

## **Mood for DJs App**

### **Privacy Policy**

**Effective Date: Wed January 17<sup>th</sup> 2024**

Welcome to Mood for DJs application (hereafter "**app**" or "**Mood for DJs**"). The app has been developed by the company with trade name MOOD MUSIC OF OUR DESIRE P.C. and distinctive title MOOD MUSIC OF OUR DESIRE located in Asklipiou Str. 3 10679 Athens, VAT number 802045918 (hereafter "**Company**" or "**we**").

Before using our app, please read this privacy policy (hereafter "**Policy**"), which is an integral part of the app's Terms of Use and applies to all Users in order to obtain information about how we collect, use, protect or otherwise process your personal data when accessing and/or using the app and its services.

#### **1. Data Controller**

The Company is the Data Controller of your personal data when you use the app and is committed to collecting and processing your personal data in accordance with the EU General Data Protection Regulation (EU) 2016/679 (hereinafter "**GDPR**"), Law 4624/2019 and relevant national laws and regulations.

#### **2. Definitions**

- "**Personal data**" means any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- "**Processing**" means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

- **"Data controller"** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
- **"Recipient"** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.
- **"Third party"** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

### 3. How we collect your personal data

- **Directly from you:** We collect personal data directly from you when you register and create a User account in our app, enter information in the User account, such as contact details, contact us for any reason or seek information, give access to geolocation data (GPS) through the location tracking service of your mobile phone when you start a new session in the app, record and upload the music you play.
- **By automated means using the app:** When using the app, we may collect information, including personal data about the services you use and how you use them. This information may be relevant to your interactions with the app, log data and device information, IP address, access times, hardware and software information, cookie data and other app usage information.
- **By third parties:** when you connect to the Company's social media accounts LinkedIn and Instagram through <https://music-of-our-desire.com/contact>, the third party services may send us information, such as your profile information from that social media. This information varies and is controlled by that service or by you through your privacy settings on those websites.

### 4. Which personal data we collect

We may collect the following information when you use the app:

- Identification data: full name, stage name, date of birth.
- Contact information, email address, telephone number (optionally).
- Geolocation data (GPS) through the location tracking service of your mobile phone when you start a new session in the app, provided that you have allowed the app's access to GPS data.
- Audio data, when you record via your mobile phone and upload the music you play to the app.
- Other information you provide (such as photos) in order to help you use our services.
- Usage information: we collect information about your interactions with the app, such as the pages or content you visit and other actions on the app, login details, IP address, access times, hardware and software information, device information, location, version and operating system, cookie data. For more information on the use of these technologies, please consult our Cookies Policy.
- Information (including communication content and metadata) contained in your messages when you contact us via email, through our accounts on social media or by using the contact form available on Mood for DJs.

#### **5. How we use your personal data (Purpose of processing)**

We may use your personal data to:

- enable you to access and use the services of the app
- enable the operation and the provision of our services through the app
- respond to your requests
- communicate for direct marketing purposes
- comply with legal obligations
- ensure the implementation of the terms of use
- confirm the presence of the User in the venue or event, each time a new session starts

- detect and prevent cases of fraud, abuse, security incidents and other harmful activities and conduct security surveys and risk assessments
- improve our services and the User experience, for the purpose of controlling, troubleshooting and improving the functionality and quality of our services and generally to optimize and adapt the app to your needs, making it easier and more effective to use, to improve and evolve Mood for DJs and to create and maintain a reliable and safe environment.

We will only process your personal data for the abovementioned purposes or in a manner that is compatible with those purposes. No other use of your personal data takes place without prior notice and, where required, your explicit consent.

