

Privacy Policy

Website privacy policy and also information of the data subjects pursuant to Article 13 and 14 of the EU General Data Protection Regulation (GDPR)

MusicHub GmbH, a subsidiary company of the Society for Musical Performing and Mechanical Production Rights [Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte] (GEMA), (hereinafter referred to as “the company”, “we” or “us”) takes the protection of your personal data very seriously. We would like to inform you on the protection of your personal data in our company.

Pursuant to Article 13 and 14 of the General Data Protection Regulation (GDPR), we are obliged, to the extent that we decide either alone or with others on the purposes and means of data processing, to inform you transparently about the nature, scope, purpose, legal basis of the processing and duration of the storage.

The purpose of this privacy policy is to inform you about the way in which your personal data is processed by us. Our privacy policy consists of several sections. It consists of a general part for all processing of personal data and processing situations (A. General) and a special part, the content of which relates in each case only to the processing situation specified therein, for example the admission as a MusicHub member described therein in a specified manner (B), use of the MusicHub platform (C), the visit to the website (D), the use of cookies (E) and applicant data (F).

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A. GENERAL INFORMATION

1. Responsible person and contact details

Responsible for the processing of your personal data is:

Company: MusicHub GmbH
Legal representative: Sascha Lukša Lazimbat
Address: Pfuelstraße 5, 10997 Berlin

E-mail: legal@music-hub.com

You can find more information on us on our site notice:

<http://www.music-hub.com/en/imprint>

2. Data protection officer

In the case of queries regarding data protection, you may get in touch with our data protection officer, Dr. Sebastian Kraska, using the contact details indicated below:

Postal address: Marienplatz 2, 80331 Munich
E-mail: datenschutzbeauftragter@gema.de

3. Legal basis for processing personal data

Pursuant to the provisions by data protection legislation, the processing of personal data is only permissible if it can be based on a legal basis. The following legal bases can be considered as the legal basis for the data processing operations carried out by us:

- Article 6 para. 1 clause 1 (a) GDPR (“consent”):
The data subject may voluntarily, in an informed manner and unambiguously indicate, by means of a declaration or other affirmative act, that he or she consents to the processing of personal data relating to him or her for one or more specified purposes.
- Article 6 para. 1 clause 1 (b) GDPR:
The processing of personal data may be necessary for the performance of a contract to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject.

- Article 6 para. 1 clause 1 (c) GDPR:
The processing of personal data may be necessary for compliance with a legal obligation to which we or another controller are subject (e.g. statutory retention obligation)
- Article 6 para. 1 clause 1 (e) GDPR:
The processing of personal data may be necessary for the performance of a task carried out in the public interest
- Article 6 para. 1 clause 1 (f) GDPR (“legitimate interests”)
The processing of personal data may be necessary to protect legitimate interests, in particular legal or economic interests, on our part or on the part of a third party. However, data processing is only permissible provided that the conflicting interests or rights of the person affected by the data processing do not prevail.

We indicate the applicable legal basis for data processing carried out by us in the following. Processing may also be based on several legal bases.

4. Storage period and data deletion

For the data processing operations we have indicated below, we state how long the data will be stored by us and when it will be deleted or blocked. If we have not specified an explicit storage period below, the personal data processed will be deleted or blocked as soon as the purpose or legal basis for the storage no longer applies.

In the event of an (impending) legal dispute with you or other legal proceedings or if storage is provided for by statutory provisions, in particular by retention obligations to which we are subject (e.g. Section 257 HGB [German Commercial Code], Section 147 HGB), we will store the personal data beyond the specified period. When the retention period prescribed by the statutory provisions has expired, we will delete the personal data unless further storage by us is necessary and there is a legal basis for further data processing.

5. Data security

We use appropriate technical and organisational security measures to protect the data we process against accidental or intentional manipulation, partial or complete loss, destruction or against unauthorised access by third parties. When selecting and applying security measures, we take into account the current state of the art, the existing risks of a data breach and its probability and impact on the data subjects. We are constantly enhancing our security measures in line with technological developments. We will be

happy to provide you with more detailed information on our security measures. For this purpose, please contact our data protection officer (contact details, see above).

6. Cooperation with service providers

For our business activities, we work with a large number of external domestic and foreign service providers (e.g. for IT, telecommunications, customer and member services). They only act upon our instructions and have been contractually obliged to comply with the data protection regulations pursuant to Article 28 GDPR.

Insofar as personal data is passed on to companies affiliated with us or from them to us, this is also done on the basis of existing order processing relationships, for which agreements have also been concluded pursuant to Article 28 GDPR.

7. Transfer of personal data to third countries

In the course of our business relations, your personal data may be passed on to service providers located outside the European Economic Area, i.e. in third countries. This is done exclusively to fulfil contractual and business obligations. We will inform you about the respective details of the transfer in the following under the relevant items.

8. No automated decision making

Your personal data will not be used for any automated decision-making process (including profiling).

