

# **PRIVACY POLICY**

Last updated: June 1, 2018

[En Español](#)

## **WHY DO WE PROVIDE THIS POLICY?**

This Privacy Policy (“**Policy**”) applies to your trial, paid, or other subscription to our satellite radio service, our streaming service, and any other service we offer such as traffic, weather (including marine and aviation), data and infotainment (collectively referred to as our “**Service(s)**”). This Policy also applies to any other visit to or use you make of websites operated by or on behalf of Sirius XM, as well as our online media player, our mobile applications (the SiriusXM Apps for mobile devices), enabled radios (including those enabled with 360L), and any other technology through which our Services can be accessed such as third-party hardware for the home, applications, and radios (collectively, the “**Sites**”).

This Policy provides you with information about what data is collected by Sirius XM Radio Inc. (“**Sirius XM**”, “**us**” or “**we**”) when you visit the Sites to use our Services, including in your vehicle, or when you purchase products from us or our agents. When you visit other websites not owned or operated by Sirius XM you may see advertisements for our products and services such as “banner” ads. If you interact with those ads, you will be governed by this Policy for information that may be collected when you link to one of our Sites.

There are useful terms explained at the end of and throughout this Policy. This Policy has been made available in Spanish. Due to minor differences in language, the English version shall prevail and be binding even though a Spanish translation is available.

## **SUMMARY: WHAT INFORMATION IS COVERED AND NOT COVERED BY THIS POLICY?**

Covered: The types of information we collect and share depend on the particular product or service we provide to you. This information can include:

- anonymous information we collect through the use of a particular product or service and technology such as “cookies”;
- personal information you voluntarily choose to disclose to us, such as your name, address, telephone number, email address, and credit card information;
- personal and anonymous information we receive through your use of social media and our linked social media applications;
- personal and anonymous information we receive through your use of our streaming service on an Internet-enabled device or through the use of a radio enabled for two-way communications (“**enabled radios**”); and
- supplemental information we may obtain from other sources to create a profile about you.

Not Covered: To the extent you own or operate a vehicle capable of Connected Vehicle Services offered under a Sirius XM brand such as SiriusXM Guardian, such Connected Vehicle Services may also collect and use personal information about you and your vehicle (“**CVS Collected Information**”). Sirius XM-branded Connected Vehicle Services operate independently of your Sirius XM radio or data service subscription and hardware, and are governed by their own privacy policies. CVS Collected Information is not covered under this Policy. Please see your vehicle’s owner manual or the privacy policy of the respective Connected Vehicle Services program for more information about their data collection and use practices.

## **HOW IS INFORMATION SHARED?**

We share your information as needed to conduct our business. This may include personal, anonymous, and location information. We identify below the various reasons why we may share your information and whether you can limit this sharing. If you are covered under this Policy and also a customer of another SiriusXM-branded service, then we may share the information collected under this Policy with both other marketers for which you have choices noted below.

## **REASONS WE MAY SHARE YOUR INFORMATION**

**For our everyday business purposes** -- to provide customer service functions to the Sites, to provide you with Services; to help personalize your listening, driving or operating experience; for sales, billing, operations, invoicing, bookkeeping, service and account-related emails, postal mail, and telephone calls; to perform customer research. **DO WE SHARE?** Yes. **CAN YOU REQUEST THAT WE STOP SHARING?** No, you cannot stop this sharing.

**For our own marketing purposes** – to offer extensions of service, new products or services; to send information on special deals, promotions, or information which we think may interest you; to perform market research  
**Do We SHARE?** Yes. **CAN YOU REQUEST THAT WE STOP SHARING?** No, you cannot stop this sharing, but you can tell us your preferred contact preferences.

**For joint marketing with select content providers, retail outlets, or for third party offers** – to offer opportunities or information; send information on products, services, or opportunities from our agents, such as automakers or retailers of satellite radios, or for other vehicle services **Do We SHARE?** Yes, we may share. **CAN YOU REQUEST THAT WE STOP SHARING?** Yes, you can stop this sharing.

## **YOUR CHOICES TO LIMIT OUR USE AND SHARING OF YOUR INFORMATION**

### **Your postal address and email address:**

- Go online at <http://www.siriusxm.com/contactus> and follow the instructions.
- Call us at 1-888-539-SIRIUS (1-888-539-7474) or 1-800-XM-RADIO (1-800-967-2346)
- “Do Not Email” Requests: Follow the instructions included at the bottom of each marketing email or newsletter, or go to the Sirius XM Newsletter Preference Center at [www.siriusxm.com/emailpreferences](http://www.siriusxm.com/emailpreferences).
- “Do not Mail” Requests” must be renewed every three (3) years if you prefer not to receive marketing mail.

### **Your choices not to be tracked online (“tracking”):**

Our Sites do not currently respond to your web browser “Tools” to not track your activities online. There are other methods you can use to tell us and third party online advertising networks about your online tracking choices. You may opt out of how companies unaffiliated with us (see list [here](http://www.siriusxm.com/youradchoices) at [www.siriusxm.com/youradchoices](http://www.siriusxm.com/youradchoices)) use tracking tools and collect your information while visiting our Sites by visiting each of their privacy policies and following instructions there. You can also use two tools available by the Digital Advertising Alliance to register your choices about the collection and use of your data on mobile sites and across sites and applications for online targeted advertising by visiting: <http://www.aboutads.info/choices/> and <http://www.aboutads.info/appchoices>.

