



## PRIVACY POLICY

### INTRODUCTION

Thank you for choosing ROKiT.

This Privacy Policy sets out how we collect information about you and how we use that information.

Any capitalized terms used in this Privacy Policy which are not defined shall have the same meanings as those set forth in the Terms of Service.

This Privacy Policy applies to your use of the Website, the ROK Life Services and the Apps in the United States.

In this Privacy Policy the following words will have the following meanings unless the context otherwise requires:

**“Apps”** means the ROK Launch Control App, the ROK Flix App and any other mobile app provided by ROKiT; and

**“Personal Information”** means information that directly identifies you, including without limitation your first and last name, home or physical address, email address, telephone number, date of birth and payment information.

### COLLECTING INFORMATION

When you create an Account, we will require and collect certain Personal Information from you and you will be required to provide a username, phone number and password for your Account. We will use your username, phone number and password to verify your identity when you sign in to your Account.

By using your social network login credentials to create an Account, you expressly authorize ROKiT to receive, and for such social network to share, certain information that is available on or through such social network account, including without limitation, information in your social network profile such as your name, date of birth, your “likes”, photos, followers, and friends’ names.

We may also collect information that you voluntarily add to your ROKiT profile which will be publicly accessible unless otherwise indicated. You may change the privacy settings of your ROKiT profile in your Account management page.

When you use the ROK Life Services we collect information including (i) information about your subscription to the ROK Life Services, (ii) your interactions within the ROK Life Services, (iii) content you post, upload, and/or contribute to the ROK Life Services, such as data which includes the URL or any ROKiT advertisement you are coming from, your IP address, your unique Authorized Device ID, network and computer preferences, browser type, language, operating system, and what version of the ROK Life Services you are accessing; (v) inquiries you make to ROKiT; and (vi) location information, such as your zip code (collectively **“Data Information”**).

### USING INFORMATION

We use Personal Information that we collect about you to set up, manage and administer your Account, to provide the ROK Life Services and to communicate with you via email, SMS text message, or app push notification. Standard message and data rates may apply with your carrier with SMS text message. We may send you information about products, services, offers and promotions that we or our Affiliates provide that we

**Version: March 20, 2019**

believe may be of interest to you by SMS text message or by email. You may opt-out of receiving marketing SMS text messages from us at any time by replying "STOP" to any marketing SMS text message from us by campaign or by emailing support@rokitphones.com. You may also opt-out of receiving future marketing emails from us by clicking on the "Unsubscribe" link (included at the bottom of every such email from us) and following the instructions to opt-out.

To continually improve the ROK Life Services we use the Data Information and Personal Information we collect to:

- (i) better understand how the ROK Life Services are being used and what content is popular;
- (ii) improve the ROK Life Services by providing personalized content recommendations, language and location customization, and personalized help and instructions;
- (iii) determine if you meet the minimum system requirements to use our products and services and provide information concerning compatibility and interoperability to you;
- (iv) track content accessed, downloads and streams for the purpose of paying royalties and license fees to third party providers, such as artists, copyright holders, content distributors and record labels;
- (v) help us develop, deliver, and improve our services, special offers, promotions, content, and advertising; and/or
- (vi) send you important notices, such as communications regarding billing, responses to your inquiries, and changes to the Terms of Service or this Privacy Policy. As this information is important to your interaction with ROKiT, you may not opt- out of receiving these transactional communications.

**DISCLOSURE TO THIRD PARTIES**

We will not sell or rent any of your Personal Information to third parties. We may share your Personal Information and Data Information with strategic business partners in order to send communications to you about their promotions, special offers, and products that may be of interest to you.

We may share Personal Information and Data Information with any third party that we engage to provide services for us for purposes such as validating information, processing payments, and delivering promotions to you.

We may offer co-branded offers with our partners to use ROK Life Services. We may collect your Personal Information online independently, or in conjunction with the co-branding party. Please note the privacy policy of the party collecting the Personal Information governs the initial collection of the Personal Information. In addition, to host certain co-branded offers, your Personal Information may be shared with the co-branded partner.

We will disclose your Personal Information to Added Value Service Providers. The Added Value Service Providers will use your Personal Information:

- (i) to enable them to provide ROK Life Services; and
- (ii) to make disclosure to the extent required by applicable law (and then only to the extent required by law).

Notwithstanding the foregoing, ROKiT may disclose Personal Information to any third party with your prior consent to do so.

If ROKiT, or substantially all of its business or assets, is acquired, or in the unlikely event that ROKiT goes out of business or enters bankruptcy, customer information would be one of the assets that is transferred or

## Version: March 20, 2019

acquired by the successor or acquirer (or a third party through bankruptcy). You acknowledge that such transfers may occur in any of these circumstances, and that any acquirer or successor of ROKiT may continue to use your Personal Information as set forth in this Privacy Policy.

We may also share aggregated Data Information with certain trusted third parties who assist us in operating the Website, distributing the ROK Life Services, conducting our business, or providing services to you, so long as those parties agree to keep such Data Information confidential. Additionally, ROKiT may be required to provide certain Data Information, including without limitation what songs were played by ROKiT users, to certain content providers and rights holders as a condition of our content licensing and royalty agreements. Any and all Data Information that is shared by ROKiT will not personally identify you.