9. Your rights

The data protection provisions (GDPR, BDSG [German Data Protection Act]) grant you, as a data subject, the rights described below. You can exercise these rights by notifying the company (in person, by e-mail or post) to the contact addresses listed under item 1 of the company or the contact addresses of the data protection officer listed under item 2. These rights - with the exception of the right to withdraw consent - are not absolute, but may depend on the circumstances of the individual case.

a) *Right to be informed*

You have the right to ask for information whether personal data about you are being processed. If this is the case, you may request information about the personal data, such

as the purposes or the processing, the categories of the respective personal data and the recipients or categories of recipients, to whom the personal data is disclosed. You have the right to receive a copy of the personal data which are undergoing processing.

b) *Right to rectification*

You have the right to ask us to correct any inaccurate personal data about you. You have the right, depending on the purpose of the processing, to request the completion of incomplete personal data, by means of a supplementary declaration.

c) *Right to erasure*

In specific cases, you have the right to request that we delete your personal data and we may be obliged to delete your personal data in individual cases.

d) *Right to restriction of processing*

Under certain conditions, you have the right to request us to restrict processing of your personal data. If this is the case, we will mark the respective data accordingly and only process it for certain purposes.

e) *Right to data portability*

In certain cases, you have the right to receive the personal data concerning you that you have provided to us in a structured, common and machine-readable format. If this right exists, you also have the right to transfer this personal data to another data controller/responsible party without hindrance from us.

f) *Right to object to processing*

You have the right to object to the processing of your personal data by us at any time for reasons arising from your particular situation, insofar as the processing of your personal data is carried out on the basis of Article 6 para. 1 (e) or (f) GDPR. We may be obliged to stop processing your personal data.

g) *Revocation of consent*

Insofar as you have given us consent for certain processing activities, you may revoke this consent at any time with effect for the future. This revocation shall, however, not affect the lawfulness of the data processing which has taken place prior to the time of revocation. If you wish to withdraw your consent, please send an e-mail to our data protection officer, whose contact details can be found in item 2 above.

h) Right to complain

Furthermore, you have the right to contact the data protection supervisory authorities, the Bayerische Landesamt für Datenschutzaufsicht (BayLDA [Bavarian State Office for Data Protection Supervision]) with regards to complaints about the processing of your personal data.

10. Amendment of the data protection notice

We regularly review the data protection information and adapt it if necessary in order to keep it up to date, taking into account developments in data protection law and technological or organisational changes.

This privacy notice is current as of April 2021.

B. DATA PROTECTION INFORMATION FOR CHECKING MEMBERSHIP

1. Categories of personal data/sources of data concerned

We reserve the right to check whether you are eligible to participate in the MusicHub beta version. In order to check the participation requirements, we collect and process your personal data. Specifically, we collect your name, e-mail address, membership number with GEMA and the date of the next publication. The data is collected when the data is entered via the corresponding form on our website or when the data is submitted to us by a personal e-mail message.

2. Purposes and legal basis of data processing

[Data] Processing is carried out to check your participation requirements in the beta version of MusicHub and thus to carry out pre-contractual measures. The legal basis for the data processing is Article 6 para. 1 clause 1 (b) GDPR.

3. Retention period

If no contractual relationship is established between you and us, the information you have provided will be deleted as soon as your enquiry has been completed. If a contractual relationship is established, your personal data will be stored for the duration of the contractual relationship and beyond that for the duration of statutory retention periods and then deleted. For further information on the specific processing in the event of the conclusion of a contract, please refer to item C. Data processing in the context of membership.

4. Recipients and authorised persons

Categories of recipients: In order to check whether the requirements for participation in the beta version of MusicHub are met, we transfer the data to GEMA for data reconciliation purposes. The [data] transfer is made for the purpose of forming a contract (Article 6 para. 1 (b) GDPR). Furthermore, your data will be transferred to public bodies if overriding legal provisions exist, as well as to external service providers or other contractors, including for data processing and hosting or for sending e-mails.

The categories of recipients can thus be:

Recipient or category of recipient	Purpose of the data processing	What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?
Service providers for the operation of the website and the processing of data stored or transferred by the systems (e.g. for data centre services, IT security)	The processing is carried out to ensure the operation of the website and to ensure IT security, in particular to protect against attacks on the network.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.
Service providers for sending or requesting information as part of the beta programme (e.g. mailing software, survey tools)	[Data] Processing is carried out for the communication and verification of the requirements for participation in the beta programme.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.

C. DATA PROCESSING IN THE CONTEXT OF MEMBERSHIP

If you have entered into a contract with us and are therefore a member of our company, we process data about you as part of your membership.

In this section, we explain how your personal data is processed in connection with your membership.

1. Categories of personal data/sources of data concerned

We only process data that is relevant in connection with the forming, conclusion and execution of the contract concluded with you. This is data about you, your company and the works you have created.

We process personal data provided by you for the purpose of initiating as well as concluding and performing the contract or created by us in the course of the performance

of the contract. In addition, we also receive personal data from third parties, such as contributors, publishers or sister societies in the course of the performance of the contract.