### **Your choices not to be tracked as you use our Service:**

At this time, you may not disable our tracking of Listener/Viewer/ Subscriber Behavior Data or Vehicle Radio Usage which we collect from your use of our online media player, our mobile applications, and enabled radios. You also cannot avoid our tracking of your IP address (your “rough location”).

### **Your choices not to be located as you use our Service through your enabled radio (“geo-locating”):**

If you use our Service that requires access to your location, then the geo-location tools on your enabled radio, identifying your latitude and longitude (your “fine location”), may be disabled in your radio’s SiriusXM System Settings. By choosing “LISTEN NOW,” “PROCEED TO USE,” or similar, you consent to Sirius XM having access to your fine location until you take action to disable the geo-location tools. If you disable location tools and continue to use our Traffic, Travel Link and related Services while driving, we will be unable to provide you with the optimal functionality of these Services.

### **Your telephone number (for telemarketing sales calls):**

“Do Not Call” Requests: You may add yourself to our “do not call” list by calling 1-866-303-5603. If a calling campaign is in process, you may continue to be contacted while your request is processed, so please allow up to thirty days for your request to take effect. We may have more than one telephone number for you or your family members, so please be specific as to which numbers you are directing us to not call. Regardless of the fact that your numbers may be listed in our records as “do not call,” we may still use the number(s) to call you for service and account-related matters. You can read more about our “do not call” policy at <http://www.siriusxm.com/donotcall>.

## **ACCESS**

### **Your personal information should be kept current:**

You are responsible for keeping your contact information current and accurate. If for any reason you are concerned that the personal information we have for you is not correct, or if you wish to change or update any information, go to Sirius XM Listener Care online at <http://www.siriusxm.com/contactus>, to log into your account and manage it there. If you are unable to manage your own account online, please call us at 1-888-539-SIRIUS (1-888-539-7474) or 1-800-XM-RADIO (1-800-967-2346).

### **Your preferences, interests, and likes:**

If for any reason you would like us to no longer use information you tell us about your listening preferences and interests, you may submit a request via email to: [privacy@siriusxm.com](mailto:privacy@siriusxm.com). (Sensitive, personal information should not be sent via email.)

### **Your Listener/Viewer/Subscriber Behavior Data and Vehicle Radio Usage:**

At this time, we are unable to provide you the ability to access, stop using, or delete your Listener/Viewer/ Subscriber Behavior Data or Vehicle Radio Usage which we collect from your use of our Services.

## **E.U. RESIDENTS**

The Sirius XM Site and Service are intended for use and viewing by trial and paid subscribers who are residents of the United States only. We do not intend to collect, and we do not knowingly store personal information from consumers or users who are residents of countries outside of the United States. We may collect anonymous information associated with a device and will store it, but without personal information we cannot identify the user as a resident of any particular country.

## **PRIVACY COMPLAINTS**

Your privacy concerns are important to us. All privacy-related complaints should be made first, through our internal complaint resolution process by submitting a written complaint via direct mail to:

Privacy Officer  
Sirius XM Radio Inc.  
1500 Eckington Place, N.E.  
Washington, D.C. 20002  
Or via email to: [privacy@siriusxm.com](mailto:privacy@siriusxm.com)

Sensitive, personal information should not be sent via email.

## **THAT WAS THE SUMMARY. NOW HERE ARE THE DETAILS YOU OUGHT TO READ TOO:**

## YOUR PERSONAL INFORMATION

### How does Sirius XM collect my personal information?

**Personal Information.** We collect information you provide to us when you begin the process to purchase products from us (even when you abandon the transaction) and when you subscribe to and/or use our Service through any Sites available to do so. For example, when you register online to subscribe to our Service, subscribe to our newsletter(s), purchase and/or use our Service, including in your vehicle by an enabled radio, purchase a product through our online store, or receive customer or technical support, you may be required to complete a form that may require you to provide personal information, including your name, address, email address, telephone number and/or date of birth. This information will be maintained for our records, which will enable you to manage your own accounts and subscriptions in our Online Account Center, and place future purchases without the need to re-enter the information.

From your use of social media applications linked to our Sites, linked to our media player or linked to our mobile applications, we may also receive your personal information or social media anonymous identifier, along with your email address, profile information, interests, likes, and or other information (personal or anonymous) which the social media platform or we will specify in advance at the location of collection.

**The Sites may also offer interactive services, such as chat, forums and message boards. Please remember that any information that you disclose in these areas becomes public information, and you should exercise caution when deciding to disclose personal information in these areas. Your use of the interactive services on our Sites are subject to this Policy.**

**Your Profile.** We may receive information from all the technology you use to access our Services at all Sites, including those which have personalization features (“**Listener/Viewer/Subscriber Behavior Data**”). If your vehicle has an enabled radio, Sirius XM and our third-party service providers will collect: (i) Listener/Viewer/Subscriber Behavior Data and other data regarding your use of an enabled radio (“**Vehicle Radio Usage Data**”) and (ii) personal information you provide to us by subscribing to our Service (or provided to us by an automaker, dealer or other source in connection with an introductory subscription). We may match your personal information to your Listener/Viewer/Subscriber Behavior Data or Vehicle Radio Usage Data to create and update your profile. See also “**Location & Usage Data – Notice & Choice**” below.

