

PRIVACY POLICY

BERLINER PHILHARMONIKER

Berlin Phil Media GmbH, Leipziger Platz 1, 10117 Berlin, represented by the Managing Directors Olaf Maninger and Robert Zimmermann (hereinafter "Berlin Phil Media") is responsible for the operation of the Digital Concert Hall (www.digital-concert-hall.com) and the Online Shop (shop.berliner-philharmoniker.de). By means of this privacy policy Berlin Phil Media would like to inform you, the user, about the treatment of your personal data. We know that the protection of this data is important to you and appreciate your trust that we will take care of it. Berlin Phil Media adheres strictly to the legal data protection regulations of Germany when collecting, processing and using the customer's personal data.

1. Responsible Authority

Berlin Phil Media GmbH, represented by its Managing Directors Olaf Maninger and Robert Zimmermann, with registered offices at the following address:

Leipziger Platz 1
10117 Berlin
Companies' Register Number HRB 113690
CR-Court: Berlin Charlottenburg

Email: help@digitalconcerthall.com

is responsible for the collection, the processing and use of your data.

2. Scope of Application

This privacy policy applies exclusively to the websites www.digital-concert-hall.com and shop.berliner-philharmoniker.de (hereinafter "**websites**"). If you are redirected to another website by clicking on one of the links from our website, the privacy policy of the respective website provider applies. We recommend informing yourself about the linked website's treatment of personal data.

3. Collection and Storage of Personal Data

- 3.1. Berlin Phil Media collects and records personal data. Personal data means individual details of the personal and factual data of an identified or identifiable individual, e.g. name, address, telephone number, date of birth, bank details and IP address.
- 3.2. The following data is automatically recorded when visiting our websites: website from which you have visited us (referrer URL), name and version of the browser used, the

operating system used, date and time of access, if applicable the search machine used, name of any downloaded data and your IP address.

- 3.3. In addition, Berlin Phil Media receives and stores personal information only if provided by you, e.g. upon registration as customer of the Digital Concert Hall or as guest on the Online Shop. “Customers” of the Digital Concert Hall in the sense of this privacy policy are also the members of an educational institution (hereinafter “**institutional individual users**”) that register as customers of the Digital Concert Hall and use this in the context of the initiative DIGITAL CONCERT HALL FOR INSTITUTIONS via the multiple access capability of their educational institution (hereinafter “**institutional access**”) free of charge. When executing and operating the streaming services offered in the Digital Concert Hall or the orders at the Online Shop, Berlin Phil Media requires the following data: title, full name, date of birth, email address, address (billing address and, if different, delivery address), bank details or credit card number and—for institutional individual users—name of the educational institution as well as status of the institutional individual user (student, teacher, staff member). Furthermore, upon registration as a customer of the Digital Concert Hall, a password shall be chosen that enables the customer to access the client area without having to re-enter the personal data. With regard to registered customers Berlin Phil Media will create a customer account in which the customer's data is stored for future visits of concerts in the Digital Concert Hall, or for future orders. You can view, correct and delete the data stored at any time. Should an educational institution apply for institutional access in the context of the initiative DIGITAL CONCERT HALL FOR INSTITUTIONS, Berlin Phil Media requires the following personal data to present the educational institution with an individual agreement offer and to be able to establish the institutional access: institution type, name, address and IP domain of the educational institution; full name of the authorized representative; full name, job title, email address and telephone number of a contact person.

4. Use and Transmission of Data

- 4.1. Berlin Phil Media uses the personal data to answer your inquiries, to execute and process the streaming services in the Digital Concert Hall or to complete orders in the Online Shop, and for purposes of the technological administration of the websites and also in the context of the initiative DIGITAL CONCERT HALL FOR INSTITUTIONS for the preparation of a contract and for the establishment of institutional access (the disclosure of the IP domain is made for the purpose of the verification of the institutional individual user who registers via the network of the educational institution and must log in through it every four weeks). We will also use the information you provide us with to inform you about the products of Berlin Phil Media. You will receive a newsletter only if you gave your consent; you will receive information by

post only as long as you have not objected to the use of your data for that purpose after being separately and properly informed about your right of objection.

- 4.2. In order to optimize the Berlin Phil Media internet platform and the quality of products, information that is received and recorded automatically when visiting the websites will be evaluated for statistical purposes using a pseudonym. You may opt out of the statistical assessment by emailing help@digitalconcerthall.com. For each case of institutional access Berlin Phil Media compiles the following—completely anonymous—statistics: quantity of institutional individual users (overall/active); requested minutes (overall/average per institutional individual user), time of use (overall/average per institutional individual user) quantity of rejected/blocked institutional individual users, overall use by device type (mobile, TV, desktop). These statistics (not the underlying data) can be viewed by the relevant educational institution in a password-protected domain on the website <http://institutions.digitalconcerthall.com/>.
- 4.3. Personal information and data will only be shared with or transmitted to third parties if this is necessary to process the contracts (e.g. delivery of packets), for the purpose of invoicing and statistic evaluation or if the customers have given their explicit consent. Berlin Phil Media will only transmit such information when doing so is required by the respective service providers to fulfil the tasks assigned to them. The service providers shall treat the data given to them as confidential in accordance with this privacy policy and the relevant data protection laws and not disclose it to third parties.
- 4.4. Please note that Berlin Phil Media upon request of the responsible authority may in individual cases have to disclose personal data, as far as this is necessary for criminal prosecution, hazard defense by the federal states' police authorities, the performance of legal obligations of the Federal/Länder Offices for the Protection of the Constitution, the Federal Intelligence Service, the Military Counter Intelligence Service, or the German Federal Police Office as far as required to fulfil its duty of protection against threats of international terrorism, or to enforce the rights of intellectual property.