## 6. Legal basis for processing

The legal basis for the processing of personal data collected in accordance with the above is:

- Processing of the personal data is necessary for **the performance of the contract** between Users and Company in particular for the creation of the User account and the provision of the requested services.
- Processing is necessary for the purposes of the **legitimate interests** pursued by the Company or a third party, such as ensuring the security of networks and information. The Company will always balance your rights and interests in the protection of your personal data against Company' rights and interests or those of the third party. We consider it as our legitimate interest to appear on social media and information society services trying to promote our services by giving the opportunity to users of these networks to participate in promotional actions, click the "like" button to our page and post comments about our services.
- Processing is necessary for **compliance with a legal obligation** to which Company is subject (such as tax law or lawful law enforcement requests).

The Company also reserves the right to regularly communicate with the Users by telephone, email, SMS, or any other means of communication, using the contact information, which has been obtained lawfully, within the context of the Company's contractual relationship with the User (**article 11§ 3 of Law 3471/2006**) provided that the data subject has not opposed this communication. This communication may include information about the services provided, any

update on services, research to improve the services and other promotional activities and it also may serve similar purposes.

## **7. Recipients of personal data**

For the fulfilment of each of the above processing purposes and within the scope of recipient's responsibilities, the recipients of the User's data may be:

- The competent employees of the Company within the exercise of their duties
- The Users of the application «Mood»
- The music recognition service «Shazam» or any other related service we may use
- Public authorities, such as tax authorities, judicial, public and independent authorities, law enforcement, where such transfer/access to data is strictly necessary for the defence of legal rights or the fulfilment of the Company's obligations.
- To the extent that this is necessary for the fulfilment of our contractual and legal obligations, provision of services and satisfaction of your requests, your data may be transmitted to Company-affiliated providers, such as Legal, Advisory and auditing services companies, IT companies, couriers, Internet service providers, or providers of other services necessary for the operation of the app and the performance of the Company's services.

It should be noted that when storing, accessing and/or processing the User's personal data, the employees and agents of the Company fully comply with the relevant provisions of the European General Data Protection Regulation 2016/679 as well as with current Greek legislation and jurisprudence on the protection of personal data. The Company requires of its employees, its website/app hosting and service providers, as well as its third party partners to take all necessary technical and organisational measures (including appropriate policies and procedures) to prevent unauthorised disclosure of Users' personal data to which they gain access, and implement procedures for the management and processing of personal data in a manner that is lawful and protect such data according to GDPR imposed obligations.

## **8. External links/Social Plug-ins Buttons:**

- **External links:** Our app is likely to enable Users to be transferred via "links" (hyperlinks) or advertising banners to third party websites. These third-party websites may collect and process personal data in accordance with their own policies. We are not responsible for the content or data processing performed by these websites, and it is your responsibility to be informed about their own privacy policies.
- **Social Plug-ins Buttons:** We appear on LinkedIn and Instagram. You can visit these networks by clicking on the Social Plug-ins Buttons on our website. These buttons link to third-party services that collect and process personal data in accordance with their own policies. We are not responsible for the content or data processing performed by these websites, and it is your responsibility to be informed about their own privacy policies. This processing is based on purposes of the legitimate interests pursued by the Company, such as for the purposes of promoting its image and its services.

## 9. International Transfers

We do not transfer your data to third countries. The personal data we collect is processed on servers located in the EU or EEA.

## 10. Retention Period

We retain your personal data no longer necessary in relation to the purposes for which they were collected, for compliance with a legal obligation or for the establishment, exercise or defence of legal claims.

In case you contact us or submit a request, your personal data is retained for as long as it is required for fulfilling your request and for 30 days after the completion of such procedure.

We will also retain personal data:

- To the extent required by law (for example, in order to comply with tax legislation)
- In order to comply with court proceedings (any ongoing or future court proceedings)
- To establish, exercise or defend our legal rights, personal security of the Users and the public.

However, some necessary personal data regarding your contractual relationship with the Company as well as information concerning your notification on the processing of your data and your consent, where applicable, may be retained so as to establish the lawfulness of processing of User data by the Company and the legal claims of the parties.