**Supplemental Information.** We may supplement the information you provide to us, or which we may obtain from your use of our Service -- both personal and anonymous -- by acquiring demographic and marketing information from third parties, for instance, to verify your address or to update your information and to create a profile of your preferences. We may match your personal information to information in the profile, and use it to improve the content of the Sites or our Service or to inform you about products or services that we think will be of interest to you, both on the Sites and elsewhere such as through online targeted advertising. We may also receive information from the retailer, dealer, or automaker from whom you obtained your radio, even prior to your initiation of our Service. Some of this information may include: your gender, marital status, education and occupation; your telephone number, email address, mailing address; your household size and income; the number of drivers in your household; the make, model and age of your car; the make, model and features of your car audio system; whether you own or lease your car; information about your commute and the amount of time you spend driving; and your favorite musicians and types of music.

### How does Sirius XM use my personal information?

**Our Use.** We receive and store personal information you enter on the Sites, in your vehicle, through our Service, through social media, through linked social media applications, or voluntarily provided in any other way, and we may use it to contact you. We will use your personal information for our business purposes including to (i) provide and improve the Sites and our Service, (ii) enforce our Customer Agreement and our Website Terms of Use, (iii) offer you extensions of service, or new products and services, (iv) send you, or serve to you online, information on products, services, special deals, promotions, or information which we think may interest you, and (v) perform market research.

**Telephone:** By registering on the Sites or by subscribing to our Service, and providing your telephone number, or by purchasing or leasing a vehicle with our Service included, you agree that this action constitutes an existing business relationship with us for purposes of all telemarketing laws. Notwithstanding the fact that your home telephone and/or mobile telephone number may be listed with the Federal Do-Not-Call Registry or your local State Do-Not-Call list, we may contact you pursuant to this existing business relationship using the information you provided to us, or which we obtained to supplement information you provided to us. You must tell us directly if you do not wish to receive calls at a particular phone number. We may contact you by telephone, except as may be prohibited by applicable law. We will not contact you by the use of a prerecorded telephone message with a commercial solicitation unless we have your prior express written or recorded consent, as required by Federal law, or unless it is for the delivery of an important Service-related or account-related announcement.

We may send you text messages if you have expressly agreed to receive them, even though charges may apply from your telecommunications provider, and to ensure we comply with applicable laws.

**Email:** We may also send you information or offers from time to time to the email address we have on file. We will continue to send important Service-related or account-related notifications to your email address, even if you tell us that you do not wish to receive marketing emails from us.

**Mail:** We may also send you information or offers from time to time to the postal address we have on file. "Do Not Mail" requests must be renewed with us every three (3) years if you prefer not to receive marketing mail. We will continue to send important Service-related or account-related notifications to your postal address, even if you tell us that you do not wish to receive marketing mail from us.

**On Air:** If you provide us with information when you request that a song or other content be played on our Service, we may use the information you provide in accordance with this Policy, including to announce your name and request on the air.

**Promotions:** If you provide your name for a promotional offer or to enter a sweepstakes or contest, and win a prize, we may post your name on a winner's list online, and will file your name with state agencies if required by law.

**Vendors.** We work with third parties to perform functions on our or your behalf. Our vendors may be provided access to your personal information to perform their functions, but may not use it for other purposes. We use your credit card information to process payments (or make appropriate adjustments to such payments) for any paid products and services you have authorized. We do not supply your credit card information to any third party, except as necessary to process and service a transaction.

**Third Party Offers.** We may share personal information and demographic information about you with third parties that may use the information to send you offers or other information we think you might find of interest. They may use your email address, postal address, or telephone number. You may opt-out of our sharing your information for third-party offers.

**Other Uses.** We may use your personal information to contact you about our Service, or for other purposes in which you have expressed an interest.

**Service Related Announcements.** We may also provide you with service and account-related announcements. For instance, if our service is temporarily suspended for maintenance or the delivery of a service or product is delayed, or if there is an issue with a product or service you might have ordered we might send you an email, or other message. Notwithstanding the fact that your home telephone and/or mobile telephone number may be listed with the Federal Do-Not-Call Registry, or your local State Do-Not-Call list, we may use the information you provided to us for service and account-related announcements. You may not opt-out of these non-promotional communications related to your subscriptions or order. If you do not wish to receive these communications, you have the option to cancel your subscription or order by contacting us.

**Exceptional Circumstances.** If Sirius XM or any of its subsidiaries is sold or disposed of as a going concern, whether by merger, sale of assets or otherwise, the relevant databases of Sirius XM could, in whole or in part, be transferred as part of that transaction. Therefore, information about our subscribers, users of the Sites and our Service, including personal information, may be disclosed as part of any merger or acquisition, creation of a separate business to provide the Sites or our Service, or sale of our company assets, as well as in the event of an insolvency, bankruptcy or receivership in which personal information may be transferred as one of the business assets of the company.

We also may release personal information if required to do so by law or in the good-faith belief that disclosure is necessary (a) to conform to any applicable law to comply with legal process served on us, or to respond to a request by law enforcement or governmental authorities; (b) to enforce our Customer Agreement and our Website Terms of Use, including any investigation of potential violations thereof; (c) to protect or defend our rights or property, or the rights or property of our employees, agents, contractors or other users of the Service or Sites; or (d) to act under exigent circumstances to protect the personal safety of users of our Service or the Sites or the public.