Here you can get an overview of which data we process in connection with your membership:

Nature of personal data	How is the personal data obtained?	Are these “special category of personal data”? (Y/N)
Your personal details (your company, your publisher) and contact details - name, name of authorised representative/agent, pseudonym, stage name, address, telephone number and e-mail address	You provide this data for forming, at the conclusion of the contract.	No
Information on your GEMA membership and, if applicable, membership of another collective management organisation (e.g. membership number).	You provide this data before concluding the contract.	No
Bank account details	You provide this data when concluding the contract.	No
Tax registration details (VAT ID no./tax number, tax residence, small business regulation)	You provide this data when concluding the contract.	No
Information on your works - title, co-authors (name, pseudonym, artist name), work shares.	You provide this data to us in the context of a publication (release) or we receive this information from your publisher / your label in the context of a publication (release).	No
Codes – EAN/UPC	This data is allocated to us when a publication (release) is transmitted.	No
Information on the use of your works - title, author (name, pseudonym, artist name), performing artist / performer (name), participants/contributors to the work (name, role, publishers), genre, version, recording rights (name, year), external work identification numbers (e.g.	You provide this data to us in the context of a publication (release) or we receive this information from your publisher / your label in the context of a publication (release).	No

Nature of personal data	How is the personal data obtained?	Are these “special category of personal data”? (Y/N)
ISRC number), user names in social networks.		
Cover artwork - image file, copyright owner name and year	You upload this data to us in the context of a publication (release) or it is transferred to us by your publisher / your label in the context of a publication (release).	No
Track(s) - Audio file	You upload this data to us in the context of a publication (release) or it is transferred to us by your publisher / your label in the context of a publication (release).	No

2. Purposes and legal basis of data processing

We process the aforementioned personal data insofar as it is necessary for the forming, conclusion and execution of the contract concluded with you. The legal basis for this is Article 6 para. 1 (b) GDPR. In addition, data is processed on the basis of your consent pursuant to Article 6 para. 1 (a) GDPR and insofar as this is necessary to fulfil a legal obligation pursuant to Article 6 para. 1 (c) GDPR or to protect our legitimate interests pursuant to Article 6 para. 1 (f) GDPR. We only process your personal data within the legally permissible scope.

The following table lists the purposes and legal bases for and subject to which we process your personal data:

Purpose of the data processing	Justification for / legal basis of [data] processing	Storage period
Membership management: Checking and completing the registration, getting in touch, answering enquiries, managing the membership account, general member information, handling enquiries via our customer service, submitting publications including all materials and files as well as metadata to the streaming and download platforms (also Digital Service Providers or DSPs).	Considered as a basis for processing are <ul style="list-style-type: none"> • fulfilment of the contract (Article 6 para. 1 (b) GDPR), • protection of the legitimate interest of the company (business operations and member administration, Article 6 para. 1 (f) GDPR) 	Up to 10 years after the end of membership

Purpose of the data processing	Justification for / legal basis of [data] processing	Storage period
Publication: Transmission of the works, information about the works, use of the works and information about you/your company to the streaming and download platforms	<p>Considered as a basis for processing are</p> <ul style="list-style-type: none"> • fulfilment of the contract (Article 6 para.1 (b) GDPR), • fulfilment of a statutory/legal obligation (Article 6 para.1 (c) GDPR) • protection of the legitimate interest of the company (rights management, Article 6 para.1 (f) GDPR) 	Up to 10 years after the end of membership
Overview and payout of revenues on streaming and download platforms (DSPs): reconciliation and allocation of usage information, payout of revenues, processing of complaints, assertion and defence of claims	<p>Considered as a basis for processing are</p> <ul style="list-style-type: none"> • fulfilment of the contract (Article 6 para.1 (b) GDPR), • fulfilment of a statutory/legal obligation (Article 6 para.1 (c) GDPR) • protection of the legitimate interest of the company (assertion and defence of claims, Article 6 para.1 (f) GDPR) 	Up to 10 years after the payout was made
Evaluation of the performance on streaming and download platforms (DSPs)/provision of the "trend reports" - number of streams/downloads per track/release, top channels by country and DSP	<p>Considered as a basis for processing are</p> <ul style="list-style-type: none"> • fulfilment of the contract (Article 6 para.1 (b) GDPR), • fulfilment of a statutory/legal obligation (Article 6 para.1 (c) GDPR) • protection of the legitimate interest of the company (assertion and defence of claims, Article 6 para.1 (f) GDPR) 	Up to 10 years after the end of membership or after the deletion of the works on the DSPs (so-called "takedown")

3. Retention period

We store your personal data in accordance with the applicable data protection regulations only as long as this is necessary for the fulfilment of our obligations, in particular those arising from the contract concluded with you, and only for as long as this is necessary to achieve the purposes for which your personal data was collected. Due to commercial and tax law provisions, we may be obliged to store your personal data for

longer than is necessary for the aforementioned purposes. You can find out about the respective regular storage period for the purposes we pursue in processing your personal data in the table shown under item 4. If we determine that there is no longer a need or requirement to retain your personal data, we will discontinue to process that data and will delete it from our systems and/or take steps to properly anonymise it in accordance with applicable laws or internal policies, unless we need to retain your data to comply with legal or regulatory requirements to which we are subject.

