

PRIVACY POLICY | REFUND POLICY

Version 05; 1st of August 2023

PRIVACY STATEMENT – USA & EU

§ 1 OVERVIEW – in line with Art. 13 GDPR

Responsible for this website is

Record Company
Diamond Roses Records™
- a trademark of –
MACABAMA GROUP LLC
5203 Juan Tabo Blvd. Suite 2b
Albuquerque
New Mexico 87111
UNITED STATES



Support@Diamond-Roses.com
<https://www.Diamond-Roses.com>

Our **data protection officer** in line with Art. 37 GDPR is Mr. Benjamin Ohlbrock. Reach him:

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Information in line with Art. 6 Abs. 1e GDPR: The website is hosted by:

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Server location is: Germany.

To ensure the functionality of the website and to fight and analyse attacks, log files, that allow an identification of the user, are temporarily saved but are deleted after three weeks. The following data are collected: date and time of the access, name of the used content, transferred quantity of data, message about the success of the access, used IP address, client information.

§2 – WHY DO WE COLLECT INFORMATION AND HOW LONG DO WE KEEP IT? YOUR DATA ARE YOURS!

- Information in line with Art. 6 Abs. 1 e, 15, 16, 17, 77 GDPR -

When you mandate us to render a service we collect the personal information - such as your name, address and email address - that is needed to render the commissioned service. We collect these data to contact you, to render the service and to ensure a juridically seamless business relationship. We keep personal basic data (name, address and email address) as long as we need it to render the

commissioned service and as long as you are interested in our business relationship – until withdrawal. Once you are a customer we may send you emails about new services and other updates that are probably interesting to you. We also provide you with the opportunity to opt out.

In line with Art. 15 GDPR you have the right to ask us to disclose the personal data that we have collected or processed in regard to your person. In line with Art. 16 GDPR you have the right to ask for immediate correction of incorrect data regarding your person. In line with Art. 17 GDPR you have the right to ask for fully or partly deletion of your saved or processed personal data. In line with Art. 77 GDPR you have the right to complain at the competent supervisory authority:

List of EU supervisory authorities:

https://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm .

Switzerland supervisory authority: <https://www.edoeb.admin.ch/edoeb/en/home.html>

§3 – How do we get your consent?

When you provide us with personal information to complete a transaction, to commission a service, to participate in a contest, to place an order, arrange for a delivery, ask for a rework or cancel a purchase, we imply that you consent to our collecting it and using it for that specific reason, only.

If we ask for your personal information for a secondary reason, like promotion, we will either ask you directly for your explicit consent, or provide you with an opportunity to say no and to opt out.

§4 – DISCLOSURE

We may disclose your personal information if we are required by law to do so or if you violate our Terms of Service or if the execution of a commissioned service makes it necessary (see §5).

§5 – YOUR DATA, OUR SERVICES AND THIRD-PARTY SERVICES - in line with Art. 6 Abs. 1 e, 12, 13 GDPR

Your privacy is important to us. We do not use cookies and we have not incorporated analytical tools into our website code. Once you leave our website or are redirected to a third-party website or application, you are governed by the Privacy Policy of the respective third-party website or application. When you click on links on our website, they may direct you away from our site (our PayPal-button, for example, redirect you to the payment service provider PayPal). We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements.

Our homepage and our e-mails are encrypted. In case you contact us via email we treat your personal information as confidential. We do not forward any personal data to third parties, except a commissioned service (like media sampling or music distribution) makes it necessary or in case you are sending us illegal material, threats, etc.!

In case you use our **“Upload” button** to transfer files onto our own server (location: Germany), we will use these files to render the commissioned service in America. Is the commissioned service meant to perfect the uploaded material (like composition, recording, mixing or mastering) we may use the crafted material - that has fully or partly been created by us – free of charge for common promotion purposes.

In case you pay a commissioned service by following our **PayPal** link, PayPal will probably forward basic information to us (like your name, your email address, your address) that is needed to execute the invoicing in a juridically seamless way. We treat your personal information as confidential and do not forward personal data to third parties – except it is demanded by law (we might have to mention your name, your address, the commissioned service and the paid amount in our confidential tax declaration).

Some of our services (like distribution or media sampling) obviously make it necessary to forward some personal data to third parties. You authorize us to do so by commissioning the respective service.