#### **How does Sirius XM protect my personal information?**

The Sites have security in place that is designed to protect your information. When you provide personal information from your vehicle, your personal information, including credit card number, telephone number and email address are never stored in the vehicle. We use a combination of security measures to safeguard the confidentiality of the personal information you provide us. We have security procedures for the storage and disclosure of personal information, which you have given us in order to prevent unauthorized access. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure, and it may be possible for third parties to intercept or access information unlawfully. We cannot guarantee

the security of your or any other person's information.

It is important for you to protect against unauthorized access to your password and to your computer. Be sure to sign off a device when finished using a shared computer. The Sites may also contain links to other websites. Keep in mind that we do not control, and are not responsible for, the privacy or security practices or the content of these other websites.

We may retain your personal information after you unsubscribe for purposes of internal account management, to resolve disputes, enforce our Customer Agreement and our Website Terms of Use, technical and legal requirements and constraints related to the security, integrity and operation of the Sites and the Service. We may also retain your personal information to assist us and you with your next subscription and customer experience or to develop or enhance our Services.

WE ASSUME NO RESPONSIBILITY OR LIABILITY WITH REGARD TO ANY THEFT, LOSS, ALTERATION OR MISUSE OF PERSONAL INFORMATION OR OTHER INFORMATION WHICH WE LAWFULLY PROVIDE TO THIRD PARTIES, OR WITH REGARD TO THE FAILURE OF ANY THIRD PARTY TO ABIDE BY THIS PRIVACY POLICY OR ANY AGREEMENT BETWEEN THAT THIRD PARTY AND SIRIUS XM OR YOU. Please refer to our Customer Agreement and our Website Terms of Use for additional Disclaimers of Warranties and Limitations on Liability.

### **What happens when I limit sharing for an account I hold with someone else?**

You will cause your privacy preferences to be applied to all other persons sharing the same account information.

### **I use Twitter. What should I know about specifically, when I engage with Twitter while in the SiriusXM app or streaming online?**

As you know, "what you say on Twitter services may be viewed all around the world instantly. You are what you Tweet!" If you use Twitter, you are bound by the Twitter Terms of Service located at <http://twitter.com/tos> ("**Twitter TOS**"). While you are using our technology and streaming services, we expect you to be in full compliance with the Twitter TOS. If our Internet Radio service (which we now refer to as "**streaming**"), our streaming applications, or other technology allow you to create content or post content to the Twitter service, then you will be bound by the Twitter privacy policy located at <http://twitter.com/privacy> ("**Twitter Privacy Policy**"), and the Twitter Rules located at <http://twitter.com/rules> ("**Twitter Rules**"). If Twitter determines that you are not in compliance with the Twitter TOS, Twitter Rules or Twitter Privacy Policy, or you are using Twitter in a manner that is otherwise harmful to the content, to Twitter or its licensors or users, or their reputations, then Twitter will notify us and require us immediately to terminate your access to and continued retention of Twitter data and we will remove it, or temporarily block your access to our service while we address the issue.

### **I use other interactive Services. What should I know about specifically, when I interact with these Sites while in the SiriusXM app or streaming online?**

**Interactive Services:** We are not responsible for material submitted to us or posted to the Sites by users ("**user content**"). We have no obligation to pre-screen, monitor, review or edit any user content. We, or our designees, have the right (but not the obligation) in our sole discretion to refuse or remove any user content that, in our judgment, does not comply with this Policy or is otherwise undesirable, inappropriate or inaccurate. User content you view, submit or post is at your own discretion and risk, including any reliance on the accuracy, completeness, or usefulness of such user content. User content does not necessarily reflect the views of Sirius XM. We may preserve user content and may disclose user content if required to do so by law or in the good faith belief that such disclosure is reasonably necessary to (i) comply with legal process; (ii) enforce our Customer Agreement and our Website Terms of Use; (iii) respond to claims that any user content violates the rights of third parties; or (iv) protect the rights, property, or personal safety of Sirius XM, our users or the public.

You agree not to post user content which is harassing, abusive, vulgar, hateful, defamatory, sexually explicit, inflammatory, profane, racially or ethnically objectionable, religious or political, or that encourages inappropriate or unlawful conduct or imposes an unreasonable or disproportionately large load on the Sites or otherwise interferes with the Sites or infringes the rights of any third party. We may, at our sole discretion, immediately terminate your access to the Sites should your conduct fail to conform to this agreement. We do not solicit nor do we wish to receive any confidential, secret or proprietary information or other material through the Sites or mail, or in any other way. Any user content posted on the Sites or material submitted or sent to us will not be confidential or secret. By posting user content, or sending any other material to us ("**material**"), you represent and warrant that the material is original to you and that no other party has any rights to the material and you grant us the royalty-free, unrestricted, worldwide, perpetual, irrevocable, non-exclusive and fully sub-licensable right and license to use, reproduce, modify, adapt, publish, translate, create derivative works from, distribute, perform and display such material (in whole or part), including any information, suggestions, ideas, drawings or concepts contained in such material, worldwide and/or to incorporate it in other works in any form, media, or technology now known or later developed. You are and will remain responsible for the accuracy, copyright compliance, legality, decency, or any other aspect of such material.

