

# PRIVACY AND COOKIE NOTICE

PREPARED FOR



drumwave

JULY 7, 2020

Last Updated: 07/07/2020  
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## DrumWave Privacy Notice

DrumWave, Inc. and its subsidiaries (collectively, “DrumWave,” “us,” or “we”) are committed to protecting the privacy of our customers and individuals who use our website, products, and services (collectively, “Services”). This Privacy Notice (“Notice”) describes how we collect, use, disclose, or otherwise process and protect the Personal Information, Personal Information we collect about you on the DrumWave website (“www.drumwave.com” or “Site”), when we market DrumWave Services to you, and when you use the DrumWave platform (“Platform”).

“Personal Information” refers to any information that identifies or may potentially identify an individual. This includes your name, email, address, phone number, and other non-public information that is associated with such information. This does not include aggregated or anonymized information.

We encourage you to read this Notice in full to understand our privacy practices before using our Services. By using our Services, you acknowledge that you understand and agree to the privacy practices described in this Notice and our Terms of Use. If you disagree with anything in this Notice, you should discontinue using our Services.

You can contact us with questions about our privacy practices at [legal@drumwave.com](mailto:legal@drumwave.com).

This Privacy Notice describes:

- Information We Collect and How it’s Used
- How We Share Information About You
- How We Protect Information About You
- How You Can Access and Control Your Information
- The Cookies and Tracking Technology We Use
- How We Transfer Information We Collect About You
- How Long We Retain Information We Collect
- Minimum Age Requirements to Use Our Services
- Changes to this Privacy Notice
- Our Contact Information

### **Scope and Applicability**

This Notice broadly describes DrumWave’s privacy practices. Some jurisdictions may place additional restrictions on how we process Personal Information about you and our practices in those jurisdictions may be more restrictive than those described in this Notice.

If you are located in:

- The European Economic Area (“EEA”) or the United Kingdom (“UK”), please refer to your General Data Protection Regulation (“GDPR”) rights in Appendix A;
- California, USA, please also refer to your California Consumer Privacy Act (“CCPA”) rights in Appendix B; and
- Brazil, please also refer to your Lei Geral de Proteção de Dados (“LGPD”) rights in Appendix C.

This Privacy Notice does not apply to:

- **Third Party Applications, Services, or Businesses:** This Notice does not apply to any third party applications or software that integrate with DrumWave Services or through third party products, services or businesses. Your interactions with any third party application or software are subject to that third party's rules and policies. We encourage you to familiarize yourself with the privacy notices of all websites you visit and interact with.
- **Agreements and Customer Data:** This Notice does not apply to information processed through our Platform on behalf of our business customers (collectively, "Customer Data"). DrumWave processes Customer Data under the direction of our business customers as a "Processor" and does not have a direct relationship with our business customers' Platform users ("End Users"). To learn more about how to access or control your information as an End User, please see End User Inquiries under "How You Can Access and Control Your Information."
- **Recruiting and Employment:** This Notice does not apply to Personal Information you provide for recruiting or employment purposes. Please contact DrumWave to learn more about our privacy practices related to Personal Information you provide to us as a job applicant or DrumWave employee.
- **Other Privacy Notices:** This Privacy Notice does not apply when another notice governing Personal Information is displayed.

#### Information We Collect and How it's Used

*We collect information about you that you provide directly to us.*

- **Our Site:** When you use our Site to request a demo or contact us with questions, you provide us with Personal Information in the contact form, for example:
  - First and last name;
  - Email address;
  - Company name;
  - Job title;
  - Phone number; and
  - Other information you choose to provide in the message form.

We collect this information to respond to your inquiries and demo requests, to provide customer support, to send updates and alerts, and to provide you with marketing materials upon request. To learn more about managing marketing communications from us, see "How You Can Access and Control Your Information."

- **Business Account:** You provide us with Personal Information through your business contact and billing information, for example:
  - First and last name;
  - Company;
  - Billing and mailing address;
  - Email address;
  - Phone number; and
  - Credit card information.

