

# Opulous Privacy Policy

Updated 14 August 2024

This Privacy Policy (the “**Policy**”) outlines how Opulous Songs Ltd and its affiliated entities (“**Opulous**”, “**we**”, “**us**” “**our**”) collect, use, store and disclose your Personal Information (defined below) when using our Services. This Policy should be read together with, and forms part of, our Terms and Conditions of Service (the “**Terms**”), which are available on the Site. Unless otherwise defined herein, capitalised terms in this Policy have the meaning given to them in the Terms.

Opulous recognises the importance of protecting Personal Information and we are committed to complying with the Singapore Personal Data Protection Act 2012, the Data Protection Act, 2021 of the British Virgin Islands and other applicable data protection laws. Please read this Policy so that you know and understand the purposes for which we collect, use, store and disclose Personal Information.

By accessing and using the Site, using our Services, interacting with us or providing your data to us, and subject to your rights at law, you accept and agree to these terms and conditions. If you do not agree with any aspect of this Policy, you should immediately discontinue access or use of the Site and Services.

This Policy supplements but does not supersede or replace any other consents you may have previously provided to us in respect of your Personal Information, and your consents herein are additional to any rights which Opulous may have at law to collect, use or disclose your Personal Information.

We may from time to time update this Policy to ensure that it is consistent with future developments, industry trends and/or any changes in legal or regulatory requirements. Subject to your rights at law, you agree to be bound by the prevailing terms of this Policy as updated from time to time. Please check back regularly for updated information on the handling of your Personal Information.

For purposes of this Policy, “**Personal Information**” means any information that directly or indirectly identifies a particular individual, including any other information that is subject to applicable data protection laws.

## Scope

This Policy applies to our collection, use and disclosure of Personal Information related to the users of our Services, including on the Opulous Platform. This Policy does not apply to job applicants or to Opulous employees and non-employee contractors, whose Personal Information is subject to different privacy notices.

## Collection of Personal Information

The Personal Information we collect varies depending upon the nature of the Services provided or used, and our interactions with individuals.

***Types of Personal Information Collected.*** While the Personal Information we collect varies depending upon the circumstances and Services you use, we collect the following categories of Personal Information:

- *Name, contact information and other identifiers:* identifiers such as a name, username, account name, password, address, phone number, birth date, email address, and online identifier.
- *Customer records:* electronic customer records containing Personal Information.
- *Device information:* internet protocol (IP) address, web browser type, operating system version, phone carrier and manufacturer, application installations, device identifiers, and mobile advertising identifiers.
- *Communications and requests:* direct communication, web forms, online polls, or interactions with our Services, the Site and the Opulous Platform. We collect and maintain a record of your contact details, communications and our responses.
- *User content:* if you post content on the Services, interact with any user or submit feedback and comments to us (“**User Content**”), we may maintain a record of your User Content, including the location, date and time of submission, as well as any other information contained in that User Content.
- *Transaction information:* including records of MFTs or other Digital Tokens sold, purchased or staked.
- *Cookie data:* as explained in more detail later in this Policy.
- *Marketing, surveys and events:* if you sign up to receive news, updates, offers and other marketing communications from us, we may collect your name, contact information and information about your preferences.
- *Location data:* location information about a particular individual or device, general location information (for example, your IP address may indicate your more general geographic region).
- *Profiles and inferences:* inferences drawn from any of the information identified above to create a profile reflecting a user’s preferences.

***Sources of Personal Information.*** We may collect Personal Information:

- *Directly from you:* such as when you use our Services, make a transaction, stake MFT or other Digital Tokens, participate in promotions we offer, register to receive marketing and other communications from us, or contact us for customer support purposes. If you submit any Personal Information relating to other people to us,

you represent that you have the authority to do so and have informed that other person about the contents of this Policy.

- *From third parties:* we may collect information about artists from openly available information on the internet.
- *Related to your use of our Services:* including information we collect automatically when you use our Services or interact with us or information we derive about you and your preferences or interests based on the Personal Information we collect and our interactions with you. This information is collected via the cookies when you use our Services and you can find more details about our use of cookies later in this Policy.