4. Recipients and authorised persons

We only pass on your personal data within our company to those areas and persons who require this data for the forming, the conclusion and implementation of the contract as well as for the assertion or defence of claims.

Otherwise, data will only be forwarded to recipients outside the company if this is permitted or required by law, if the forwarding is necessary for the forming, conclusion and implementation of the contract, if we have your consent, if we are authorised to provide information or if the transfer is made to protect the legitimate interests of the company, in particular to manage your rights.

In addition, your personal data is also processed on our behalf on the basis of order processing contracts pursuant to Article 28 GDPR. In these cases, we ensure that the processing of personal data is carried out in accordance with the provisions of the GDPR.

The categories of recipients can thus be:

Recipient or category of recipient	Purpose of the data processing	What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?
Service providers such as distribution partners, financial service providers, postal service providers, call centres, IT service providers, consulting, auditors, legal advisors, security officers, customer advisors, distribution partners	Processing is carried out for the fulfilment of the contract as well as legal regulations and for the maintenance of business operations as a legitimate interest	No transfer of data to recipients outside the European Economic Area.
Service providers for digital distribution (e.g. Zebralution)	The processing is carried out to manage your rights in performance of the contract.	No transfer of data to recipients outside the European Economic Area.

Recipient or category of recipient	Purpose of the data processing	What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?
Operators of international streaming and download platforms (DSPs, e.g. Spotify, Deezer, iTunes/Apple Music, Amazon Music, Napster)	The processing is carried out to manage your rights in performance of the contract.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.
Service providers for sending or requesting information in the context of membership (e.g. mailing software, survey tools)	Processing is carried out for communication and business development in the context of membership (e.g. feedback, user research).	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.

D. SPECIFIC INFORMATION ON THE WEBSITE, SOCIAL MEDIA, MUSICHUB APP AND USE OF THE CHAT SOFTWARE

The following information applies to all services and offers provided and offered at www.music-hub.com and www.joinmusichub.de together with the associated sub-pages (hereinafter jointly referred to as the "website") and the MusicHub App. Our website provides you with information about our company and the services we offer. In this section of the Privacy Policy, we explain how your personal data is processed in connection with the use of our Website and the MusicHub App.

1. Categories of personal data concerned, purposes of and legal basis for processing, storage period

In connection with the use of the website, we only process personal data from users that directly arise in the course of use. The purposes and legal bases of data processing are determined by the relevant functionality of the website. The processing of your personal data in connection with the use of the website is described in more detail below:

Processing purposes	Categories of personal data	Legal basis for processing¹⁾	Storage period
Logging of website accesses within the scope of log files for the analysis of user messages as well as attack and defence analysis	<ul style="list-style-type: none"> Date and time of access and IP address of the user 	Safeguarding of overriding legitimate interests (Article 6 para. 1 (f) GDPR).	30 days
Communication with you about services from and updates about MusicHub, which is processed via e-mail newsletters, dispatch of transactional information about the beta version.	<ul style="list-style-type: none"> Last name, first name Email address Newsletter registration <p>You actively provide us with this data when you register for the newsletter or the beta programme.</p>	The e-mail newsletter will only be sent with your consent (Art. 6 (1) (a) GDPR).	<p>Your data will remain stored as long as you are subscribed to the newsletter. As soon as you unsubscribe from the newsletter (e.g. via the link provided in the newsletter), your data will be deleted.</p> <p>In the course of user communication within the beta programme, the technical data is deleted if it is no longer required. The duration of data storage otherwise depends on the statutory retention obligations and is usually 10 years.</p>
User behaviour analysis when using the app	<ul style="list-style-type: none"> User ID (anonymised format) Location (anonymised format) 	Legitimate interest (development and adaptation of the app to user needs, Article 6 para. 1 (f) GDPR)	The data is deleted as soon as it is no longer necessary for analysis.

Your personal data will only be processed for other purposes if we are obliged to do so on the basis of legal requirements (e.g. transfer of personal data to courts or law enforcement

authorities), if you have consented to the processing or if the processing is permitted for other reasons under applicable law.

You may choose not to provide us with certain categories of personal data. If you choose not to provide us with certain categories of personal data, this may result in us not being able to offer you certain functions and content on this website, or only to a limited extent, and your use of the website and its functions may be restricted.

2. Recipients and authorised persons

We only pass on your personal data within our company to the departments and persons who need this data for the analysis of user messages, attack and defence analysis and for sending the newsletter (e.g. IT employees, communications department).

Otherwise, data is only forwarded to recipients outside the company if this is permitted or required by law, if forwarding is necessary for the analysis of user messages, attack and defence analysis and for dispatching the newsletter, if we have your consent where necessary, if we are authorised to provide information or if the transfer is made to protect the legitimate interests of the company.

