

San Diego Symphony

Privacy Policy

Last updated and effective as of: March 25, 2019

This Privacy Policy describes the collection, storage, use and dissemination practices of the San Diego Symphony (the "**Symphony**," "**we**" and "**us**") with respect to information that we obtain about you through your use of any of our websites (each, a "**Website**") or any of our mobile applications (each, an "**App**"). Our Websites and Apps are sometimes referred to in this Privacy Policy as our "**Platforms**".

The primary purpose of our Websites and Apps is to provide information to the public regarding the San Diego Symphony. We also gather some information through our Platforms, as described below.

Please read this Privacy Policy carefully. By using or accessing any of our Platforms, you agree to the terms of this Privacy Policy. If you do not agree to all of the terms of this Privacy Policy, please do not use our Platforms.

1. What types of information do we collect?

User Accounts. If you set up an online account with us, you will be prompted to provide us with your first and last name, email address, postal address, and phone number, and to specify a password. If you place an order through your account on any of our Platforms, we (or our designee) will also collect your payment card information and billing address. We may keep this information indefinitely.

Newsletter Subscription. If you sign up for our "Symphony E-News" subscription, you will be prompted to provide us with your email address and first and last name. We will use this information to send you our Symphony E-News newsletter via email. We may also use your email address to send you other information concerning the Symphony that you express interest in receiving or that we think you may find interesting. We may keep this information indefinitely.

Electronic Correspondence. If you send an email to us by clicking on an email link on our [Contact Us](#) page, we will obtain from you the information that you choose to include in your email. We may store such information in a file specific to you, and may keep this information indefinitely.

Survey Information. We use third-party service providers to administer and collect surveys that we may send to you from time to time and to which you may choose to submit information concerning your concert experiences at the Symphony and certain demographic information, such as your name, age, and gender. We may keep this information indefinitely.

Location Data. Our Platforms may collect information about your location, such as the approximate location of your IP address. Unless you provide us with your permission, this location data is collected anonymously in a form that does not personally identify you. We may send you special notifications at specific locations. We may keep this information indefinitely.

Usage Data. When you use any of our Platforms, we may collect certain usage data, such as information about your web browser, mobile device or operating system. We may use this information as part of our providing the Platforms to you, and to improve the experiences of users with our Platforms. We may keep this information indefinitely.

Information Collected Through Automated Gathering Tools. We may use automated information gathering tools, such as cookies, which are intended to make using our Platforms easier by, among other things, saving your preferences for you. (A cookie is a small text file that is created in the computer or mobile device's hard drive or solid-state drive that gives each user a unique, random ID. This ID enables our Platform to readily recognize each visitor on a subsequent visit to the Platform. For example, a cookie may indicate the preferences selected by a visitor on a prior visit and facilitate more efficient browsing on subsequent visits.) We may keep this information indefinitely, but we do not associate such information with any personal information that you have provided to us.

Information Collected By Third-Party Integrated Services. Like many other websites and mobile apps, we may implement certain third-party content on our Platforms from time to time, or integrate other third-party offerings into our Platforms, enabling the third parties providing such content or offerings to collect information about you through your use of the Platforms. Please note that any information collected through such integrated technologies would be collected directly by these third parties for use by them and other parties, subject to their respective privacy practices and policies.

2. How do we use information about you collected through our Platforms?

We may use information collected about you through our Platforms for a variety of commercial purposes. Without limitation, we may use such information to:

- provide our products or services that you request;
- respond to questions that you may have about the Symphony or our products or services;
- inform you of products, services, promotions, and offers which we think you may find interesting;
- organize or carry out promotional activities or events;
- conduct other marketing and commercial activities.
- inform you of changes made to our Platforms;

- enable you to participate in activities on our Platforms (e.g., to participate in any online message board we may provide); and
- facilitate security, administrative, and legal purposes.

3. To whom do we disclose information about you collected through our Platforms?

We may disclose information about you obtained through any of our Platforms either (i) when we have your permission or (ii) in any of the following situations without your permission:

- We may disclose information about you to third-party service providers who perform services on behalf of the Symphony, including in connection with our operating the Platforms or completing or confirming a transaction that you conduct with us. When we transfer your personal information to a third-party service provider, that service provider will be required to use such personal information only to carry out those services that we have requested, and to provide adequate protection for such personal information.
- We may disclose your name and a postal address you provide to us to a third-party service provider for the benefit of other reputable local arts organizations in the greater San Diego area. The service provider may send you postal mail on behalf of a local arts organization, but does not otherwise provide to the other local arts organizations direct access to your name or postal address.
- We may also disclose information collected about you to third-party service providers, other partners who perform services on our behalf in connection with the Platforms, and other reputable local arts organization in the greater San Diego area, including without limitation in connection with the service provider or partner completing or confirming a transaction that you conduct with us. When we transfer your personally identifiable information to such a service provider or partner that is not another local arts organization, that entity will be contractually required (a) to use such information only to carry out those services that we have requested, (b) to abide by this Privacy Policy, and (c) to provide adequate protection for such information (as required by applicable legal requirements). When we transfer your personally identifiable information to a partner that is a local arts organization, that organization may use such information for its own marketing purposes.
- We may disclose the results of aggregated or anonymized data about you and other users of our Platforms without restriction. In such circumstances, we do not disclose to these entities any of your personal information.
- As part of a merger, acquisition or other sale or transfer of all or substantially all of the Symphony's assets or business, we may disclose to one or more third parties information obtained about you through the Platform. We do not

guarantee that any entity receiving such information in connection with one of these transactions will comply with all of the terms of this Privacy Policy.