#### **11. How we protect your personal data (Technical and organizational measures)**

The Company implements appropriate technical and organizational security measures to protect personal data against unauthorized access, misuse, loss, or destruction. Such measures include, but are not limited to, the use of firewalls, secure server facilities, network security measures, implementation of appropriate access rights systems and procedures, application of access control policy, implementation of due diligence in the selection of the Processors and their compliance with the GDPR and other reasonable organisational and technical measures, so as to provide adequate protection of personal data. All employees are bound by confidentiality and privacy clauses and personal data is processed only by specially authorized personnel of the Company.

Similarly, the Company, the processors and its employees/assistants shall apply appropriate technical and organisational measures to ensure the best protection of personal data from any unlawful processing, as well as to guarantee the possibility of restoring the availability and access to them. These measures aim to ensure a level of security that corresponds to the risk, taking into account the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for the rights and freedoms of natural persons, while applying procedures for the regular testing, monitoring and evaluation of the effectiveness of said technical and organisational measures.

#### **12. Cookies**

The app uses cookies or similar technologies to ensure the best possible User experience and to analyze User trends, effectively administer our app and gather demographic information about our userbase as a whole.

#### **13. Your rights**

Under the GDPR (articles 12-22) you have the following rights:

- Request a copy of your personal data.

- Withdraw your consent when this is the legal basis of the processing of your personal data.
- Request that your personal data be corrected if it is inaccurate.
- Request erasure of the personal data you have provided, under the conditions set out by law. You can delete your Mood for DJs account through your profile settings at any time (profile > settings > delete account > delete my account). The deletion of the account by the User shall have no retroactive affect (it will affect from the date it was deleted onwards).
- Request restriction of processing, under the conditions set out by law.
- Request the portability of your personal data, if you have provided us with the data and the processing is based on consent or performance of a contract and processing is based on automated means.
- Object to some form of processing of your personal data by the Company.

**The rights to erasure (including User account deletion), restriction and object apply under the restrictions and conditions provided in clause 3.2.g. of Terms of Use concerning the music lists you provided to the Company.**

To exercise any of the above rights, you may contact us via e-mail: [contact@musicofourdesire.com](mailto:contact@musicofourdesire.com) We will take all possible measures to satisfy your request within a reasonable period, no later than one (1) month after the submission of the request and receipt of proof of your identity. That period may be extended by two (2) months where necessary, taking into account the complexity and number of the requests. Please note that the absolutely necessary User data may be retained, in order to safeguard the legal interests of the Company.

Finally, each User has the right to submit a request to the Company inquiring on how the Company processes and protects your personal data, and if you consider that your rights are infringed, you have the right to file a complaint with the Data Protection Authority online by filling the appropriate form depending on the case/subject-matter of the complaint on [https://www.dpa.gr/el/polites/katagelia\\_stin\\_arxi](https://www.dpa.gr/el/polites/katagelia_stin_arxi) (Kifisias 1-3, P.C. 115 23, Athens, 210 6475600).

#### **14. Minors**



Please be aware that the content and services of Mood for DJs are not intended for minors. The Company does not collect any information about Users who are under 18 years old. No personal data must be submitted to the Company through the app by Users under 18 years of age. If we become aware that a User under the age of 18 has registered and provided personal data we will immediately delete the relevant data.

#### **15. Contact us**

If you have questions about this Policy and how we process your personal data, you can contact us using the contact details below.

- using the contact form available on Mood for DJs
- via email to: [contact@musicofourdesire.com](mailto:contact@musicofourdesire.com)
- through our accounts on social media LinkedIn and Instagram.

#### **16. Changes to the privacy policy**

The Company may change this policy. Please check the effective date at the top of the policy to see when it was last revised. Every revision will be implemented as soon as we publish the revised policy and you will be notified accordingly.

If we make substantive changes to this policy that broaden our rights to use the personal data that we have already collected from you, we will inform you and provide you with a choice for the future use of these data.