In addition, we work together with internal and external service providers in order to be able to offer you the website and the functions offered via it. In order for these service providers to be able to provide their services to MusicHub GmbH, they may have access to your personal data to the extent required in each case. The cooperation with the service providers takes place on the basis of order processing contracts in accordance with Article 28 GDPR. In this way, we ensure that the processing of personal data is carried out in accordance with the provisions of the GDPR, in particular that the data is only processed within the scope of our instructions for the respective processing purposes and that appropriate measures are taken to protect your personal data.

The categories of recipients can thus be:

<i>Recipient or category of recipient</i>	<i>Purpose of the data processing</i>	<i>What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?</i>
Service providers for the operation of the website and the processing of data stored or transferred by the systems (e.g. for data centre services, IT security)	The processing is carried out to ensure the operation of the website and to ensure IT security, in particular to protect against attacks on the network.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45

Recipient or category of recipient	Purpose of the data processing	What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?
		GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.
Service providers for sending the newsletter and for information purposes in the context of the beta programme	Processing is carried out to ensure the proper dispatch of newsletters.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.
Service providers for analyses (for business development and design - e.g. Mixpanel / Canny)	Processing is carried out to analyse user needs in order to adapt our offer.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.
Service providers for marketing surveys (e.g. user research)	Processing is carried out to analyse user needs in order to adapt our offer.	If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in

Recipient or category of recipient	Purpose of the data processing	What safeguards are in place for international [data] transfer when the recipient is located outside the European Economic Area?
		accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.

We may also disclose your personal information to government agencies, courts, external consultants and other third parties as required or permitted by law to: (i) ensure compliance with applicable law; (ii) respond to requests from public authorities; (iii) comply with valid legal procedures; (iv) protect and enforce the rights, safety, privacy or property of MusicHub GmbH, website visitors, MusicHub members, our employees or the public; (v) enable us to pursue existing legal remedies or limit any harm we may suffer; (vi) enforce the terms of use for the use of the online services we provide; and (vii) respond to emergencies. These transfer operations are permissible under Article 6 para.1 (c) and/or Article 6 para. 1 (f) GDPR.

If necessary, data may be transferred to other external bodies if the data subject has given his/her consent or if the transfer is permissible for reasons of overriding interest.

3. Use of chat software

Within our MusicHub App, we use chat software to ensure a quick response to questions and thus user-friendly communication. The chat software is only used when you contact us via the chat window within the MusicHub app or send us an email to hello@joinmusichub.de or support@music-hub.com.

a) Data concerned in the event of contact

Data necessary for communication with our customer service (in particular first name, surname, email address and content of the message) is transmitted to us by the chat software and stored and processed in it. The software also tracks activities in the chat and in the articles in the MusicHub Help Centre operated via the chat software (frequency as well as first and last access) as well as the entire course of the chat. In addition, the location of the users is stored. The allocation and processing of this data (in particular your name and e-mail address) serves to simplify communication with you, to answer and

solve your queries more quickly, to track the chat history, and to constantly monitor the quality of our chat service. By using the chat window or sending an e-mail to the above addresses, you consent to the processing of the data. If you no longer wish this to be the case, you can request the deletion of the data in writing at any time.

b) *Legal basis*

The legal basis for data processing is Article 6 para. 1 (f) GDPR. The legitimate interest lies in ensuring user-friendly communication.

c) *Data storage duration*

If no contractual relationship is established between you and us, the information you have provided will be deleted as soon as your enquiry has been completed. If a contractual relationship is established, your personal data will be stored for the duration of the contractual relationship and beyond that for the duration of statutory retention periods and then deleted.

d) *Recipients and authorised persons*

The chat is operated by an external service provider.

In the context of data processing via the chat software, processors outside the European Union may also be used. If data is transferred to recipients outside the European Economic Area, it is only transferred to countries for which the EU Commission has issued an adequacy decision in accordance with Article 45 GDPR. If an adequacy decision is not available for a country, standard data protection clauses are concluded with the respective recipient in accordance with Article 46 para. 2 (c) GDPR.

4. Social media plugins

We do not use social media plugins on our website. The social media service icons displayed at the bottom of our website are merely links to the profile that we operate with the respective service. This does not involve any data processing within the framework of the website.

5. Social media presences

We operate publicly accessible profiles in the following social media services:

- Twitter
- Facebook
- YouTube

- Instagram
- LinkedIn
- TikTok

When you visit one of the profiles operated by us, various data processing operations are set in motion. As operators of the respective profiles, we can only view the information stored in your respective public profile with the social media service, and only if you have such a profile with the respective service and are logged into it while you visit our profile. Some of the services also provide us with anonymous usage statistics, which we use to improve our respective profiles with the social media services. However, we do not get access to the usage data that the services collect to create the statistics. This data processing serves to improve our respective profiles and to design them in line with our needs. This purpose constitutes a legitimate interest for us. The legal basis for data processing is thus Article 6 para. 1 (f) GDPR.