We use this information to bill for our Services, to provide customer support, to send you updates and alerts, and to contact you about your account. We also use this information to respond to subpoenas, court orders, and legal processes; to establish or exercise our legal rights or defend

against legal claims; and to transfer your information in the case of a sale, merger, consolidation or acquisition.

- **Platform Account:** Once you become a DrumWave customer, you provide us with Personal Information for your account, for example:
  - First and last name;
  - Email address;
  - Company;
  - Geographic location; and
  - Language preference.

We require this information to provide you with access to our Platform, to resolve technical issues you encounter, and to respond to your requests for assistance and customer support. We also require this information for safety and security reasons, such as verification of accounts and activity, detection, prevention and response of potential or actual security incidents, and for protection against other malicious, deceptive, fraudulent or illegal activity, including violations of Service policies.

- **Events, Conferences and Meetings:** When you register for or attend our events and onsite meetings, you provide us with professional business Personal Information, for example:
  - First and last name;
  - Email address;
  - Company name;
  - Job title;
  - Phone number; and
  - Other Personal Information you choose to provide.

We use this information to provide you with requested materials about our Services. If you choose to provide your business contact information at a conference, for example, when you visit our conference booth, we also use this information to provide you with optional marketing materials. To learn more about managing marketing communications, see “How You Can Access and Control Your Information.”

*We collect information about you automatically.*

- **Browsing History:** When you visit our Site, we automatically collect Personal Information, for example:
  - Type of browser you use;
  - Operating system;
  - Site usage, i.e., pages you viewed, number of times you return to the Site, date and time of your Site visit, links clicked;
  - Landing, referring, and exit pages and URLs;
  - State or country from which you accessed the Site;
  - IP address; and
  - Clickstream data.

We require this information to improve our Services and your user experience, to generate web analytics, and to troubleshoot problems. We may aggregate and anonymize information received to produce reports on Site activity and statistics using Google Analytics. For more information about how we share information with Google Analytics, please see our Cookie Notice.

### How We Share Information About You

*We disclose your Personal Information only with select recipients for specific purposes.*

- **Third Parties:** We share information about you with third parties and business partners including recruiting, legal, technology, sales, marketing and operations vendors, and service providers we use to conduct our business. Our list of third parties is available upon request. Please see "Our Contact Information" section to inquire. *DrumWave does not share Personal Information with third parties for direct marketing purposes.*
- **DrumWave Affiliates and Subsidiaries:** We share information about you with DrumWave affiliates and subsidiaries for the purposes described in this Notice. If we are involved in a merger, acquisition, or sale of assets, we will notify you of any change in ownership, uses of your Personal Information, and any choices you may have via email and/or a prominent notice on our Site. The use and disclosure of all Personal Information collected through our Site is subject to this Notice. However, any Personal Information submitted or collected after a merger, acquisition, or sale of assets, may be subject to a new privacy notice adopted by the successor entity.
- **Compliance and Regulatory Purposes:** As permitted and required by law, DrumWave shares your Personal Information in response to lawful requests by public authorities, to meet national security or law enforcement requirements and to comply with a subpoena, bankruptcy proceeding, or similar legal process. DrumWave may also share your information when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

### How We Protect Information About You

DrumWave takes security of data seriously. We continuously review our established policies and procedures to ensure that they are appropriate and effective in meeting our commitment to our community, our customers and ourselves.

We maintain appropriate administrative, technical, and physical safeguards designed to protect your Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction. When you use our Platform, we do not permanently store, copy, or collect data sources you connect through external credentials, which are encrypted. We also require third party service providers with whom we share your information, or those acting on our behalf, to provide security measures under industry standards.

### How You Can Access and Control Your Information

You have certain choices available when it comes to your Personal Information. Below is a summary of those choices, how to exercise them, and the possible limitations.