## YOUR ANONYMOUS INFORMATION

### How does Sirius XM collect my anonymous information?

We automatically receive certain types of anonymized information about you whenever you interact with us through an Internet browser, your mobile device, or through your vehicle's enabled radio. This information includes: the pages you view on the Sites, the search terms you enter, your IP address (your rough location), the operating system, browser software and Internet service provider you use, and your fine location. This information may also include Listener/Viewer/Subscriber Behavior Data and/or Vehicle Radio Usage data.

We log your activities on our Sites such as through a unique identifier number assigned to your computer or mobile device. We may also log your activities through your vehicle's enabled radio. We may track your interactions with Sites, your use of social media applications to access our Sites, access times and listening behavior. From your use of social media applications linked to our Sites, we may also receive your social media anonymous identifier, or even your personal information, along with your email address, profile information, interests and likes, and or other information (personal or anonymous) which we or the social media platform will specify in advance at the location of collection. We may, in the future, not only track your interactions with your vehicle's enabled radio but also capture the fine location and rough location of your vehicle, and maintain it, so that over time we can better predict and support your traffic patterns, and provide suggestions for improved routing. See also "**Location & Usage Data – Notice & Choice**" below.

We use "cookie" and "cookie"-like features of major browser applications and other data capture mechanisms that allow us to store data about your visit to the Sites, and your use of social media applications to access our Sites. A cookie is a text file that is stored on a user's computer or any Internet-enabled device for record-keeping purposes. We store information that we collect through cookies, log files and other tracking technology.

When you set the "Incognito" mode in our mobile applications for streaming, it will have no effect upon our collection of your Listener/Viewer/Subscriber Behavior Data for your "app" experience; we will continue to collect it but we will not use it for our marketing purposes and will not share it for marketing purposes.

### **Advertisements.**

We use unaffiliated ad-serving or other companies to serve ads on the Sites and to you on your mobile device. In the process of serving ads, such companies may use cookies, tags, and other electronic tracking methods to collect your anonymous information, and then may use information about your visits to the Sites and other websites in order to provide ads on the Sites about products and services that may be of interest to you. We may also use unaffiliated ad-serving or other companies to serve ads to you when you interact with one of our retailer's or advertising agents' location-based services through your smartphone or other Internet-enabled device, such as in a retail store which sells satellite radios. The information that such agents collect and share with us is anonymous. These agents will know that you expressed an interest in receiving more information about Sirius XM, or that you chose to engage in interactive responses, and we or they may send you ads and offers about our hardware and services.

### How does Sirius XM use my anonymous information?

We use the anonymous information we collect from our Service and from the Sites, including the anonymous elements of Listener/Viewer/Subscriber Behavior Data, and your IP address to administer the Sites, improve our goods and our Service, determine how our Service, the Sites, and your vehicle's enabled radio are being used, identify popular areas of the Sites and analyze trends and usage patterns of the Service and the Sites. We may also use your IP address to help diagnose problems with our server. We use your anonymous information for various reasons, including to gauge the effectiveness of our social media efforts and applications, of our media player or mobile applications, other Sites, to track information for statistical purposes, to personalize your listening experience, and to improve the products and services we provide. We may, in the future, use the fine location and rough location of your vehicle, and maintain it, so that over time we can better predict and support your traffic patterns and provide suggestions for improved routing. See also "**Location & Usage Data – Notice & Choice**" below.

We use the anonymous information we collect from your interactive responses and from geo-location tools on your computer, mobile device, or on your vehicle's enabled radio to respond to your requests for information and to tailor our Service and our communications. This may include our sending you short text messages on your smartphone or other mobile device if you give us your express consent to receive them.

## Advertisements.

We may use your anonymous information to serve you marketing and advertising material online. We may also use it in combination with your personal information. We may from time to time use unaffiliated ad-serving or other companies to serve ads on the Sites and to you on your mobile device through the use of your anonymized information. In the process of serving ads, such companies may use cookies, tags, and other electronic tracking methods to collect even more of your anonymous information, and then may use information about your visits to the Sites and other websites in order to provide ads on the Sites about products and services that may be of interest to you. By delivering ads on the Sites and to you on your mobile device, as well as through online “targeted advertising”, and by the use of cookies, tags and other electronic tracking methods, the ad-server is able to record what ads you have seen or what you were viewing when the ads were delivered. This usage information is combined with other ad delivery information the ad-server has collected. The information that we collect and share with ad-serving technology is anonymous. It does not contain your name, address, telephone number or email address. This anonymous information is used as part of the ad-serving process for reporting, and to select and direct the ads you see online at the Sites and other websites unaffiliated with us.

## OTHER IMPORTANT INFORMATION:

### TARGETED ADVERTISING

Online “targeted advertising” (which we used to refer to here as “**behavioral advertising**”) means the collection of data from a particular computer or device for the purpose of using such data to predict the user’s preferences or interests and deliver ads to that computer or device based upon preferences or interests inferred from such web viewing behavior. The definition is not intended to include “first party” advertising, where no data is shared with third parties, or “contextual advertising,” which is advertising based on a single visit to a web page, the content of the web page being visited, or a search query. The definition can also include targeted advertising across the various devices you may use to access our Service.

We engage in targeted advertising, including tracking your online activities on the Site, to better serve you information regarding Sirius XM while you are on the Sites (i.e., “**first party advertising**”). We may also serve you information from unaffiliated advertisers. We may use the fine location and or rough location of your radio combined with other profile information to deliver targeted advertising, or in certain cases replace national ads with localized or tailored ads.