If you use one of our profiles on the social media services to contact us, for example by writing a private message, by reacting to one of our posts or by creating your own posts, your username stored on the respective social media service and, if applicable, further information that you have provided on the respective service will be transmitted to us. We use this data exclusively to contact you or to reply to your message. The legal basis for data processing is Article 6 para 1 (a) and (b) GDPR. We delete this data as soon as we no longer need your data for further communication or contact.

If you access our profiles on social media services, your personal data will also be collected, used and stored by the respective social media service. This also happens if you yourself do not have a profile with the respective social media service. The individual data processing procedures and their scope vary depending on the social media service. Details about the collection and storage of your personal data as well as the type, scope and purpose of its use by the respective social media service can be found in the privacy policies of the respective service:

- the privacy policy for the social network Twitter, which is operated by Twitter Inc., 400 W California Ave, Sunnyvale, CA 94086, USA, can be viewed at <https://twitter.com/privacy>
- the privacy policy for the social network Facebook, which is operated by Facebook Ireland Limited, 4 Grand Canal Square, Dublin 2, Ireland, can be viewed at <https://www.facebook.com/about/privacy/update>
- the privacy policy for the social network YouTube, which is operated by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland can be viewed at https://www.gstatic.com/policies/privacy/pdf/20210204/3jla0xz1/google_privacy_policy_en_eu.pdf

- the privacy policy for the social network Instagram, which is operated by Instagram LLC, 1601 Willow Road, Menlo Park, CA 94025, USA, can be viewed at <https://help.instagram.com/155833707900388>
- the privacy policy for the social network LinkedIn, which is operated by LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland, can be viewed at <https://www.linkedin.com/legal/privacy-policy>
- the privacy policy for the social network TikTok, which is operated by Beijing Bytedance Technology Ltd, 48 Zhichun Lu Jia, Haidian Qu, Beijing, China, can be viewed at <https://www.tiktok.com/legal/privacy-policy>

The respective social media services also use cookies that are stored on your end device when you visit our profiles, regardless of whether you have a profile with the respective service or not. These cookies allow social media services to create user profiles based on your preferences and interests and to show you advertising tailored to these preferences both within and outside the respective social media services. Before the use of these cookies, you will be asked by the respective social media service whether you agree to the use of the cookies. Consent is not necessary for visiting the respective social media service, you can also use it without a corresponding consent to the use of cookies. If you consent to the use of cookies, the legal basis for the use of these cookies is Article 6 para. 1 (a) GDPR. The cookies are stored on your terminal device until you delete them. Details can be found in the respective data protection declarations of the social media services.

E. USE OF COOKIES (WEBSITE AND MUSICHUB APP)

We use cookies on our website and in our app to enhance the user experience. Cookies are data records that are sent from the web server to the user's browser and stored there for later retrieval. We use both session cookies and permanent cookies. A session cookie disappears once you have closed your browser. A persistent cookie remains after you close your browser and can be used by your browser on subsequent visits to our website. Your web browser may offer you some options regarding cookies. Please note that if you delete or do not accept cookies, you may not be able to use the full features of the website. The cookies we use are partly necessary for a user-friendly presentation of the website and partly we use them for the purpose of analysis to collect information about the behaviour of the users of the website and their end devices. This information helps us to design the website in line with requirements.

Unless the use of cookies is technically necessary, cookies will only be used if you expressly agree to this. To this end, you will be asked when you first access the website whether you agree to the use of the respective cookies.

No personal data is stored in our own cookies. You can generally prevent the use of cookies by prohibiting the storage of cookies in your browser. Cookies are also sometimes collected by certain service providers that we use. You receive details on this when you agree or refuse the cookies, and in the following list.

Description of the cookies used	Categories of personal data and further information on the cookies used (where applicable)	Legal basis for the processing and type of cookies	Storage period / functional period of the cookies
<p>Increasing user-friendliness by means of cookies</p> <p>Our website uses cookies that we have developed ourselves. These cookies are used exclusively to increase the user-friendliness of the website.</p>	<p>No personal data is processed in connection with the use of our cookies to increase user-friendliness.</p>	<p>Technically required cookies; legitimate interest (Article 6 para. 1 (f) GDPR).</p>	<p>The cookies are deleted as soon as you close your browser.</p>
<p>Web analytics services using Matomo</p> <p>Our website uses Matomo (formerly Piwik), an open source web analytics service. The cookies used by Matomo enable us to analyse the use of the website. For this purpose, the usage information generated by the cookie (including your shortened IP address) is transmitted to our server and stored for usage analysis purposes, which serves to optimise the website. Your IP</p>	<p>In connection with the web analysis using Matomo, the following personal data is processed:</p> <ul style="list-style-type: none"> • Time of the users' previous visit • Screen resolution • Files clicked on or downloaded • Links clicked on outside the domain • User identification • Page speed • Page URL • Number of visits by users • User agent • Browser information • Time zone • Time of the users' first visit • Date and time of the visit 	<p>Consent (Article 6 para. 1 (a) GDPR); performance cookie</p> <p>When you first access the website, you will be asked whether you agree to the use of cookies. You can give your consent voluntarily. You can also use the website if you do not consent to the use of cookies.</p> <p>You can also revoke your consent that you have given once at any time.</p> <p>Please note that the revocation does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.</p>	<p>The data is deleted as soon as it is no longer required for analysis.</p>