- We may share information collected about you with our auditors, legal advisors, and similar entities in connection with our receiving their professional services, subject to standard confidentiality obligations.
- We may disclose information about you to the government or to third parties under certain circumstances when legally obligated to do so, such as in connection with suspected illegal activity in connection with any of our Platforms, or to respond to a subpoena, court order or other legal process. We reserve the right to release information collected through our Platforms to law enforcement or other government officials, as we, in our sole discretion, deem necessary or appropriate.
- We may also disclose information about you to third parties if needed to enforce any of the terms and conditions of our Platforms; to conduct any investigation of potential violations thereof; to detect, prevent, or otherwise address fraud, security or technical issues; or to protect against harm to any element of one of our Platforms.

4. How can you correct or update information collected about you through our Platforms that is stored by the Symphony?

You can access—and update, change or delete—the information you have provided to the Symphony when you registered with us at any time by clicking the “Manage my Account” link once you log into your account.

You may also correct or update information collected about you through our Platforms by contacting us at info@sandiegosymphony.org or by calling us at 619.235.0800. We will update our files as promptly as reasonably possible.

You can choose not to receive promotional communications (whether by email or postal mail) from us by emailing us at info@sandiegosymphony.org, calling us at 619.235.0800, or writing to us at San Diego Symphony, 1245 Seventh Ave, San Diego, CA 92101. This will not stop us from sending emails to you about your account or your transactions with us.

5. What security measures do we employ for information about you collected through our Platforms?

To help protect the privacy of data collected through our Platforms, we take commercially reasonable steps to store such data, with the objective of protecting it against unauthorized access. When we transfer and receive sensitive information, such as financial information, we redirect visitors to a secure server for the transfer of data. **HOWEVER, PLEASE BE AWARE THAT NO TECHNOLOGY IS COMPLETELY SECURE, AND THAT OUR PLATFORMS ARE OPERATED ON SOFTWARE, HARDWARE AND NETWORKS, ANY COMPONENT OF WHICH MAY,**

FROM TIME TO TIME, EXPERIENCE BREACHES OF SECURITY OR OTHER PROBLEMS BEYOND OUR CONTROL.

Please also be aware that despite our best intentions and the guidelines outlined in this Privacy Policy, no data transmission over the Internet or via a Wi-Fi network, or through any encryption method, can be guaranteed to be completely secure. You understand that it may be possible for third parties not under the Symphony's control to intercept or access any information about you transmitted through the Platform or private communications. Accordingly, although we will take reasonable steps to protect the security and integrity of all information you provide through any of our Platforms, the Symphony cannot guarantee that any such information, whether during transmission or while stored on our systems or otherwise in our care, will be absolutely safe from intrusion by others who do not have your authorization. Any such transmission or sharing of that information is done at your own risk.

If you are a user located outside of the United States, please note that some or all of your data may be stored or processed on servers located outside of your country, including in the United States, which has data protection laws that may differ from those where you live. As a result, this information may be subject to access requests from governments, courts, or law enforcement agencies in those other jurisdictions, according to the law of those jurisdictions. Subject to applicable law in other jurisdictions, we will use reasonable efforts to ensure that appropriate protections are in place to maintain protections on your data that are equivalent to those in your country.

6. Do our Platforms support "Do Not Track" signals?

Yes, our Platforms support "Do Not Track" preferences that may be available in your browser for letting websites know that you do not want them collecting certain kinds of information. If you turn on the Do Not Track setting on your browser, your experience with the Platforms may differ as compared to your experience with the Platforms had you not turned on the Do No Track setting on your browser. For more information about Do Not Track, visit donottrack.us.

7. What are the policies of linked websites and other third parties?

This Privacy Policy only addresses the use and disclosure of information obtained by the Symphony through our Platforms. You should be aware that when you are using any of our Platforms, you may be directed to other apps or websites that are beyond our control, and the Symphony is not responsible for the privacy practices of third parties. We would expect most, if not all, of these third parties will collect information about you when you use their offerings. However, the Symphony is not responsible for the privacy practices of third parties, regardless of whether they are linked or otherwise connected to the Platform. We encourage you to read the posted privacy policy whenever interacting with any third-party website, app, or other offering.

8. What is our policy on children users of the Service?

We do not knowingly collect or maintain personally identifiable information from persons under 13 years old, and no part of our Platforms is directed to persons under 13. IF YOU ARE UNDER 13 YEARS OF AGE, PLEASE DO NOT USE OUR PLATFORMS AT ANY TIME OR IN ANY MANNER. If you learn that your child under 13 has provided us with personal information without your consent, please contact us.

9. What are my California Privacy Rights?

Under California law, a California resident with whom we have an established relationship has the right to request certain information with respect to the types of personal information that the Symphony has shared with third parties for their direct marketing purposes, and the identities of those third parties, within the immediately preceding calendar year, subject to certain exceptions. All requests for such information must be in writing and sent to us at CaliforniaPrivacyRights@sandiegosymphony.org.

10. What are the terms regarding any changes to this Privacy Policy?

We reserve the right to update this Privacy Policy from time to time. Please visit this page periodically so that you will be apprised of any changes.

11. What law governs your use of the Platforms?

By choosing to use any of the Platforms or otherwise provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the law of the State of California, without reference to the choice of law or conflicts of law principles thereof. You also agree to abide by any limitation on damages contained in our terms of service or other agreement that we have with you.

12. How can you contact us?

If you have any questions about this Privacy Policy, or need to reach us for any other reason, you may contact us by any of the methods below:

Email: info@sandiegosymphony.org

Telephone: 619.235.0800

Postal address: San Diego Symphony, 1245 Seventh Ave, San Diego, CA 92101