### Advertising Networks.

We use service providers to serve ads on our behalf across the Internet, including on third party websites. In our online targeted advertising, non-personal information is collected through the use of pixel tags or cookies. No personal information is collected or used in this process. This anonymized information is used as part of the ad-serving process for reporting, and to select and direct the ads you see online. If you would like more information about this practice and to know your choices about not having this anonymous information used by our third-party service providers, please [click here](#) or go to [www.networkadvertising.org/choices](http://www.networkadvertising.org/choices).

### “Do Not Track” Settings.

Our Sites do not currently respond to web browser settings for “Do Not Track.” There are other methods you can use to tell us and third party online advertising networks about your online tracking choices. YOU MAY OPT OUT OF HOW COMPANIES UNAFFILIATED WITH US (SEE LIST [HERE](#) AT [WWW.SIRIUSXM.COM/YOURADCHOICES](http://WWW.SIRIUSXM.COM/YOURADCHOICES)) USE TRACKING TOOLS AND COLLECT YOUR INFORMATION WHILE VISITING OUR SITES BY VISITING EACH OF THEIR PRIVACY POLICIES AND FOLLOWING INSTRUCTIONS THERE.

Since we use the standard “privacy” feature of major browser applications to store data about your visit to the Sites, you may configure your browser to allow cookies to be set on your computer only to the level of your comfort. If you reject all cookies, you may not be able to use certain features of the Sites, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests. If you reject “third party” cookies, you have the greatest ability to opt-out of “contextual advertising” while you are on third party websites. In this way you can control the access we have to your anonymous information for targeted advertising.

We also use outside ad-serving companies to serve ads to you when you interact with one of the location-based services used by retailers or our advertising agents recognized by your mobile device, such as in a retail store which sells satellite radios. The information that such agents collect and share with us is anonymous. These agents will know that you expressed an interest in receiving more information about Sirius XM, or that you chose to engage in interactive responses, and we or they may serve you ads and offers.



We may retain your personal information and anonymous information to fulfill our business purposes and may require our advertising companies to do the same.

#### **“TRACKING” YOUR ACTIVITIES ACROSS DEVICES AND APPS**

You may use multiple devices to access our Service, such as a vehicle’s enabled radio, a smartphone, a personal computer at home, a tablet, a wearable device, or a television. More than one device can be associated with you as a user or with your household. Cross-device identification can potentially include anything that gives off a signal. Completing the opt-out process on one device will not cause you to be opted out of targeted advertising collection and use on other devices attributed to you or your family. **Your choice of “do not track” must be exercised on each device separately.** At this time, you cannot disable tracking of Listener/Viewer/Subscriber Behavior Data on a vehicle’s enabled radio. This is distinguished from being able to disable geo-locating tools in your radio’s SiriusXM System Settings.

Mobile app opt-outs do not affect cookie-based data, while browser-based opt-outs do not affect mobile app and cross-app data. Also, mobile app opt-outs are limited to a specific device, while browser-based opt-outs are limited to a specific browser. In addition, choice mechanisms may be presented to you, as you move about the web, but they will be limited to the companies participating in any particular program.

The Digital Advertising Alliance (“DAA”) makes tools available for consumers to register their choices not to be tracked by participating advertising networks or companies in the collection and use of your online activities. These are (1) The DAA [Consumer Choice Page for Mobile Web](http://www.aboutads.info/choices/) (at <http://www.aboutads.info/choices/>) and (2) DAA [AppChoices](http://www.aboutads.info/appchoices/) (at <http://www.aboutads.info/appchoices/>), which is a mobile app that allows you to opt out of the collection and use of cross-app data, other than for permitted uses, by listed third-party AppChoices participants. You have the ability to opt out of mobile-app targeted advertising ads from any or all of the listed participating advertising networks. You can download the free mobile app from an app store available on your mobile platform. When you opt out with a particular participating advertising network, the mobile app adds your device identifier to that participant’s opt-out list. The participant advertising network is then notified to block the device identifiers on the opt-out list.

**DISCLAIMER:** WE DISCLAIM ALL RESPONSIBILITY AND LIABILITY ASSOCIATED WITH AND RELATED TO THE ACCURACY, AVAILABILITY, FUNCTIONALITY AND RELIABILITY OF THIRD-PARTY NOTICES AND CHOICE MECHANISMS. WE EXPRESSLY DISCLAIM RESPONSIBILITY FOR THE ACTS AND NONCOMPLIANCE OF OTHERS.

#### **COOKIES, CAMERAS, MICROPHONES**

**We use both session ID cookies and persistent cookies.**

We use session ID cookies to make it easier for you to navigate some of our Sites. A session ID cookie expires when you close your browser. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser’s “help” file. Persistent cookies are used to differentiate users of the Sites, to customize the content of certain sections of the Sites and to enable us to track and cater to the interests of users, in order to enhance their experience on the Sites. Cookies help us learn which areas of the Sites are useful and which areas need improvement. We do not use cookies or other data capture mechanisms to collect any personal information about you.

You may configure your browser to prevent cookies from being set on your computer. If you reject cookies, you may still use the Sites, but your ability to use some areas of the Sites may be limited and you may not be able to use certain features of the Sites, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests.