## **Use of Personal Information**

We, and our authorised third parties, will only process your Personal Information where we have the legal grounds to do so. We may use Personal Information for a variety of purposes, as follows:

- *Providing support and services:* to provide and operate our Services; to respond to your inquiries; to provide troubleshooting, fulfill your transactions and requests, process your payments and provide technical support; and for other customer service and support purposes. Our lawful basis is to fulfil any contractual terms with you.
- *Analyzing and improving our business:* to better understand how users access and use our Services, to evaluate and improve our Services and business operations, and to develop new features, offerings, and services; to conduct surveys and other evaluations (such as customer satisfaction surveys); to monitor consumer interest in our products and Services; to troubleshoot problems that may arise on the Site; to improve the accuracy of our customer database; to increase our understanding of our customer database; to increase our understanding of our customers; and for other research and analytical purposes. Our lawful basis is our legitimate business interests in understanding and improving our Services or consent where we use cookies or similar technology that are not strictly necessary.
- *Personalizing content and experiences:* to tailor content we send or display on our Services and to otherwise personalize your experiences. To assist in these purposes, as well as the other purposes identified in this Policy, at certain times, we create a profile relating to you in order to show you the content that we think you might be interested in and to display the content according to your preferences. Our lawful basis is our legitimate business interests in offering a more personalized service or consent where we use cookies or similar technology that are not strictly necessary.
- *Advertising, marketing and promotional purposes:* to reach you with more relevant advertising and to evaluate, measure and improve the effectiveness of

our ad campaigns; to send you newsletters, offers or other information we think may interest you; to contact you about our Services, products, or other information we think may interest you; and to identify potential new customers. Our lawful basis is your consent to subscribe to any newsletter or marketing (and you can unsubscribe at any time) and consent where we use cookies or similar technology that are not strictly necessary.

- *Securing and protecting our business:* to protect and secure our business operations, assets and Services; to investigate, prevent, detect and take action regarding fraud, unauthorized access, situations involving potential threats to the rights or safety of any person or third-party, or other unauthorized activities or misconduct. Our lawful basis is our legitimate business interests in protecting our business and Services.
- *Defending our legal rights:* to manage and respond to actual and potential legal disputes and claims, and to otherwise establish, defend or protect our rights or interests, including in the context of anticipated or actual litigation with third parties. Our lawful basis is our legitimate business interests in protecting our business or our need to defend ourselves legally.
- *Auditing, reporting, corporate governance, and internal operations:* relating to financial, tax and accounting audits; audits and assessments of our operations, privacy, security and financial controls, risk, and compliance with legal obligations; our general business, accounting, record keeping and legal functions; and relating to any actual or contemplated merger, acquisition, asset sale or transfer, financing, bankruptcy or restructuring of all or part of our business. Our lawful basis is our legal obligations under relevant legislation such as tax, reporting and/or our legitimate interests in running our compliance programmes.
- *Complying with legal obligations:* to comply with the law, our legal obligations and legal process, such as warrants, subpoenas, court orders, and regulatory or law enforcement requests. Our lawful basis is compliance with applicable law.

Where we have indicated above that we rely on legitimate interests for processing of Personal Information, we carry out a 'balancing' test to ensure that our processing is necessary and that your fundamental rights of privacy are not outweighed by our legitimate interests, before we go ahead with such processing. We may also carry out a data protection impact assessment for processing that is likely to result in a high risk to you. You can contact us for more details on our assessments using the details in the Contact Us section below.

**Aggregate and De-identified Data.** We may de-identify information and create anonymous and aggregated data sets and reports to assess, improve and develop our business, products and Services, prepare benchmarking reports on our industry and for other research, marketing and analytics purposes.

