, for example, because they host the Apps or a software platform which is used by the Apps.

We do not share your data with marketing and advertising companies or any other third parties for such purposes (except those that we have entered into a contract with to assist us with marketing our own products and services to you).

Group companies: We may share your data with other companies in our corporate group for the purposes specified in this Policy. Unless we need to share data which identifies you personally in accordance with this Policy, this data will be anonymised.

Prospective buyers or sellers: If we sell or buy any business or assets, or enter into negotiations for any merger or acquisition, we may disclose your data to the prospective buyer or seller of such business or assets. We will only do so if we are satisfied that sufficient safeguards and agreements are in place in respect of such disclosure.

Rights holders and law enforcement: We may be required to disclose or share your data with individuals or organisations enforcing their legal rights, or in order to comply with any legal or regulatory obligation or request. We may also share your data with our legal advisers and law enforcement in order to protect third party rights and to enforce our Terms & Conditions. We will not do so without fully considering the implications of such disclosure and your privacy rights and will, where lawfully possible, seek to resist such disclosure.

Third party apps and services: If you link your Apps to other third party apps and services, including any Content Services, those apps and services may request access to your account credentials. We will only share your data with them if you have given your consent to this at the appropriate time.

Technical service providers: We use third party service providers to host our Apps, provide some of the Apps' functionality and process data for purposes that are consistent with this Policy. Such processing is subject to strict confidentiality and security obligations.

10. OTHER INFORMATION ABOUT HOW WE KEEP YOUR DATA

- a) Where we store your data: Your data is hosted on the Amazon Web Services (**AWS**) platform in accordance with AWS's [policies and standards for privacy and security](#). In order to provide a seamless experience for travelling users, we use AWS servers in Europe (Ireland) and the People's Republic of China (Beijing) to host data, which is synchronised between datacentres in these regions. We do not synchronise personal data between datacentres in these regions, by using a technique called a one-way hash to irreversibly mask any values that could be used to identify you. AWS will not disclose, move, access or use your personal data except as necessary to fulfil their contractual obligations to us and our technical service providers, or to comply with the law or any binding order of a governmental body.
- b) Transfer of personal data: Where the processing of your personal data is governed by European data protection law, you acknowledge that we may need to transfer, store and/or process your personal data outside of the European Economic Area. If we transfer your personal data to a country or territory which has not been determined by the European Commission to have an adequate level of data protection, we will use a variety of legal mechanisms, including contracts, to help ensure that your rights are protected.

- c) How long we keep your data for: We will keep your personal data for as long as you are a registered user of the Apps and you have not deleted your account. Subject to any mandatory data retention laws or court or governmental orders, if you delete your account or the agreement between us as set out in our Terms & Conditions is terminated by you or us, we will delete your personal data as soon as possible and in any case within six months. Any other data which is linked to your account will be anonymised in accordance with regulatory guidance and best industry practice, so that it cannot identify you personally.
- d) What we will do with your data in the event of your death: If you are resident in France, you can send us specific instructions regarding the use of your personal data after your death in accordance with French law by emailing us at support@libratone.com. If you are not resident in France, we may take such action in relation to your personal data as your personal representatives may request, subject to us being provided with evidence of your death and the authority of your personal representatives to our reasonable satisfaction.
- e) How we keep your data secure: The security of your personal data is important to us. We use, and require our technical service providers and any other parties with whom we may share your personal data to use, a variety of technical and non-technical measures to protect your personal data. Despite this, unfortunately the transmission of information via the Internet is not completely secure and we cannot guarantee the security of your data.

11. YOUR RIGHTS

Where the processing of your personal data is governed by European data protection law, you will have the following rights:

- a) Right of access: You have the right to access and receive a copy of any personal data that we process about you and certain additional information about how such data are processed.
- b) Right to withdraw consent: Where we are processing personal data based on your consent, you have the right to withdraw that consent at any time for future processing.
- c) Right to request rectification or erasure: You have the right to request that we rectify any inaccurate personal data that we may hold about you, including the right to have incomplete personal data completed. You also have the right to request that we erase any personal data concerning you where you have withdrawn your consent, and in certain other circumstances.
- d) Right to restriction of processing: You have the right to request that we restrict the processing of your personal data in certain circumstances.
- e) Right to object to processing: You have the right to object to the processing of your personal data for direct marketing purposes and where we have identified our legitimate interests or those of a third party as the legal ground for processing your personal data.
- f) Right to data portability: You have the right to receive a copy of or request the transfer of personal data that you have provided to us and which has been processed by automated means in a common electronic format.

g) Right to complain: You have the right to lodge a complaint with a [data protection authority](#).

12. CHANGES TO THIS POLICY

We may need to update this Policy in order to reflect changes to our products and services; the purposes for which we intend to process your personal data; customer feedback; or changes to any law or regulation relating to the processing of personal data. You are strongly encouraged to review this Policy regularly to take notice of any changes. However if we make any material changes to this Policy, we will try to give you as much notice as possible by email and/or by displaying a prominent notice within the Apps.

If you continue to use the Apps, you will be treated as having consented to those changes. If you do not consent to those changes, you should delete your account and delete the Apps from any devices on which you installed the Apps.

You can view previous versions of and summaries of changes to this Policy on our website at www.libratone.com.

13. HOW TO CONTACT US

You can contact us with any questions or concerns you may have by writing to our registered office address set out above or by email to support@libratone.com.

Thank you for reading this Policy.

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