Description of the cookies used	Categories of personal data and further information on the cookies used (where applicable)	Legal basis for the processing and type of cookies	Storage period/ functional period of the cookies
<p>address is immediately anonymised during this process, so that you remain anonymous to us as a user. The information generated by the cookie about your use of this website is not passed on to third parties.</p>	<ul style="list-style-type: none"> • Page title • Referrer URL • Usage data • Device information • Geographic location • IP address: Through a corresponding default setting, we have ensured that Matomo only collects the shortened IP address. Neither we nor Matomo thus have access to your full IP address. 		
<p>Usercentric Consent Management Platform We use the Usercentrics Consent Management Platform to manage your consent to the use of cookies and possible revocation of this consent. With the help of the tool, we ensure that cookies are only used if you consent to them.</p>	<p>In connection with the management of your consent via the Usercentric Consent Management Platform, the following personal data is processed:</p> <ul style="list-style-type: none"> • Device information • Browser information • Anonymised IP address • Opt-in and opt-out data • Date and time of the visit • Request URLs of the website <p>Page path of the website</p>	<p>Compliance with a statutory/legal obligation (Article 6 para.1 (c) GDPR)</p>	<p>The data will be deleted after 3 years after consent has been given or revoked.</p>
<p>Intercom Messaging Platform Service The chat software is used to communicate with users and uses cookies to recognise</p>	<p>In connection with the communication with Intercom, the following personal data is processed:</p> <ul style="list-style-type: none"> • Browser information • Date and time of the visit • Device information 	<p>Cookies required for communication; legitimate interest (Article 6 para.1 (f) GDPR).</p>	<p>The data is deleted as soon as it is no longer required for processing purposes.</p>

Description of the cookies used	Categories of personal data and further information on the cookies used (where applicable)	Legal basis for the processing and type of cookies	Storage period/ functional period of the cookies
users anonymously on our website and in our app.	<ul style="list-style-type: none"> • Geographic location • Location information • IP address • Clicked on elements • Information on the operating system • Payment information • Usage data • Visited URL 		
<p>Google reCaptcha Detection and filtering of bots through captchas to prevent abusive activities.</p> <p>Service that checks whether data entered on a site is entered by a human or by an automated programme.</p>	<p>In connection with the checks for abusive activities, the following personal data is processed:</p> <ul style="list-style-type: none"> • IP address, • User activity data (e.g. mouse movements or queries, keyboard strokes, click path). • Operating system • Browser language • Browser plugin • Date and time of the visit • Dwell time • User input 	Technically required cookies; legitimate interest (Prevention of abuse and spam, Article 6 para. 1 (f) GDPR).	The data is deleted as soon as it is no longer required for detection and filtering and bots.
<p>Typeform Service for online form creation and online surveys.</p> <p>This service is partly embedded in our app or sent as a survey link via email. In any case, participation is voluntary. In the event of participation, cookies are set by</p>	<p>In connection with communication via the online survey tool, the following personal data is processed:</p> <ul style="list-style-type: none"> • IP address • Email address • Duration of the visit • Date and time of the visit 	<p>Consent (Article 6 para. 1 (a) GDPR); performance cookie</p> <p>When you first access the website, you will be asked whether you agree to the use of cookies. You can give your consent voluntarily. You can also use the website if you do not consent to the use of cookies.</p> <p>You can also revoke your consent that you</p>	The data is deleted as soon as it is no longer required for processing purposes.

Description of the cookies used	Categories of personal data and further information on the cookies used (where applicable)	Legal basis for the processing and type of cookies	Storage period/ functional period of the cookies
the provider Typeform.		have given once at any time. Please note that the revocation does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.	

F. JOB APPLICANTS

When you apply for a job with us, we process certain data about you as part of the application process. In this section, we explain how your personal data is processed in connection with your application.

1. Shared responsibility

The processing of your personal data is the joint responsibility of us, MusicHub GmbH, and the Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte (GEMA).

Contact details GEMA:

Postal address: Rosenheimer Str. 11, 81667 Munich

E-mail: datenschutz@gema.de

You can contact us as well as GEMA for questions regarding data protection law.

2. Categories of personal data/sources of data concerned

a) Direct application

If you apply directly to us, we only process the data that you provide to us as part of your application. This includes, in particular, personal details such as your name, contact details (address, email address and telephone number), marital status, details of your school

education and professional qualifications, details of further professional training and, where applicable, details of your previous employers and professional positions.