**Internet-enabled Devices: Adobe Flash Player Access to Camera and Microphone, if you use Internet Explorer.**

If you stream our Service on our online media player while using the Internet Explorer browser, it will use Macromedia’s Adobe Flash Player. In the Adobe Flash Player Global Privacy Settings menu is a cautionary statement that we may have access to the camera and microphone of your Internet-enabled device. The Flash Player advises you that websites such as ours must ask your permission before using your camera or microphone. Sirius XM does not access or use your camera or microphone, even if you select “Allow” in the Adobe Flash Player settings.

### **Internet-enabled devices: HTML5 Cookies.**

Sirius XM uses HTML5 or “Media Stamp” technology provided by Ringleader Digital, another form of collection, tracking and storage which does not rely on traditional browser cookies. HTML5 has a local storage feature that, when used, allows for quicker access to a website upon a return visit. We use HTML5 as a substitute for traditional cookies that often do not function well on mobile devices. Like Flash cookies, HTML5 cookies are not stored in a browser “cookies” file, and, like Flash cookies, can be used to track users across websites. There is currently no way for a user of a mobile device to remove HTML5 tracking and storage.

### **LOCATION & USAGE DATA – NOTICE & CHOICE:**

We may automatically collect information about you when you have geo- location tools on your Internet-enabled device as well as when you use a vehicle’s enabled radio, or permit another person to do so.

#### **Your fine location:**

The geo-location tools on your enabled radio, identifying your fine location enable us to provide a number of features in our Service for your benefit. Your use of the features may be viewed and collected by us, to help personalize your experience with our Service. We may maintain your fine location and rough location in our databases, so that over time we can better predict and support your traffic patterns, and provide suggestions for improved routing, among other things. See also “Targeted Advertising” above. The geo-location tools in your enabled radio may be disabled in your radio’s SiriusXM System Settings.

If your enabled radio has geo-location tools, we will provide you with a notice at the Welcome Screen prior to your first use. By choosing “LISTEN NOW,” “PROCEED TO USE,” or similar, you consent to us having access to your fine location until you take action to disable the geo-location tools. If you disable location tools and continue to use our Traffic, Travel Link and related Services while driving, we will be unable to provide you with the optimal functionality of these Services.

#### **Your rough location:**

For Internet-enabled devices, our Service will automatically collect and we will receive information on your device’s location by tracking your rough location, and we may use it to comply with our contractual arrangements which restrict our sending certain programming channels outside of defined areas, such as when you want to listen to our streaming service while in another country. We may also use your rough location to provide infotainment services to your vehicle. You may not disable our collection of your rough location.

#### **Your uses of our Service:**

We may share your location and usage data with our affiliates who may use the data for research, analysis, and product development, or for other business purposes. You may not disable our tracking of Listener/Viewer/ Subscriber Behavior Data or Vehicle Radio Usage which we collect from your use of our online media player, our mobile applications (the SiriusXM Apps for mobile devices), and enabled radios (including those enabled with 360L).

#### **Using the Service Outside the United States:**

If we receive information on your device’s location indicating that you are outside the United States, we may block your access to our Service from that device.

You may have the power to take control of how your telecommunications provider and providers of “applications” on your mobile device track your rough location. However, Sirius XM must track that you are attempting to use our Service while you are outside of the United States and from a mobile device. You cannot avoid our tracking of your IP address. When you are outside the United States, we will use it only to allow or deny access to geo-restricted content within our Service. If you disable the geo-location tools on your device and no other method of determining your location is available to us to determine that you are within our Service Area (e.g., IP address), then you will not have access to the geographically restricted channels on your Internet-enabled devices regardless of your location.

#### **QR Codes:**

We may also collect information about you whenever you deliberately interact with one of our ads containing a quick response (“QR”) code, follow instructions to send a text, visit a URL, or when you otherwise interact with our agents’ location-based services through retail store visits or through your smartphone or other Internet-enabled device (referred to here as

“**Interactive Responses**”). When you use Interactive Responses, our retailer and advertising agents will know that you’re interested in receiving information about us, and they may send you ads and offers about our hardware and services.

## **GIVEAWAY PROMOTIONS OR SURVEYS.**

From time to time we may provide you the opportunity to participate in a sweepstakes, contest, in-studio event, giveaway, survey, or other promotion, which might be sponsored or conducted by Sirius XM or third parties. If you participate, we will request certain personal information from you. Participation in these promotions is voluntary and you will have a choice whether or not to disclose this information. Except as explained otherwise in the Official Rules for a particular promotion, any personal information you provide will be used in accordance with this Policy. If there is a third party involved, please make sure to review their privacy policy. In addition, from time to time you may be able to participate in our surveys to help us improve our Service.

## **DO YOU COLLECT INFORMATION ABOUT CHILDREN?**

We do not intend to and do not knowingly collect information from children. You must be at least eighteen (18) years old to purchase a subscription to our Service, to register online for our Service, or to participate in our games, contests, and promotions. If you are a minor (under the age of 18), please do not submit any personal information to us. Absent verifiable parental consent, we do not knowingly collect, maintain, or sell products or services to people under the age of 18 or use personal information from the Sites or our Service about children under the age of 18. However, if a child who we know to be under the age of 18 sends personal information to us online, we may use that information to notify that child’s parents or seek verifiable parental consent to further interact with that child.