## **Disclosure of Personal Information**

We may share or disclose the Personal Information we may collect as follows:

- *Service providers:* We may disclose Personal Information to third-party service providers who use this information to perform services for us, such as hosting providers, auditors, advisors, consultants, customer service and/or support providers.
- *Advertising and Marketing Partners:* We may share Personal Information with third parties that provide advertising, campaign measurement, online and/or mobile analytics, and related services. This is subject to any consents you give for direct marketing and cookies.
- *Subsidiaries, Affiliates, and business partners:* We may share your Personal Information with our Affiliates (as defined in the Terms); and other businesses we have partnered with to offer exclusive content on our Services; they may use such Personal Information for the purposes set out in this Policy.
- *Legal compliance:* We may be required to share Personal Information in response to a valid court order, subpoena, government investigation, or as otherwise required by law. We also reserve the right to report to law enforcement agencies any activities that we, in good faith, believe to be unlawful.
- *Business transfers:* We may disclose and/or transfer Personal Information as part of any actual or contemplated merger, sale, transfer of assets, acquisition, financing and/or restructuring of all or part of our business, bankruptcy or similar event, including related to due diligence conducted prior to such event where permitted by law.
- *Protect our rights:* We may disclose Personal Information where we believe it necessary to respond to claims asserted against us, to enforce or administer our agreements and terms, for fraud prevention, risk assessment, investigation and/or to protect the rights, property or safety of Opulous or our Affiliates, partners, clients, customers and/or others.

We ensure third parties who receive your Personal Information will handle your Personal Information as required by applicable data protection laws, such by putting in place appropriate contracts with third parties to protect your Personal Information.

## **Automated Decisions**

Automated decisions are those made without human intervention that have a legal effect on you or other similarly significant effect. We do not carry out this type of processing activity.

## **Cookies and Analytics**

Cookies are small alphanumeric identifiers or small data text files that are sent from a server during a browsing session and is placed on your computer. When we refer to “cookies” we include other technologies with similar purposes, such as pixels, tags and identifiers.

We use cookies or similar technologies, which may be provided by third parties, on our Services to enable certain functionality and for security and fraud detection and prevention, as well as to collect usage information about our Services and the emails that we send, and to personalize content and provide more relevant ads and information. We may combine the information we collect via these technologies with other information, including Personal Information. This is presented to you when you first use the Services or visit the Opulous Platform in incognito mode, but you can also change your preferences any time through your browser settings or our consent tool. *By browsing and using the Opulous Platform, you are agreeing to our use of cookies.* Cookies may be erased when you exit the Opulous Platform or close the browser. Others are saved on your device for your next visit. You can delete all cookies placed by the Opulous Platform on your device at any time. You can also set your browser to prevent all cookies from being placed by the Opulous Platform or to provide you with a warning before a cookie is placed. However, please note that some functionalities of the Opulous Platform may not work if all cookies are rejected.

### **Children's Privacy**

Following the Terms, our Services are restricted for users under 18 and they are not allowed to use our Services. Opulous does not knowingly collect or maintain Personal Information from children we actually know at the time of collection are under the age of 18. Should we discover that we have collected Personal Information online from a child who is under 18, we will promptly delete that Personal Information. If you have concerns over the collection of children's Personal Information in our Services, please contact us at the information provided in the Contact Us section below.

### **Security**

The security of your Personal Information is important to us. We have put in place safeguards to protect the Personal Information we collect from unauthorized access, use and disclosure, and we take steps to ensure that all of our employees, agents, contractors and other third parties have similar adequate measures in place. We also have procedures to deal with any suspected Personal Information breach, and we will notify you and any applicable regulator when we are legally required to do so. However, we cannot guarantee that unauthorized access, hacking, data loss, or other breaches will never occur. We urge you to take steps to keep your Personal Information safe, such as choosing a strong password and logging out of your user account and closing your web browser when you have finished using the Services.

### **Transfers Outside your Home Country**

We may transfer your Personal Information to countries outside of your home country. The privacy laws in countries outside your home country may be different from those in your home country.

***For users in Singapore.*** Where we transfer data to a country that has not been deemed to provide adequate data protection standards, we will always have security measures, approved Singapore model clauses (available on the Personal Data Protection Commission of Singapore website at [www.pdpc.gov.sg/](http://www.pdpc.gov.sg/)) or other adequate safeguards in place to protect your Personal Information.

***For users in British Virgin Islands.*** Where we transfer data to a country that has not been deemed to provide adequate data protection standards, we will always have security measures or other adequate safeguards in place to protect your Personal Information.