5. Deletion of Data

- 5.1. The data that is received and recorded automatically as stated in Section 3.2, shall be immediately deleted as soon as it is no longer used by Berlin Phil Media, unless the processing of data is necessary for a statistical evaluation or for the purpose of invoicing. As soon as the statistical evaluation has been completed or all claims of Berlin Phil Media arising from the contractual relationship with the customer are settled, this data will be deleted, too.

- 5.2. The data defined in Section 3.3 that you have disclosed to Berlin Phil Media upon registration as a customer of the Digital Concert Hall or as a guest of the Online Shop, shall be deleted, as soon as it is required by law, or upon cancellation of the agreement on the access to the Digital Concert Hall and the use of streaming services. If you placed an order as a guest in the Online Shop, your data shall be deleted as soon as all claims of Berlin Phil Media arising from the contractual relationship are settled.
- 5.3. If legal provisions, our statute or contractual obligations exclude the deletion of your data, the data will not be deleted, but merely blocked.

6. Cookies

In order to improve our Internet presence and our products, on our websites we use so-called cookies. These are small text files that are placed from your internet browser onto your computer. Most cookies are deleted from your hard drive at the end of your browser session (so-called Session Cookies). Other cookies remain on your computer and enable Berlin Phil Media to recognize your computer the next time you visit our website and analyze your use of the website (so-called Permanent Cookies). If you do not want to accept cookies, you can reject all cookies: please check the "help menu" to learn how to configure your browser to reject any new cookie or to notify you when a new cookie is set, or to delete any cookies already set. Please note that some functions on our website require the acceptance of cookies. Therefore, we recommend that you activate the Cookie-Function.

7. Facebook Social Plugins

- 7.1. At the website www.digital-concert-hall.com Berlin Phil Media uses social plugins of the social networking platform facebook.com, which is operated by Facebook Inc., 1601 Willow Rd, Menlo Park CA 94025 USA. The plugins are to be distinguished by a Facebook Logo.
- 7.2. When you access a website of the Digital Concert Hall which contains such plugin, your browser will set up a direct connection with the web servers of Facebook. The content of the plugin will be transferred by Facebook directly to your browser and is integrated into your website. By integration of the plugin Facebook is informed that you accessed the respective website of the Digital Concert Hall. If you are logged in to Facebook, Facebook can assign your visit to your Facebook account. If you interact using the plugin, e.g. by clicking on the "like" button or writing a comment, Facebook receives and stores the respective information.
- 7.3. For information about the purpose and extent of the collection, processing and use of data by Facebook as well as your rights and possibilities to configure your settings in

order to protect your privacy, please refer to the Facebook privacy policy. If you do not wish Facebook to collect data about via the Digital Concert Hall, you have to log yourself out of Facebook before you visit the Digital Concert Hall.

8. Facebook Retargeting

- 8.1. Berlin Phil Media utilizes so-called retargeting technologies (cookies, web beacons, pixel etc.) (hereinafter “**technologies**”) on the websites. Through the use of these technologies it is possible for us to offer you personalized advertisements from third parties (hereinafter “**advertising partners**”) on the websites.
- 8.2. Facebook Inc., 1601 Willow Rd, Menlo Park, CA 94025, USA is one of Berlin Phil Media’s advertising partners. Facebook gathers and compiles data about your visit to our websites, analyzes this data, and advertises on our behalf during your next visit to the website www.facebook.com. The data collected in this manner is anonymous to us. However, Facebook can merge the data with your Facebook account and the personal data saved there and also use it for some advertising purposes (see also <https://www.facebook.com/about/privacy/>).
- 8.3. You can stop the use of the technologies. If and when Facebook uses retargeting cookies, you can deactivate them at www.aboutads.info/choices. Alternatively, please send an email to help@digitalconcerthall.com with the subject line “Opt out Facebook Website Custom Audience Ad,” your name and your email address. We will forward this information to Facebook with the request that they remove you from the group arranged for us by Facebook and do not offer you any more personalized advertising.

