

T-MEDIA Privacy policy

Last update: 20.01.2022

We, T-MEDIA BV, are a Belgian company, registered in the Belgian Crossroads Bank for Enterprises under number 735.860.707 and having its registered offices at Jordaenskaai 23 bus 201, 2000 Antwerp, Belgium (hereinafter “we”).

“We” and “us” refer to our company and the activities, services, news items and products related to us and/or our affiliated companies and their related artists (such as but not limited to Smash Artist Services BV, Thivaïos BV, Smash The House Agency Hongkong Limited, Smash Esports BV, Smash Records BV, Smash Universe BV, Thivaïos Music BV, Twentyeight BV, Cartel BV, Dream Big Development LLC, Dream Big Productions Inc, Green Room BV).

We are the data controller for the personal data collected under this privacy policy. A “data controller” refers to the person who determines the purposes for which and the manner in which any personal data are, or are to be, used.

We are committed to protecting your privacy with respect to the personal data we process from you. With this privacy policy, we inform you of our privacy practices and how we use your personal data.

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ARTICLE 1 - PERSONAL DATA COLLECTED ABOUT YOU

When using the term “personal data” in this Privacy Policy, we refer to any information that relates to you, either directly or in combination with other information.

The personal data we collect, consists of the data which is shared with us by you and/or by the participating companies and includes data to communicate with you in a meaningful manner such as your name, e-mail address, date of birth, gender and preferences when you sign up for newsletters, events or activities of the participating companies.

We do not seek sensitive information (e.g., data relating to race or ethnic origin, religious beliefs, criminal record, physical or mental health, or sexual orientation). If such information is however provided to us by you we will, where necessary, obtain your explicit consent to collect and use such information.

It is not our policy to intentionally collect or maintain information about anyone under the age of 16. We encourage the holders of parental responsibility to take an active part in their children's (online) activities.

ARTICLE 2 - WHY DO WE NEED YOUR PERSONAL DATA?

Your personal data is used for the following purposes:

1. Providing and improving our services.

We use data to provide and improve the services we offer. This means that your data is used to allow us to manage our activities and to provide support. This implies, without being limitative, that we need your data:

- to carry out your requests and provide products and services to you;
- communicate with you about your purchases, your accounts, your participation in our (online) contests and to respond to any query you may raise with us, and to process your request and provide you with the best service possible;
- to manage our data, our records and your accounts with us;
- to manage our business, including developing new products and services, conducting consumer and operations research, and assessing the effectiveness of our sales, marketing, and advertising;
- to notify you about changes to our services, changes to our terms, conditions, and policies and/or other administrative information;
- prevent or detect any misuse or fraud;
- for business operations.

These data is also further used for statistical purposes and to produce aggregate insights. We may use such aggregated statistics for marketing purposes.

The legal basis of the aforementioned data processing lies in the necessity of this processing for the performance of our contract with you and for the purposes of the legitimate interests pursued by us.

2. Communications and marketing

We use your personal data to inform you about the services, the products, the events or relevant news items regarding the participating companies.

If you already have a relationship with us and/or the participating companies, you might receive marketing and/or commercial communication which might interest you or will benefit you. We consider it to be a legitimate interest to inform you of such news items and of such services, products and/or events we can offer to you.

You will also receive marketing communication regarding our services, products, events and/or news items by subscribing to our the mailing list(s) and/or those of the participating companies. Your personal data will then be used based upon your consent.

You may at any time choose not to receive (direct) marketing or other materials by following the unsubscribe instructions included in each e-mail you may receive, or by contacting us directly.

3. Activities on internet platforms (Facebook, Messenger, Spotify, Bandsintown)

We use, from time to time the following platforms:

- We may use the Facebook platform to identify unique users. The data that is gathered in this regard is limited to your profile name, first and last name, email address, gender, facebookID and timezone. This data can be used in future campaigns, to inform you about future events, upcoming tracks and campaigns related to all our artists, including the artists registered under Smash The House (Dimitri Vegas and like Mike, Lost frequencies, Wolfpack, ...).
- We may use the Facebook Messenger platform to allow direct communication between the artists and fan base. All direct messages are logged and the following information is stored: direct message ID, facebook ID, first name, lastname, email address and timezone. This platform allows us to send a direct message regarding new tracks, events or the artist related campaigns. To opt-out users can remove the direct conversation or type unsubscribe within the messenger conversation or email your deletion request towards dpo@smashthehouse.com.
- We may use the Spotify API platform to gather unique data about your profile and the following information is stored for future campaigns: Spotify user ID, playlist id, email address, public and private playlists. This data related to Spotify, which can be collected when you subscribe to our Spotify playlists, can be used to inform and adapt your Spotify playlists and add new tracks that are related to us and/or to Smash The House. You can at all times decide to unsubscribe.

In case of a “Pre-Save” action, Spotify will send us a token when you log on to your Spotify account via the link we provide to you. This token is only valid for a period of 6 months. To opt-out, which is possible at all times, users should access their Spotify account details and remove the integration between us and your personal Spotify account.

- In order to further connect our artists with our fans, we may use the Bandsintown platform which allows you to receive notifications about our tours and artists. Bandsintown may collect your data when their logo is included on our websites, and it may use the collected data for purposes of marketing and advertising the products, services and offerings made available by Bandsintown, its affiliates or promotional partners.