- **Opt out of communications:** You may opt out of receiving any marketing communications from us by using the unsubscribe link within each email, or by contacting us as provided in "Our Contact Information" section. If you are a business customer and you opt out of receiving marketing messages, you will continue to receive transactional communications from us regarding our Services.
- **Turn off Cookie Controls:** Relevant browser-based cookie controls are described in our Cookie Notice.
- **Exercise your rights:** Depending on your location and jurisdiction, you may have certain rights, such as the right to request access, update, or delete the information we have about you. To learn more about your rights, please see:

- Appendix A for GDPR rights if you are in the EEA or UK;
- Appendix B for CCPA rights if you are a California resident; or
- Appendix C for LGPD rights if you are based in Brazil.
- **End User Inquiries:** Our products are intended for use by our business customers. Where DrumWave Services are provided to you through our business customer, (e.g., your employer), that business is the administrator of DrumWave Services and is responsible for the accounts and/or Services it controls. If this is the case, please contact your administrator directly with requests, inquiries, or complaints. We are not responsible for the privacy or security practices of an administrator's business, which may differ from this Notice.
- **Limitations:** Your request and choices may be limited in certain cases, for example, if fulfilling your request is not permitted by law or if we have compelling legitimate interests to keep your information.

#### The Cookies and Tracking Technology We Use

We use cookies and other tracking technologies to collect information about you when you use our Services, Platform or browse through our Site.

Cookies and other tracking technologies help make interactions with our Site easier and faster for you. We also use cookies and other tracking technologies to analyze trends, administer our Services, and track activity and interactions with our Site.

For more information about how we use cookies and to learn how to manage cookies, please see our Cookie Notice.

#### ***Do Not Track Signals***

We do not currently respond to web browser “Do-Not-Track” signals. You can use the range of other tools we provide in our “How You Can Access and Control Your Information ” section to control data collection and use.

#### How We Transfer Information We Collect About You

DrumWave may transfer, process, or store your information outside of your country of residence to provide our Services. Whenever we transfer your information, we take the appropriate steps to protect it. This includes the use of standard contractual data protection clauses or other appropriate legal mechanisms to safeguard the transfer.

If you are located in the EEA, UK, or Brazil, please visit the relevant Appendix, “Your GDPR Rights” or “Your LGPD Rights” to learn more about the safeguards we use when transferring data from your region.

#### How Long We Retain Information We Collect

DrumWave retains your information for as long as needed to fulfill legal and contractual obligations and legitimate business purposes outlined in this Notice; to support business operations; to develop Services; to resolve disputes; and to enforce our rights. DrumWave will also retain Customer Data under a business customer’s instructions, including any applicable terms in a Customer Agreement and as required by law. The criteria used to determine our retention periods include:

- Only retaining Personal Information for as long as needed to fulfill our legitimate business purposes; and

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- Retention of records to fulfill a legal or regulatory obligation or investigation.

Minimum Age Requirements to Use Our Services

DrumWave Services are not directed to children under 13. To use DrumWave Services, you must be old enough to consent to the processing of your Personal Information in your jurisdiction. If we learn a child has provided us with Personal Information, DrumWave will take immediate steps to delete such information.

If you learn a child has provided us with Personal Information, please contact:

Changes to this Privacy Notice

We may update this Notice from time to time. You can determine when this Notice was last revised by referring to the “Last Updated” date at the top of this Notice. We encourage you to review the Notice whenever you interact with us to stay informed about our privacy practices and the ways you can help protect your privacy.

If the changes we make to this Notice are significant, we will notify you by email and through a prominent notice on this website. If you do not agree with the privacy practices disclosed in the Notice, we recommend you stop using our Services.

Our Contact Information

To submit questions about this Notice, or to update or request changes to your Personal Information, please contact our Privacy Lead at \_\_\_\_\_ or write to us at:

DrumWave, Inc.  
Attn: Privacy Lead  
125 University Ave Suite 88  
Palo Alto, California 94301  
USA

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## Appendix A - Your GDPR Rights

Additional provisions applicable to the processing Personal Information of individuals based in the European Economic Area (“EEA”) and the United Kingdom (“UK”).

### Scope and Applicability

This Appendix A (“Appendix”) applies to individuals based in the EEA and UK and outlines your rights and choices regarding the processing of your Personal Information under the General Data Protection Regulation (“GDPR”). This Appendix controls to the extent it conflicts with any provision in the main body of the Notice. Capitalized terms not defined in this Appendix are defined in our Notice.