Except as otherwise described in this Privacy Policy, ROKiT will not disclose Personal Information to any third party unless we believe that disclosure is necessary: (1) to conform to legal requirements or to respond to a subpoena, search warrant or other legal process, whether or not a response is required by applicable law; (2) to enforce the agreement (or any part of it) between you and us, comprising the Terms of Service, this Privacy Policy and any documents referred to in them ("Agreement"); (3) to protect the safety, security or livelihood of members of the public and users of the ROK Life Services; and/or (4) to protect and defend the rights or property of ROKiT, the Added Value Service Providers and ROKiT's content providers.

### LINKS

Occasionally, at our discretion, we may include links to third party websites, applications, and products or services. ROKiT makes no guarantees about the accuracy, content, or quality of the information provided by any such third party. These third party websites, apps, products or services have separate and independent privacy policies. We are not responsible or liable in any way for any third party privacy policies, content, advertising, services, goods or products. This Privacy Policy only governs information collected by ROKiT.

### USE OF COOKIES AND OTHER TECHNOLOGIES

A cookie is a piece of data stored on your Device when you visit the Website. When you visit the Website in the future, the stored data allows us to recognize your Device and previous activity.

These technologies help us identify how you interact with the ROK Life Services so we can customize and improve the ROK Life Services for you. We do not link the information we store in cookies to any Personal Information you submit while using the ROK Life Services.

You must enable cookies in order to use most of the main features of the ROK Life Services.

To the extent they are included in the ROK Life Services, our advertising and sponsorship partners ("**Sponsors**") may place cookies on your Authorized Device. They may compile information about where you (or others who are using your Device) saw their postings and which links you clicked on. Such Sponsors' use of cookies is subject to their own privacy policies, not this Privacy Policy.

When you download the Apps we use mobile analytics software to allow us to better understand the functionality of the Apps on your Device. This software may record information such as the type of Device you use, operating system version, the Device identifier, how often you use the Apps, the events that occur within the Apps, aggregated usage, performance data, and where the Apps were downloaded from. We do not link the information we store within the analytics software to any Personal Information you submit within the Apps.

We collect your location-based information for the purpose of developing, delivering, and improving the ROK Life Services for you. We also send push notification from time-to-time in order to update you about any new updates, offers, promotions, and specials in connection with the ROK Life Services. If you no longer wish to allow us to track your geo-location information or send push notifications in the Apps you may turn this off at the Device level.

### CONTROL OF YOUR INFORMATION

**Version: March 20, 2019**

You will have the option to access and update your information through your Account Management page or by emailing us at [support@rokitphones.com](mailto:support@rokitphones.com). We will respond to your request to access within 30 days.

If you no longer wish to link your social network account(s) with your Account, you may disable this feature or limit the ways ROKiT interacts with your social network accounts by going to your account settings within such social network.

If you no longer wish to receive any marketing emails from us, you may change your email settings or unsubscribe by clicking on the links at the bottom of any such email from us. If you no longer wish to receive any marketing SMS text messages from us, you can opt out by emailing [support@rokitphones.com](mailto:support@rokitphones.com).

The Website offers publicly accessible blogs and/or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. The blog allows you to post comments to your social network account. Please be aware that you are posting using a third party application and we have no access or control over this information.

We will retain your information for as long as your Account is active and thereafter as necessary to comply with our legal obligations, resolve disputes, and enforce the Agreement.

## **SECURITY**

We take precautions to safeguard your Personal Information that is stored in our database from loss, theft, misuse, unauthorized access, disclosure, alteration and deletion. However, you are responsible for the accuracy of Personal Information that you submit through the ROK Life Services and anything you communicate and comment on through the ROK Life Services.

Furthermore, your password protects your Account, so you should make sure it is unique and strong.

While we take precautions, no security measures are completely secure. Therefore, we do not guarantee the security of any or all of your information at any time. When you enter sensitive information (such as a credit card number) on our order forms, we encrypt the transmission of that information using secure socket layer technology (SSL). For any additional information about the security measures we use, please contact us at [support@rokitphones.com](mailto:support@rokitphones.com)

## **PRIVACY FOR CHILDREN**

ROKiT does not knowingly collect or solicit Personal Information from anyone under the age of 13. We also do not knowingly allow anyone under the age of 18 to register unless they (i) have the consent of their parent or legal guardian ("**Parental Consent**") to do so and (ii) are not under the age of 13. If you are either (a) under 13 or (b) under 18 and do not have Parental Consent, please do not attempt to register or send any Personal Information about yourself to us.

In the event that we learn that we have collected or been provided with Personal Information from anyone under age 13 or have been provided with Personal Information from anyone between ages 13-18 without Parental Consent, we will delete that Personal Information immediately.

If you become aware that a child has provided us Personal Information not in accordance with this Privacy Policy, please contact us at [support@rokitphones.com](mailto:support@rokitphones.com)

## **INFORMATION FOR THOSE OUTSIDE OF THE UNITED STATES**

The laws of the United States shall govern this Privacy Policy.

## **CHANGES TO OUR PRIVACY POLICY**

We may revise our Privacy Policy from time to time. If we make changes to this Privacy Policy that we consider in our sole discretion, are material, we will notify you via the email address you have provided us or via a notification on the ROK Life Services. Any additional or different terms to this Privacy Policy will be

**Version: March 20, 2019**

effective upon the date they are posted on the ROK Life Services. By continuing to access and use the ROK Life Services after any changes to our Privacy Policy, you agree to be bound by the revised Privacy Policy.

**CONTACT US**

If you have any questions about this Privacy Policy, a statement relating to privacy made by ROKiT and/or our privacy practices, please contact us at [support@rokitphones.com](mailto:support@rokitphones.com) and/or at ROKiT Phone Company LLC, 17383 Sunset Blvd, A300, Pacific Palisades, CA 90272.