9. Google Analytics

- 9.1. Berlin Phil Media utilizes Google Analytics, a web analysis service of the company Google Inc., 1600 Amphitheater Parkway, Mountain View, CA 94043 USA (“Google”). Google Analytics uses so-called “cookies”-- text files that are saved on your computer and that enable an analysis of the website. Information generated through cookies about your use of the websites will generally be transferred to a Google server in the USA and saved there.
- 9.2. On behalf of the operator of these websites, Google will use this information to analyze your use of the website; to compile reports about website activities; and to provide further services related to website use and internet use to the website operator. The IP addresses transmitted for the purposes of Google Analytics from your browser are not merged with other data from Google.

- 9.3. You can stop the storage of cookies through the relevant setting on your browser software. However, you will then not be able to use all functions of these websites to their full capacity. If you wish to also stop the compilation of data generated by cookies and applied to your use of the websites (including your IP address) on Google as well as the handling of these data by Google, you can download and install the browser plug-in available at the following link: <https://www.google.com/settings/ads/plugin>.

10. „+1“- Buttons provided by Google+

- 10.1. Berlin Phil Media uses the “+1” button company Google Inc., 1600 Amphitheater Parkway, Mountain View, CA 94043 USA (“Google”). At the request of our websites, these components ensure that Google is informed whether and which pages of our internet presence are being visited.
- 10.2. According to Google no further analysis of your visit ensues provided that you are not logged into your Google account. However, if you are logged into Google, Google can collect, link with your data saved by Google, and save the suggestion of our websites, your IP address, and other browser-related information upon the selection of the “+1” button. Your “+1” selection can be displayed in Google services such as search results with your account name and where appropriate with your photo on file with Google.
- 10.3. You can stop Google’s aforementioned data acquisition if you log out of Google before the visit. You will find details about the Google “+1” button, data privacy, and your rights at <https://developers.google.com/+web/buttons-policy>.

11. Twitter Recommendations Component

- 11.1. Berlin Phil Media utilizes components from Twitter Inc., 795 Folsom St., Suite 600, San Francisco, CA 94107, USA (“Twitter”).
- 11.2. At the request of our websites, these components ensure that Twitter is informed whether and which pages of our internet presence are being visited.
- 11.3. We do not have influence on the data that Twitter compiles in this process or on the scope of the data compiled by Twitter. As far as we know, the URL of the particular website accessed as well as the IP address of the user will be gathered by Twitter but not used for purposes other than the display of the Twitter components. You will find further information about this and about the possibility of modifications to your

privacy settings in Twitter's privacy policy at <http://twitter.com/privacy> and in the account settings at <http://twitter.com/account/settings>.

12. Safety Note

- 12.1. Berlin Phil Media has taken various precautions in order to secure personal data adequately and to a reasonable extent.
- 12.2. All customer information will be stored on a secure server, which is protected against access from other networks by a software firewall. Access is only granted to those employees who require the information to process certain inquiries or orders. The employees have been trained in the safe treatment of data.
- 12.3. If Berlin Phil Media collects personal data from your websites, the data will be transmitted by establishing an encrypted link using the industrial technology standard Secure Socket Layer (SSL). This applies to all sensitive data such as credit card numbers, or account information.
- 12.4. If you already registered as a customer of the Digital Concert Hall, you have already committed yourself to take care of your access data. At this point, we once again ask you to keep your access data in a safe place and never transmit them to third parties, to change your password regularly and log out properly at the end of your visit at our website, in case you have logged in at the beginning of your session. With regard to your email correspondence, we cannot guarantee the complete security of your data.

13. Protocol of Permission and Right of Revocation

- 13.1. Upon registration as a customer of the Digital Concert Hall or when placing an order as a guest in the Online Shop, you will be asked to accept the provisions of this privacy policy. In case you do not agree with this privacy policy, you cannot use our services.
- 13.2. If you have subscribed to the newsletter, your consent is recorded and can be viewed at any time under "Your Account" in the Digital Concert Hall.
- 13.3. **You can revoke your consent for the collection and storage of your personal data by Berlin Phil Media at any time. In such case, please write to**

**Berlin Phil Media GmbH
Leipziger Platz 1**

10117 Berlin

or send an email to help@digitalconcerthall.com. You can end your subscription to the newsletter at any time by clicking on the button "UNSUBSCRIBE TO NEWSLETTER" at our website. Your email address will be deleted from the newsletter distribution list.

14. Information about and Availability of the Privacy Policy

- 14.1. In accordance with the statutory provision of data protection, you may request information about recorded data relating to your person or your email address, including the information relating to the source of the data, the recipients as well as the purpose of the recording data. Please transmit your request of information to the email address help@digitalconcerthall.com or to the postal address: Berlin Phil Media GmbH, Leipziger Platz 1, 10117 Berlin. If you have any questions regarding data protection, please contact our data protection officer Kathrin Greger, help@digitalconcerthall.com at any time.
- 14.2. This privacy policy is available for viewing in pdf format at http://static.digitalconcerthall.com/cms/files/privacy_policy_en_20160627.pdf and can be saved. The customer shall be entitled to print out the privacy policy.