### Data Controller

DrumWave acts as a Data Controller for Personal Information collected about you while using DrumWave Services:

- On our Site;
- For sales and marketing;
- During our standard business practices; and
- For job applicants or personnel.

### Data Processor

DrumWave acts as a Data Processor for Personal Information collected on behalf of our business customers, who act as Data Controllers while using the DrumWave Platform.

### Purposes and Legal Bases for Processing

We process Personal Information about you for the purposes set out above in “Information We Collect and How it’s Used.” We collect and process Personal Information about you only where we have a legal basis for doing so under applicable data protection laws. Our legal bases include processing Personal Information under:

- **Your consent:** Where appropriate or legally required, we collect and use information about you subject to your consent.
- **Performance of contract:** We collect and use information about you to contract with you or to perform a contract that you have with us.
- **Legitimate interests:** We collect and use information about you for our legitimate interests to improve our Services, deliver content, optimize your experience, and market our Services.
- **Compliance with laws:** We may also collect and use information about you:
  - As required by law, such as to comply with a subpoena or similar legal process;
  - When we believe in good faith that disclosure is necessary to protect our rights or property, protect your health and safety or the health and safety of others, investigate fraud, or respond to a government request; or
  - If we are involved in a merger, acquisition, or sale of all or a portion of its assets.



### Transfer of Personal Information to Other Countries

When you use our Services and provide Personal Information to us, we store this information in the United States (“US”) or Brazil, where DrumWave headquarters and IT systems (including servers) are located.

We also transfer Personal Information we have about you to third parties as described in the “How We Share Information About You” section above. These third parties may be located outside of the EEA. In circumstances that require us to transfer your information to third parties outside the EEA, we will only transfer such information where we have adequate measures in place to provide appropriate safeguards such as Model Clauses (standard contractual clauses produced by the EU Commission).

Although the data protection laws of various countries may differ from those in your own country, we take appropriate steps to ensure that your Personal Information is handled as described in this Notice and under the law.

### Data Subject Rights

The GDPR grants EU residents certain rights in connection with the Personal Information collected, as described below.

#### *Where the GDPR Applies to DrumWave as a Data Processor*

Our Platform is intended for use by other companies (our business customers). Our business customers act as Data Controllers for End User Personal Information. End Users seeking to access, correct, amend, or delete Personal Information should contact our business customer (the Data Controller) who has transferred data to us for processing. The Data Controller is responsible for responding to End User data subject requests according to applicable local data protection laws.

#### *Where the GDPR Applies to DrumWave as a Data Controller*

You have certain rights related to the Personal Information we hold about you when you use DrumWave Services. Some of these rights only apply in certain circumstances, as set out below. We also describe how to exercise these rights in the “Exercising your Rights” section of this Appendix. DrumWave will not discriminate against you for exercising any of your privacy rights under the GDPR.

The GDPR provides data subjects with the following rights:

- **Right of Access:** You have the right to request access and receive certain information about how we use Personal Information about you and who we share it with.
- **Right to Rectification:** You have the right to request correction of Personal Information we hold about you where it is inaccurate or incomplete.
- **Right to Data Portability:** You have the right to request a copy of data we hold about you in a structured, machine readable format, and to ask us to share this information with another entity.
- **Right to Erasure:** You have the right to request deletion of the Personal Information we hold about you:
  - Where you believe that it is no longer necessary for us to hold your Personal Information;
  - Where we are processing your Personal Information based on legitimate interests and you object to such processing and we cannot demonstrate an overriding legitimate ground for the processing;