This concerns the data you submit to us via our application form on <http://www.music-hub.com/en/careers>. This data is processed for the purpose of carrying out the application procedure. By submitting their application data, applicants consent to this processing.

b) Application via third parties (recruitment agencies, temporary employment agencies)

If you apply to us via a recruiter or an employee leasing company proposes you for a job with us, we only process the data that you have provided to the respective recruitment agency or temporary employment agency. This includes, in particular, personal details such as your name, contact details (address, email address and telephone number), marital status, details of your school education and professional qualifications, details of further professional training and, where applicable, details of your previous employers and professional positions.

c) Application via placement order with the Federal Employment Agency [Bundesagentur für Arbeit]

We can submit a placement order to the Federal Employment Agency for vacancies. As part of the placement order, we obtain access to data of applicants in the database of the Federal Employment Agency. If you have registered for a placement in this database, we have access to your personal data that they have stored in the database. This data may include in particular: Your name, contact details (address, email address and telephone number), marital status, details of your school education and professional qualifications, details of further professional training and, where applicable, details of your previous employers and professional positions.

Here you can get an overview of which data we process:

Nature of personal data	How is the personal data obtained?	Are these “special category of personal data”? (Y/N)
Your personal and contact details - name, address, telephone number and email address.	You provide this as part of your application for the job. In the case of an application via a recruitment agency or a proposal via an employment agency, this data is transmitted to us by the recruitment agency or employment agency. In the case of a placement order with the Federal Employment Agency, we receive access to this	No

Nature of personal data	How is the personal data obtained?	Are these “special category of personal data”? (Y/N)
	data insofar as they have deposited it in the database of the Federal Employment Agency.	
Travel data, bank details	You provide this data as part of the application process if you apply for reimbursement of travel expenses to the interview.	No
Information on date and place of birth, nationality, religious affiliation, gender, marital status, and disability, to the extent permitted by law.	You provide this, where applicable, as part of your application for the job. In the case of an application via a recruitment agency or a proposal via an employment agency, this data is transmitted to us by the recruitment agency or employment agency. In the case of a placement order with the Federal Employment Agency, we receive access to this data insofar as they have deposited it in the database of the Federal Employment Agency.	Yes
Information on your academic and professional qualifications - information on education and degrees, further training, professional qualifications, information on job-related knowledge, information in application letters and CVs, and certificates.	You provide this as part of your application for the job. In the case of an application via a recruitment agency or a proposal via an employment agency, this data is transmitted to us by the recruitment agency or employment agency. In the case of a placement order with the Federal Employment Agency, we receive access to this data insofar as they have deposited it in the database of the Federal Employment Agency.	No

3. Purposes and legal basis of data processing

We process the aforementioned personal data only to carry out the application procedure. We use the data to contact you, to arrange a personal interview with you, to assess your suitability for the job and to inform you of our decision and the conclusion of the application process. If you apply for reimbursement of your travel expenses, we also need your data for this settlement. In the event of legal disputes in connection with the application process, the data will also serve as evidence for us to assert or defend claims. The possibility of defending or asserting claims constitutes a legitimate interest for us.

If your application is successful, we will use your data to contact you in order to establish the employment relationship.

The legal basis for the processing of your personal data is Article 88 GDPR in conjunction with Section 26 (1) of the German Federal Data Protection Act (BDSG) and Article 6 para. 1 (b) and (f) GDPR. With regard to the processed special categories of personal data (see 3.), the processing of the data is based on Art. 88 GDPR in conjunction with Section 26 (3) BDSG.

a) *Retention period*

We store your personal data in accordance with the applicable data protection regulations only for as long as is necessary to carry out the application process. As there is a possibility of legal disputes after the conclusion of an application process, we retain the data even after the application process has ended for the purpose of preserving evidence. Your personal data will then generally be deleted 6 months after the conclusion of the application process, unless consent has been given for longer data storage in the context of inclusion in the applicant pool. The request for immediate deletion of the applicant data can be communicated in writing by e-mail at any time.

If your application is successful, we will continue to process the data required for the conclusion of the employment contract. In such cases, the retention obligations that we have stipulated for personal data of employees will then apply. You will be informed of these periods accordingly when the employment contract is concluded. Data that is not required for the conclusion of the employment contract will also be deleted 6 months after the conclusion of the application procedure in accordance with the above-mentioned reasons.

b) *Recipients and authorised persons*

We only pass on your personal data within MusicHub GmbH and GEMA to the departments and persons who need this data to carry out the application process (HR department, relevant specialist department).

Otherwise, data is only forwarded to recipients outside the company if this is permitted or required by law, if forwarding is necessary to carry out the application process, if we have

your consent where necessary, if we are authorised to provide information or if the transfer is made to protect the legitimate interests of the company. Your personal data will not be transferred to service providers outside the European Union.

In addition, your personal data is also processed on our behalf on the basis of order processing contracts pursuant to Article 28 GDPR. In these cases, we ensure that the processing of personal data is carried out in accordance with the provisions of the GDPR.