## **GOVERNING LAW.**

We control and operate the Sites from the United States. The Sites are not intended to subject us to the laws or jurisdiction of any state, country or territory other than that of the United States. We do not represent or warrant that the Sites are appropriate for use in any particular jurisdiction. Those who choose to access the Sites or use our Service do so at their own initiative and are responsible for complying with all applicable laws, rules and regulations. The interpretation and enforcement of this Policy shall be governed by the rules and regulations of the State of New York and other applicable United States federal laws.

**SIRIUS XM RADIO IS CONTROLLED AND OPERATED FROM THE UNITED STATES. THE SITES AND SERVICE ARE INTENDED FOR USE AND VIEWING IN THE UNITED STATES ONLY AND BY U.S. RESIDENTS ONLY. ACCORDINGLY, THIS POLICY, AND OUR COLLECTION, USE AND DISCLOSURE OF YOUR PERSONAL INFORMATION, IS GOVERNED BY U.S. LAW. IF YOU ACCESS OR PROVIDE INFORMATION TO THE SITES OR OUR SERVICE FROM OUTSIDE THE UNITED STATES, YOU UNDERSTAND AND AGREE TO THE COLLECTION, PROCESSING AND USE OF SUCH INFORMATION IN THE UNITED STATES BY SIRIUS XM AND ITS AGENTS. EXCEPT FOR THE EVENTS WHEN YOU LOGIN THROUGH AN INTERNET-ENABLED RADIO OUTSIDE THE UNITED STATES, OR WHEN YOU TAKE YOUR ENABLED RADIO OUTSIDE THE UNITED STATES, WE DO NOT INTEND TO COLLECT OR STORE PERSONAL INFORMATION FROM CONSUMERS OR USERS WHO ARE RESIDENTS OF COUNTRIES OUTSIDE OF THE UNITED STATES.**

## **NOTIFICATION OF CHANGES.**

We may revise and update this Policy at any time without notice for any or no reason, including if our practices change, if technology changes, or as we add new services or change existing ones. These privacy practices apply to past, current and potential future subscribers who purchase and use our products and services. If we make material changes to this Policy or how we handle your personal information or how we keep your purchases anonymous, you will know because the Effective Date of the Privacy Policy will change. By using a Site or our Service after the Effective Date, you are deemed to consent to our then-current Privacy Policy. We recommend that you visit this Policy on a regular basis to ensure that you are familiar with its current terms.

## **TERMS USED WITHIN THIS PRIVACY POLICY:**

**360L:** The service we provide to radios (referred to as “**360L radios**” herein) utilizing a combination of the Sirius XM satellite network and a wireless Internet connection.

**Connected Vehicle Services:** Services -- which may include safety, diagnostic, convenience and remote services -- that are delivered to vehicles and drivers across a wireless communications network utilizing a device or application installed in the vehicle.

**Customer Agreement and Website Terms of Use:** Subscribers and other visitors to and users of our websites and the Service are also subject to our [Customer Agreement](#) and our [Website Terms of Use](#). Any terms used and not defined in this Policy have the meanings set forth in our Customer Agreement and our Website Terms of Use, if defined there.

**enabled radio:** Sirius XM radios which can receive radio content and transmit information.

**geo-location:** In connection with a radio, information about the precise geographical location of a radio. In connection with **Listener/Viewer/Subscriber Behavior Data**, information about the precise geographical location of an enabled radio, app, or entertainment product which incorporates SiriusXM technology.

**Internet-enabled device:** A device used to listen to our Service via the Internet, including mobile devices. Internet-enabled devices may include enabled radios in vehicles.

**joint marketing:** An agreement between unaffiliated companies that agree to market products and services to you. An example is automakers and dealerships.

**Listener/Viewer/ Subscriber Behavior Data:** Information about how a person listens to, watches, or utilizes a Sirius, XM, SiriusXM, or other radio, app, or entertainment product which incorporates Sirius XM technology or accesses Sirius XM content. Examples are listening habits, channel preferences, downloads, profile settings, Tune Starts, Pause during sports, time of day use, On Demand use via the SiriusXM app, marine or aviation weather data services used, driving patterns and conditions, as well as videos viewed and duration of viewing.

**Personal Subscription Information:** Information that individuals provide during the subscription, registration, or other purchase process that on its own or in combination with other information can identify a person, such as a name, address, credit card number, telephone number, or email address.

**Service(s):** Our satellite radio service, streaming service, and any other service we offer such as traffic, weather (including marine and aviation), data and infotainment.

**Sirius XM:** Sirius XM Radio Inc.

**Sites:** Websites operated by or on behalf of Sirius XM, as well as our online media player, our mobile applications (the SiriusXM Apps for mobile devices), enabled radios (including those enabled with 360L), and any other technology through which our Services can be enjoyed such as third-party hardware for the home, applications, and radios.

**third-party service providers:** Companies unaffiliated with Sirius XM that provide services to Sirius XM, a customer, or a user of our Sites, Service, or a vehicle.

**unaffiliated:** Companies or individuals that are not affiliates of Sirius XM, such as retail stores and websites owned and operated by merchants on which advertisements for Sirius XM products or services may appear.

**Vehicle Radio Usage:** Information about an identified or identifiable individual's interactions with an enabled radio in a particular vehicle, including Listener/Viewer/Subscriber Behavior Data.

**You:** Visitors to or users of a Site or our Service.

**THANK YOU FOR CHOOSING SIRIUSXM.**

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