- Where you have provided your Personal Information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your Personal Information; or
- Where you believe the Personal Information we hold about you is being unlawfully processed by us.
- **Right to Restriction of Processing:** You have the right to ask us to restrict (stop any active) processing of your Personal Information:
  - Where you believe the Personal Information we hold about you is inaccurate and while we verify accuracy;
  - Where we want to erase your Personal Information as the processing is unlawful, but you want us to continue to store it;
  - Where we no longer need your Personal Information for our processing, but you require us to retain the data for the establishment, exercise, or defense of legal claims; or
  - Where you have objected to us processing your Personal Information based on our legitimate interests and we are considering your objection.
- **Right to Object:** You can object to our processing of your Personal Information based on our legitimate interests. We will no longer process your Personal Information unless we can demonstrate an overriding legitimate purpose.
- **Objection to Marketing and Profiling:** You have the right to object to our processing of Personal Information for marketing communications. We will stop processing the data for that purpose. DrumWave does not share Personal Information with third parties for marketing and does not engage in any automated profiling for its Services outlined in this Notice.
- **Withdrawal of Consent:** Where you have provided your consent for us to process your Personal Information, you can withdraw your consent at any time by emailing [privacy@drumwave.com](mailto:privacy@drumwave.com)

Please note that before we respond to requests for information, we will require that you verify your identity, or the identity of any data subject for whom you are requesting information.

#### Exercising your Rights

To exercise any of the rights above, please contact us as noted in the “Our Contact Information” section in this Appendix. If you are an End User, please contact our business customer acting as the Data Controller directly to fulfill any data subject rights requests.

We will fulfill your request within 30 days of receipt. Please note that the above rights may be limited in the following situations:

- Where fulfilling your request would adversely affect other individuals, company trade secrets or intellectual property;
- Where there are overriding public interest reasons; or
- Where we are required by law to retain your Personal Information.

#### Complaints

If you are an End User, we encourage you to first reach out to the applicable business customer to address any complaints or issues. To the extent that the above rights apply to you, we encourage you to contact us in the first instance. You may also address any grievance directly with the relevant Supervisory Authority.

Our Contact Information

If you have questions about this Notice, Appendix, or your rights, please contact our Privacy Lead at [privacy@drumwave.com](mailto:privacy@drumwave.com) or write to us at:

DrumWave, Inc.  
Attn: Privacy Lead  
125 University Ave Suite 88  
Palo Alto, California 94301  
USA

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## Appendix B - Your CCPA Rights

Additional provisions applicable to processing Personal Information of California residents.

### Scope and Applicability

This Appendix B (“Appendix”) applies to California residents and outlines your rights and choices with respect to the processing of your Personal Information under the California Consumer Privacy Act (“CCPA”). This Appendix controls to the extent it conflicts with any provision in the main body of the Notice. Capitalized terms not defined in this Appendix are defined in our Notice.

### Business

DrumWave acts as the business responsible for determining purposes and means of processing Personal Information while using DrumWave Services:

- On our Site;
- For sales and marketing;
- During our standard business practices; and
- For job applicants or personnel.

### Service Provider

DrumWave acts as a Service Provider for Personal Information collected on behalf of our business customers, who act as businesses responsible for determining purposes and means of processing Personal Information while using the DrumWave Platform.

### Data Collection and Uses

Please see the “Information We Collect and How it’s Used” section in our Privacy Notice to learn more about the Personal Information we collect. We collect the following categories of information as classified under the CCPA:

- Identifiers including real name, postal address, unique personal identifier, online identifier, email address;
- Internet or other electronic network activity information, including browsing history, search history, and information regarding a consumer’s interaction with an internet website, or application; and
- Professional or employment-related information.

“Personal Information” does not include publicly available information. For purposes of this paragraph, “publicly available” means information that is lawfully made available from federal, state, or local government records. “Publicly available” does not mean biometric information collected by a business about a consumer without the consumer’s knowledge.

### Consumer Rights

The CCPA grants California consumers certain rights in connection with the Personal Information collected, as described below.

*Where the CCPA Applies to DrumWave as a Service Provider*

Our Platform is intended for use by other companies (our business customers). Our business customers are responsible for determining purposes and means of processing Personal Information for End User Personal Information. End Users seeking to access or delete Personal Information should contact our customer (the business) who has transferred data to us for processing. The business customer is responsible for responding to End User consumer requests according to applicable local data protection laws. Where applicable and required, DrumWave will assist its business customers with deletion requests upon verified request of the End User.

*Where the CCPA Applies to DrumWave as a Business*

You have certain rights related to the Personal Information we hold about you when you use DrumWave Services. Some of these rights only apply in certain circumstances, as set out below. We also describe how to exercise these rights in the “Exercising your Rights” section of this Appendix. DrumWave will not discriminate against you for exercising any of your privacy rights under the CCPA.