Please be aware that the data stored on the abovementioned platforms is also controlled by the owners of such platforms (e.g. Facebook, Spotify, Bandsintown). Please check the privacy policies related to the respective platform in this regard.

4. Management of our data pool

In order to facilitate and optimize the marketing and communication of us and the different companies within our group, a data pool has been created a.o. for sending out mailings and setting up our marketing initiatives related to our (group’s) activities, services, products, events and/or news items.

The following companies of our group participate in this data pool: Thivaios BV, Smash Artist Services BV, Smash The House Agency Hongkong Limited, Smash Esports BV, Smash Records BV, Smash Universe BV, Thivaios Music BV, Twentyeight BV, Cartel BV, Dream Big Development LLC, Dream Big Productions Inc, Green Room BV (hereinafter “the participating companies”).

We, T-Media BV, are responsible for governing and managing the aforementioned data pool, for processing the data in the data pool and for managing and sending out mailings regarding the participating companies.

With a view on the marketing and communication purposes underlying the data pool, we are responsible for governing and managing the aforementioned data pool, for processing the data in the data pool and for managing and sending out mailings regarding the participating companies.

The legal basis of the aforementioned data processing lies in the legitimate interests pursued by us.

5. Cookies and other technologies

Cookies are used on our websites. A cookie is a small amount of data, which often includes an anonymous unique identifier that is sent to your browser from a website's computer and stored on your computer's hard drive.

We do not store any personal details in a cookie that can be used by us to identify individuals. We can, however, track your activity on online assets for statistical analysis and to enhance your experience.

Although cookies are required to be able to fully use the services and all of its features, you can always refuse to accept cookies by changing the related settings of your browser. Certain cookies like first party functional cookies and performance cookies are mandatory, other cookies can be switched off in your browser.

Please read our cookie policy for further information, which is at all times accessible on our websites on which the cookies are used.

ARTICLE 3 – SHARING YOUR DATA

We do not share your personal information unless:

- you give us permission to do so;
- to our staff, legal successors and other companies within our group to the extent that this is necessary to operate our business;
- to third parties to the extent that this is necessary for our activities and/or provision of our services, e.g. (IT) service providers such as Amazon AWS, Stone Internet Services, Zendesk, Outlook 365, Cumul.io and box.com, printing companies, mailing companies, payment service providers;
- there is a legal obligation, e.g. tax and accountancy obligations, police investigations, local and federal government requirement;

Your data are not sold to third parties.

ARTICLE 4 – STORAGE

The information that you provide to us will be held in the systems located at the registered office in Antwerp or in those of an appointed third party or our cloud service providers such as Amazon AWS and Outlook 365. In case your personal data is transferred and processed outside the EU, the legally required appropriate safeguards will be in place to protect your personal data.

ARTICLE 5 – SECURITY MEASURES

Appropriate technical and organisational measures are taken to protect your personal data against unauthorised or unlawful processing and against accidental loss, destruction or damage. When you provide your personal data through our websites or mobile apps, this information is transmitted across the internet securely using high-grade encryption.

Data breaches can be reported by mail to: dpo@smashthehouse.com. We have an internal policy on preventing and reporting (possible) data breaches and we regularly educate our staff in this regard. Based upon the outcome of an severity assessment, We can notify affected data subjects and the Belgian data protection authority regarding the breach.

ARTICLE 6 - CONTROL YOUR DATA

You have the following rights regarding your personal data:

- if the processing of personal data is based on your consent, you have a right to withdraw consent at any time for future processing;. If you choose not to give your consent, or if you withdraw your consent, you will not be able to take (full) advantage of the services offered.
- you have a right to request access to your personal data and to request the rectification of your personal data;
- you have a right to object to the processing of your personal data, including the right to object to direct marketing;
- you have a right to restrict processing;
- you have the right to request a copy of your data in a digital machine-readable format, if this is technically possible, and to have it transferred in this manner to another party. This right is however subject to certain exceptions.
- you have a right to erasure, also known as 'the right to be forgotten'. The broad principle underpinning this right is to enable you to request the deletion or removal of personal data whether there is no compelling reason for its continued processing.

You can exercise your rights by sending an email to dpo@smashthehouse.com or by sending a letter to the following address: Jordaenskaai 23 bus 201, 2000 Antwerp, Belgium.

In order to unsubscribe from a mailing list, you can of course use the unsubscribe instructions included in each e-mail you may receive.

ARTICLE 7 - STORAGE LIMITATIONS

We will retain your data for as long as needed to provide you the requested services. We will retain and use your data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

ARTICLE 8 - CONTACT

Should you have any questions about the processing of your personal data, about your rights or about our privacy policy, please feel free to contact us. The contact details are:

- postal address: Jordaenskaai 23 bus 201, 2000 Antwerp, Belgium;
- e-mail: dpo@smashthehouse.com.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the Data Protection Authority. All information can be found at: www.dataprotectionauthority.be.

ARTICLE 9 - UPDATES

We may modify or amend this Privacy Policy from time to time at our discretion. When we make changes to this Policy, such modified or amended Statement shall be effective as to you and your information as of the revision date. We encourage you to periodically review this Privacy Policy to be informed about how we are protecting your information.