***For other users.*** If we transfer your Personal Information to countries outside of your home country, we will take steps to comply with the requirements for such transfer in your home country as required by relevant law.

### **Links to Third-party Websites**

Our Services provide links to various websites operated by third parties including, but not limited to, third-party sites that display the Opulous trademarks. This Policy does not apply to third-party websites that are accessible through the Services, unless such website directs users or visitors to this Policy. When you click on one of these links, you will be transferred out of the Services and connected to the website of the organization or company that maintains that website. Even if an affiliation exists between our Services and a third-party website, we exercise no control over and assume no responsibility for linked websites. Each of these linked websites maintains its own independent privacy and data collection policies and procedures. We encourage you to read the privacy policies of those other websites to learn how they collect, use, share, and secure your information before providing any Personal Information.

### **Retention**

Except to the extent prohibited by law, and subject to this Policy, we will retain and use your Personal Information for as long as it is needed to provide you with any Services, communications, information you have requested, or access to the Services, to document our business relationship with you, and as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. As soon as it is reasonable to assume your Personal Information is no longer needed or required, we will cease to retain your Personal Information.

### **Your Rights**

By law, you have a number of rights when it comes to your Personal Information. Further information and advice about your rights can be obtained from the data

protection regulator in your country. The rights you have depend on the jurisdiction in which you are based.

You may request for a copy of the Personal Information which we hold about you or information about the ways we use or disclose about your Personal Information. You may also ask us to correct or update your Personal Information, or withdraw your consent and request us to stop using or disclosing your Personal Information for any of the purposes stated in this Policy.

You may do so by submitting your request in writing or via email at the contact details provided in the Contact Us section below.

We usually act on requests and provide information free of charge, but we may charge a reasonable fee to cover our administrative costs of providing the information for baseless or excessive/repeated requests, or further copies of the same information. Alternatively, we may be entitled to refuse to act on the request in some circumstances.

We will respond as soon as we can. Generally, this will be within one month from when we receive your request but, if the request is going to take longer to deal with, we will come back to you and let you know.

Under Singapore and British Virgin Islands regulations, your rights are:

- *The right to be informed.* You have the right to be provided with clear, transparent and easily understandable information about how we use your Personal Information and your rights. This is why we are providing you with the information in this Policy. If you have any additional questions, for example regarding transfers and locations of data or our legitimate interests basis, please contact us.
- *The right of access.* You have the right to obtain access to your Personal Information (if we are processing it), and certain other information (similar to that provided in this Policy) save for any applicable exemptions to do so under the data protection law. This is so you are aware and can check that we are using your Personal Information in accordance with data protection law.
- *The right to rectification.* You are entitled to have your information corrected if it is inaccurate or incomplete.
- *The right to restrict processing.* You have rights to 'block' or suppress further use of your Personal Information. We keep lists of people who have asked for further use of their information to be 'blocked' to make sure the restriction is respected in future.
- *The right to data portability.* You have rights to have your Personal Information transferred to another organization under certain conditions.
- *The right to object to processing.* You have the right to object to certain types of processing, including processing for direct marketing or where we are relying on our legitimate interests for processing.

- *The right to lodge a complaint.* You have the right to lodge a complaint about the way we handle or process your Personal Information with your national data protection regulator.
- *The right to withdraw consent.* If you have given your consent to anything we do with your Personal Information, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). This includes your right to withdraw consent to us using your personal data for marketing purposes.

### **Changes to this Policy**

This Policy is kept under regular review and may be updated from time to time. When we make changes to this Policy, we will change the "Updated" date above. If a material change is made to this Policy, we may choose to provide notice to you in advance of such change, such as by posting notice of that change on the first page of this Policy or on our homepage, or by emailing your email address of record with us.

### **Changes to your Information**

It is important that the information we hold about you is accurate and current. Please keep us informed as soon as possible if your Personal Information changes or is inaccurate during your relationship with us by using the contact details set out below.

### **Contact Us**

If you have any concern about our privacy practices, please contact us by email at [dpo@opulous.org](mailto:dpo@opulous.org) or at Opulous Songs Ltd, Company Entity Number : 2103145, 5 Shenton Way, 10-01 UIC Building, Singapore 068808.