CCPA provides consumers with the following rights:

- **Right to Access:** You have the right to request access to the categories and specific pieces of Personal Information we have collected about you in the previous 12 months.
- **Right to Deletion:** You have the right to request that we delete any Personal Information we have collected about you.
- **Right to Request Information:** You have the right to request information about the collection and disclosure of your Personal Information from the previous 12 months.
- **Right to Opt-out of the Sale of Information:** You have the right to opt-out of the sale of Personal Information we’ve collected about you. *DrumWave does not disclose, or “sell” Personal Information to third parties as defined by the CCPA.*
- **Right to Non-Discrimination:** You have the right to not receive discriminatory treatment for exercising any of your CCPA rights. DrumWave will not treat you differently for exercising any of the rights described above.

Sharing Personal Information About You

DrumWave does not sell any Personal Information to third parties. We share the following categories of information as classified under the CCPA with service providers such as suppliers, vendors, business partners, and consultants in order to operate our business and provide you with our Services:

- Identifiers including real name, postal address, unique personal identifier, online identifier, email address; and
- Professional or employment-related information.

Please see the “How We Share Information About You” section in our Notice for additional details on how we disclose your Personal Information with selected recipients for specific purposes.

Exercising your Rights

If you wish to exercise any of the above rights, contact us at [legal@drumwave.com](mailto:legal@drumwave.com) or review our “Our Contact Information” section in this Appendix. You may also designate an individual to submit a verifiable consumer request relating to your Personal Information.

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We will verify your request using the information associated with your account, including email address. Government identification may be required. We cannot respond to your request if we cannot verify your identity, your authority to make the request (if on behalf of another), or if we cannot confirm the Personal Information relates to you. Making a verifiable consumer request does not require you to create an account with us.

We will fulfill your request within 45 days of receiving your request. Please note that your request may be limited in certain cases, for example if complying with your request would conflict with:

- Federal, state or local law;
- Regulatory inquiries;
- Subpoenas; or
- Exercising or defending legal claims.

#### Our Contact Information

If you have questions about this Notice, Appendix, or your rights, please contact our Privacy Lead at [legal@drumwave.com](mailto:legal@drumwave.com) or write to us at:

DrumWave, Inc.  
Attn: Privacy Lead  
125 University Ave Suite 88  
Palo Alto, California 94301  
USA

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Effective Date: XX/XX/2020

### Appendix C - Your LGPD Rights

Additional provisions applicable to processing Personal Information of individuals based in Brazil.

#### Scope and Applicability

This Appendix C (“Appendix”) applies to individuals based in Brazil and outlines your rights and choices with respect to the processing of your Personal Information under the Lei Geral de Proteção de Dados (“LGPD”). This Appendix controls to the extent it conflicts with any provision in the main body of the Notice. Capitalized terms not defined in this Appendix are defined in our Notice.

#### Data Controller

DrumWave acts as a Data Controller for Personal Information collected about you while using DrumWave Services:

- On our Site;
- For sales and marketing;
- During our standard business practices; and
- For job applicants or personnel.

#### Data Processor

DrumWave acts as a Data Processor for Personal Information collected on behalf of our business customers, who act as Data Controllers while using the DrumWave Platform.

#### Purposes and Legal Bases for Processing

We process Personal Information about you for the purposes set out above in “Information We Collect and How it’s Used.” We collect and process Personal Information about you only where we have a legal basis for doing so under applicable data protection laws. Our legal bases include processing Personal Information pursuant to:

- **Your consent:** Where appropriate or legally required, we collect and use information about you subject to your consent.
- **Performance of contract:** We collect and use information about you to enter into a contract with you or to perform a contract that you have with us.
- **Legitimate interests:** We collect and use information about you for our legitimate interests to improve our Services, deliver content, optimize your experience, and market our Services.
- **Compliance with laws:** We may also collect and use information about you as required by law, such as to comply with a subpoena or similar legal process.

