

# PRIVACY POLICY

We, NXTGN Music Technology GmbH (hereinafter "NXTGN"), regard the protection and the confidentiality of your data as very important. We collect and use your personal data in accordance with the relevant provisions of German data protection legislation. In this Privacy Policy, we would like to tell you which personal data we collect and what we use it for.

Below, NXTGN tells you about the type and extent of and the purposes for which personal data are collected and used. You can call up this information on our website anytime.

## CONTROLLER

The controller within the meaning of German data protection laws is:

NXTGN Music Technology GmbH  
An der Reeperbahn 6  
28217 Bremen  
Germany

If you have any questions or concerns about data protection, you are welcome to also contact us by email at this address: [support@virtualguitarist.com](mailto:support@virtualguitarist.com)

## SUBJECT OF DATA PROTECTION

The subject of data protection is personal data. According to Section 3, Subsection 1 of the German Federal Data Protection Act ("Bundesdatenschutzgesetz"), these are individual details on personal or objective circumstances of a certain person or certain persons. These include details such as your name, your postal address, your email address, your telephone number or, where appropriate, even use-data.

## COLLECTION AND USE OF DATA

### Automated Data Collection

When you access NXTGN websites, your internet browser automatically transmits data for technical reasons. The following data are stored:

- your public IP address
- your date and time of access,
- your browser-type and version,
- the operating system you use,

- the URL of the web page that you have previously visited,
- the quantity of data transmitted.

For technical reasons these data are stored and are not assigned to any identifiable person at any time.

## **Data Entered by Users and other data submitted when purchasing our products**

You can download and use our products for the purpose of evaluation after registering with your email address. During the registration process you may opt in on receiving our email newsletter. For more information see the “Newsletter” section.

If you decide to buy one of our products, you can unlock the trial version after purchasing a license key on our website. In the purchase process, you will create a permanent user account on our website by entering your email address, a user-defined password, and personal information required to complete the purchase (your full name, billing address, and phone number). The account email address and password will be used by our products to unlock the trial limitations once you have successfully purchased a license.

During activation of trial versions and authorizing of full licenses as well as upon installation of updates, a time-stamped digital fingerprint of your hardware configuration (MAC addresses, processor ID, hard disk IDs, hashed machine name, amount of RAM installed) will be taken and stored in NXTGNs registration database. The purpose of fingerprint and time stamp is to protect our products against piracy and to prevent illegal duplication of our products.

## **Transfer of Data**

We will not transfer your data to third parties as a matter of course without letting you know in advance or asking for your prior permission. We may only transfer your data to third parties without informing you separately beforehand in the following exceptional cases as explained below:

If required for investigating the illegal use of our products and services or for legal proceedings, personal data will be transferred to the criminal investigation authorities and, if appropriate, to injured third parties. We will only do this if there are concrete indications of illegal and/or abusive behaviour. We can only transfer on your personal data if this is used to enforce General Terms and Conditions of Business or other agreements. We are also legally obliged to give certain public authorities information. These are criminal investigation authorities, public authorities which prosecute administrative offences entailing fines and the German finance authorities.

Occasionally we depend on contractually affiliated external companies and external service providers to supply services such as the supply of advertising measures (only if you have given your explicit prior consent), processing payments (PayPal, credit card etc.), storing your data and customer service. In such cases, information is transferred to these companies or individuals in order to enable them to process this information further. We carefully select these external service providers and review them regularly to ensure that your privacy is preserved. The service providers may only use the data for the purposes stipulated by us. We also contractually require

the service providers to treat your data solely in accordance with this Privacy Policy and the German data protection laws.

In order to further develop our business, we may alter the corporate structure of NXTGN Music Technology GmbH by changing its legal form. We may also form, sell or buy subsidiaries, divisions or parts of the company. In such transactions, customer information together with the part of the company to be transferred will be passed on. Every time personal data are transferred to third parties to the extent prescribed, NXTGN will ensure that this is done in accordance with this Privacy Policy and the relevant data protection laws.

## **Newsletter**

NXTGN provides a newsletter service free of charge. We use the newsletter to inform you about new products and send you general information about NXTGN. We need your email address in order to send you the newsletter. You can enter your email address on NXTGN's web pages, which are available at <http://www.virtualguitarist.com>. You will be provided with our newsletter if you further give us your explicit consent to do so by clicking the 'Subscribe' field and press the 'Yes, subscribe me to this list' button in the email we send to you to finalize the newsletter order. We will store and use your email address solely to send you the newsletter.

Of course you can unsubscribe the newsletter at any time. Every newsletter contains the information on how you can unsubscribe the newsletter with effect for the future.

## **Cookies and similar technologies**

NXTGN uses so-called "cookies" and similar technologies to improve our services. You can find detailed information about how we use these technologies and how you can opt out from cookie use in our Cookie Policy at <https://www.virtualguitarist.com/legal/en/cookie-policy/>

# **ANALYSIS OF HOW OUR PRODUCTS ARE USED**

## **Statistical Data**

When our products are used, we collect statistical data which can be traced to you. We use it to improve our products.

## **Google Analytics**

NXTGN uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files which are stored on your computer and which enable you to analyse your use of virtualguitarist.com. The information generated by the cookie on your use of virtualguitarist.com (including your abbreviated IP address) is transmitted to a Google server in the USA and are stored there. Google will use this information to assess your use of virtualguitarist.com, to compile reports on the activities for us and to provide more services connected with use of virtualguitarist.com and the internet. It is also possible that Google may

transmit this information to third parties if this is prescribed by law or if third parties process this information on behalf of Google.

For more information about Google Analytics and how you can opt out, please see our Cookie Policy at <https://www.virtualguitarist.com/legal/en/cookie-policy/>

## **Google AdWords and Google Remarketing**

We use Google Adwords and Google Remarketing, online advertising services provided by Google Inc. ("Google") to promote our products within the Google content network. In order to improve our advertising performance we use Google AdWords and Google Remarketing to collect data about the effectiveness of our ads.

For more information about how we use Google Adwords and how you can opt out, please see our Cookie Policy at <https://www.virtualguitarist.com/legal/en/cookie-policy/>

## **Facebook**

We use Facebook advertising, Facebook "Like" button, and Facebook "Share" button, to promote our products on the Facebook platform. These services are provided by Facebook Inc. ("Facebook"). For more information about how we use these services and how you can opt out, please see our Cookie Policy at <https://www.virtualguitarist.com/legal/en/cookie-policy/>

## **CREDIT CARD INFORMATION**

Credit card information will be transmitted to PAYONE GmbH. The transmission of credit card details is encrypted and protected using Secure Sockets Layer (SSL). We do not store any credit card data.

## **RIGHT TO INFORMATION AND CORRECTION**

You naturally have the right to receive information about the data held and stored by NXTGN about you. Equally, you have the right to have incorrect data corrected or blocked. To have this done, please contact [support@virtualguitarist.com](mailto:support@virtualguitarist.com) or by post to the address given above.

## **AMENDMENTS TO THIS PRIVACY POLICY**

We reserve the right to amend this Privacy Policy. You can call up the current version of the Privacy Policy at any time at: <https://www.virtualguitarist.com/legal/en/privacy-policy/>