In case you follow one or more of our **social media accounts** or contact us via one of our social media accounts we can see all the personal information that you make accessible to us. We treat this information as confidential and do not forward it to third parties – except it is required by law.

In case you contact us via **Whatsapp**® you will provide us with basic info (like your phone number). We treat this info as confidential and do not forward any data to third parties, except it is required by law.

On some of our pages you will find the opportunity to watch **YouTube** video clips. We do not include the typical tracking mechanisms by YouTube. As long as you do not watch the videos, YouTube will not track your behavior on our homepage. However, as soon as you watch YouTube videos, YouTube will start to collect info. Please consult the Data Protection Statement by YouTube for further info.

We save basic information (your name, address, email address and in case you have commissioned services (like distribution) that make you money: your bank account info) in our customer file to keep up the mutual business relationship and to simplify future transactions. You have the right to withdraw your consent at any time.

§7 – SECURITY

To protect your personal information, we take reasonable precautions and follow industry best practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed. However: no method of transmission over the Internet or electronic storage is 100% secure. Please also be aware of the fact that many governments use spy software to capture screen contents. We have no control over such practices.

§8 - AGE OF CONSENT

By using this site, you assure that you are at least the age of majority in your state or province of residence, or that you are the age of majority in your state or province of residence and you have given any of your minor dependents the consent to use this site.

§9 - CHANGES TO THIS PRIVACY POLICY

We reserve the right to modify this privacy policy at any time, so please review it frequently. Changes and clarifications will take effect immediately upon their posting on the website. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it. If our company is acquired or merged with another company, your information may be transferred to the new owner so that we may continue to sell products and services to you.

§10 QUESTIONS AND CONTACT INFORMATION

If you would like to: access, correct, amend or delete any personal information we have about you, register a complaint, or simply want more information contact our Data Protection Officer at Support@Diamond-Roses.com or by mail at the address stated above.

RETURN STATEMENT

Our Return Policy or better Rework Policy lasts 15 days. Within these 15 days we offer – at our own discretion – free rework if any of our products do not meet your expectations due to mistakes we made. We will only offer this free rework if it does make sense to us. It makes sense to us if the amount of work or money we have to spend on the rework is acceptable and if the stated deficiency is caused by our editing or creative work and not an effect caused by flaws of the basic material that was submitted by the client.

If 15 days have gone by since (a) you received (either online or by mail) the product or service that was purchased by you and (b) since you received this notification (either online or by mail), unfortunately we can't offer a free rework any more.

Since our services and therefore the products we edit, create and deliver are highly customized we do not offer a refund or exchange at all. The same (no rework, no refund, no exchange) goes for the case that the purchased product is a band, entertainer or artist and that the purchased performance or gig has already been finished/ has already ended.

In Short: Non-returnable Items Are

- ✓ Downloadable audio files, video files, visual media files (pictures, graphics, animations etc.).
- ✓ Lyrics, Texts, Plans, Strategies and Comments.
- ✓ Any items that were customized - created or edited by us - for you.
- ✓ Media Sampling, Distribution, Public Relations Services,
- ✓ Performances or gigs by bands, artists, entertainers.

The statements above are in accordance with § 312d Abs. 4 BGB. In accordance with article 246 § 2 read in conjunction with Article § 1 passage 1 and 2 EGBGB§. In accordance with 312g Passage 1 Sentence 1 BGB read in conjunction with Article 246 § 3 EGBGB | GERMAN and EUROPEAN Law.

Shipping or Online Delivery?

We normally choose to deliver all our services and products online. However, if you insist on mail delivery you will be responsible for paying the shipping costs. Shipping costs are non-refundable.

Exception: if the purchased service is a gig of a band, artist or entertainer, the respective band, artist or entertainer will travel to the respective event by car, bus, train or airplane. The respective band, artist or entertainer will not be sent online or by mail. We beg forgiveness. ;-)

Diamond Roses Records™

Albuquerque, New Mexico

United States

1st of August 2023



The **record company** Diamond Roses Records™ belongs to the pioneers in professional **Online Recording** Services. Diamond Roses Records™ was founded in 2009 in Germany and is now situated in the USA. The Music Production Service Provider offers **compositions**, online recording, **mixing**, **mastering**, PR services and more. The company accompanies its customers from the very first musical idea to an internationally distributed end product - and beyond.