#### Transfer of Personal Information to Other Countries

When you use our Services and provide Personal Information to us, we store this information in the United States (“US”) or Brazil, where DrumWave headquarters and IT systems (including servers) are located.

We also transfer Personal Information we have about you to third parties as described in the “How We Share Information About You” section above. These third parties may be located outside of Brazil. In circumstances that require us to transfer your information to third parties outside of Brazil, we will only

transfer such information where we have adequate measures in place to provide appropriate safeguards such as standard contractual clauses provided for in the LGPD.

Although the data protection laws of various countries may differ from those in your own country, we take appropriate steps to ensure that your Personal Information is handled as described in this Notice and in accordance with the law.

#### Data Subject Rights

The LGPD grants individuals in the Brazilian national territory certain rights in connection with the Personal Information collected, as described below.

##### *Where the LGPD Applies to DrumWave as a Data Processor*

Our Platform is intended for use by other companies (our business customers). Our business customers act as Data Controllers for End User Personal Information. End Users seeking to access, correct, amend, or delete Personal Information should contact our business customer (the Data Controller) who has transferred data to us for processing. The Data Controller is responsible for responding to End User data subject requests according to applicable local data protection laws.

##### *Where the LGPD Applies to DrumWave as a Data Controller*

You have certain rights related to the Personal Information we hold about you when you use DrumWave Services. Some of these rights only apply in certain circumstances, as set out below. We also describe how to exercise these rights in the “Exercising your Rights” section of this Appendix. DrumWave will not discriminate against you for exercising any of your privacy rights under the LGPD.

The LGPD provides data subjects with the following rights:

- **Right to Confirm Processing:** You have the right to confirm we are processing Personal Information about you, and to be provided with your request in a clear, complete and simplified format.
- **Right to Access:** You have the right to request access to the Personal Information we hold about you and how we use this information, including who we share it with.
- **Right to Correction:** You have the right to request corrections to inaccurate, incomplete or out-of-date data about you.
- **Right to Anonymization:** You have the right to request we block or delete unnecessary or excessive Personal Information collected, or information processed in noncompliance with the LGPD.
- **Right to Data Portability:** You have the right to receive a copy of Personal Information about you by means of an express request and subject to commercial and industrial secrecy.
- **Right to Deletion:** You have the right to request deletion of the Personal Information we hold about you where storage is authorized for:
  - Compliance with a legal or regulatory obligation;
  - Study by a research organization;
  - Transfer to third parties; or
  - The exclusive use of the Data Controller.
- **Right to Information about Public and Private Entities:** If your data is shared with public or private entities, you have the right to request information about these entities.



- **Right to Information about Denying Consent:** You have the right to request information about denying consent for Personal Information processing and any consequences of this denial.
- **Right to Withdraw Consent:** Where you have provided your consent for us to process your Personal Information, you can withdraw your consent at any time by emailing [legal@drumwave.com](mailto:legal@drumwave.com).
- **Right to Review Automated Processing:** You have the right to review decisions made solely on the basis of automated processing. *DrumWave does not engage in any automated profiling for its Services outlined in this Notice.*

Please note that before we respond to requests for information, we will require that you verify your identity, or the identity of any data subject for whom you are requesting information.

#### Exercising your Rights

To exercise any of these rights above, please contact us as noted in the “Our Contact Information” section in this Appendix. If you are an End User, please contact the business customer acting as the Data Controller directly to fulfill any data subject rights requests.

We will fulfill your request within 15 days of receiving your request. Please note that the above rights may be limited, for example, where we are required by law to retain data about you.

#### Complaints

If you are an End User, we encourage you to first reach out to the applicable business customer to address any complaints or issues. To the extent that the above rights apply to you, we encourage you to contact us in the first instance. You may also address any grievance directly with the relevant Supervisory Authority.

#### Minimum Age Requirements to Use Our Services

DrumWave Services are not directed to individuals under 18. We do not knowingly collect Personal Information from children under 18. If we learn a child under 18 has provided us with Personal Information, we will take steps to delete such information.

If you learn a child has provided us with Personal Information, please contact [legal@drumwave.com](mailto:legal@drumwave.com).

#### Our Contact Information

If you have questions about this Notice, Appendix, or your rights, please contact our Data Protection Officer (“DPO”) at [legal@drumwave.com](mailto:legal@drumwave.com) or write to us at:

DrumWave, Inc.  
Attn: Data Protection Officer  
125 University Ave Suite 88  
Palo Alto, California 94301  
USA

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Effective Date XX/XX/2020

## DrumWave Cookie Notice

This "Cookie Notice" describes the different types of cookies we use in connection with the DrumWave website ("www.drumwave.com") the "Site". Please read this Cookie Notice for more information on how DrumWave uses cookies and how to manage cookies.

We use cookies and other similar technologies to collect information about your browsing activities and to enhance your visit to our Site. Please read this Cookie Notice for more information on how DrumWave uses cookies and how to manage cookies.

### What Are Cookies and How Do We Use Them?

Cookies are text files that store information on the browser of your device when you visit a website. These text files are read by websites and help identify your computer when you return to a website. Cookies enable us to analyze how our Site is used and to monitor Site performance so we can create the best user experience.

We use cookies to collect information about your browsing activities over time and across different website pages. Cookies help you navigate between website pages efficiently and may improve the user experience on a website.

### We Use the Following Cookies:

- **Strictly Necessary Cookies:** We use these cookies to make our Site work and enable core functionality such as security, network management, and accessibility. Strictly necessary cookies are essential for the Site to function and cannot be switched off in our systems. You may disable these by changing your browser settings, however this could affect how the DrumWave Site functions.
- **Performance and Analytics Cookies:** We use these cookies to understand how visitors engage with our Site. These cookies help us: (1) understand how visitors arrive at our Site; (2) monitor Site usage; (3) remember you when you return to the Site; and (4) conduct research to improve our Site content. Our Site automatically collects:
  - Your internet browser type;
  - Your device's operating system;
  - The domain name from which you accessed the Site;
  - The date and time you visit our Site;
  - The pages of our Site you visit;
  - The amount of time you spent on our Site; and
  - The number of times you return.

These cookies record only anonymous statistical data and do not collect any Personal Information that could identify an individual visitor. If you do not allow these cookies, we will not know when you have visited our Site. For more information on Google Analytics tracking and how to opt out of tracking across all websites you use, see "Google Analytics" below.

- **Functional Cookies:** These cookies remember the choices you make, such as language options or the region you visit our Site from. These cookies help to make your visit more personal and are deleted automatically when you close your browser or the session expires.

#### Google Analytics

We use Google Analytics, which is a web analytics tool that helps us understand how users engage with our Site. Google Analytics uses first-party cookies to collect information about how users use our Sites. This information is used to compile reports and to help us improve our Site. The reports disclose website trends without identifying individual visitors. For more information on Google Analytics, please visit: <https://policies.google.com/technologies/partner-sites>.

You can opt out of Google Analytics without affecting how you visit our Sites. For more information on how to opt out of Google Analytics tracking across all websites you use, visit: <https://tools.google.com/dlpage/gaoptout>.

#### How to Control or Delete Cookies and Other Locally Stored Data

You can block or disable cookies on your device at any time by changing your preferences or options menus in your browser. You can also delete the cookies that are stored on your device. However, blocking, disabling, or deleting cookies may limit your ability to view all the pages on our Site.

To find out more about cookies, including how to see what cookies have been set and how to block and delete cookies, please visit: <http://www.aboutcookies.org/>.

#### Cookies That Have Been Set in the Past

If you disabled one or more cookies, we will use information collected from cookies before they were disabled. However, we will stop the disabled cookie from collecting any further information.

#### Changes to this Cookie Notice

We may update this Cookie Notice to reflect changes in our personal privacy practices or relevant laws. We will notify you if we make any material changes by revising the "Last Updated" date at the top of this Cookie Notice.

#### Our Contact Information

If you have any questions about our use of cookies and tracking technologies, please contact our Privacy Lead at [legal@drumwave.com](mailto:legal@drumwave.com) or write to us at:

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Attn: Privacy Lead  
125 University Ave Suite 88  
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