

# PRIVACY POLICY

[En Espanol](#)

**Last updated: August 7, 2009**

This Privacy Policy governs the treatment by SIRIUS XM Radio Inc. ("we", "us" or "SIRIUS XM") of both anonymous and personally identifiable information that SIRIUS XM collects when you use this website or our online media player (the "Site") and when you provide information to us in any medium for our Satellite Radio Service, Internet Radio Service, Mobile Device Radio Service, our traffic and weather, including marine weather, or any other service offered by SIRIUS XM (the "SIRIUS XM Service"). You can listen to the SIRIUS XM Service on a variety of radio receivers for the vehicle, home, and portable use, and via the Internet. Current subscribers and other users of our Sites and the SIRIUS XM Services are subject to, as applicable, our [SIRIUS Terms & Conditions](#), or our [XM Customer Agreement](#).

This website is owned by SIRIUS XM Radio Inc. We value your privacy and are dedicated to protecting your information and providing you with NOTICE about our information collection and use practices and how you have a choice about all of it.

## COLLECTION

What personally identifiable or anonymous information do we collect and how do we get it?

## USE

How do we use your information?

With whom may we share your information?

What is "behavioral advertising" and how does it affect you?

## CHOICE

What choices do you have regarding collection, use and distribution of your information?

How can you inform us of your "privacy preferences"?

## SECURITY

What security procedures do we use to protect your information

## ACCESS

How can you update or correct the information we collected from you?

## COLLECTION

**Automatically Collected or Tracked Information.** We automatically receive certain types of anonymous information which do not identify you personally, whenever you interact with us. The anonymous information includes the pages you view on our website, the search terms you enter into our search utility, your IP address and the operating system, browser software and internet service provider you use. SIRIUS XM logs IP addresses (a unique number assigned to every computer on the Internet) in order to improve security, analyze trends and administer the Site. We may track your movement within the Site, the third-party website pages from which you were referred, your use of the media player, access times and browser types. We use this information to gauge the effectiveness of our Site, track information for statistical purposes and to improve the products and services we provide.

We use the standard "cookie" feature of major browser applications and other data capture mechanisms that allow us to store data about your visit to our website. We store information that we collect through cookies, log files and other tracking technology such as clear gifs. A cookie is a small text file that is stored on a user's computer for record-keeping purposes. We use session ID cookies and persistent cookies. We use session cookies to make it easier for you to navigate our Site. 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 Site from subscribers, to customize the content of certain sections of the Site and to enable us to track and cater to the interests of users, in order to enhance their experience on the Site. Cookies help us learn which areas of our site are useful and which areas need improvement. We will not use cookies or other data capture mechanisms to collect any personally identifiable 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 Site, but your ability to use some areas of the Site may be limited and you may not be able to use certain features of the Site, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests.

**Supplemental Information.** We may supplement the information you provide us by acquiring commercially available demographic and marketing information from third parties to help us better serve you, for instance, to verify your address or to update your information and to create a profile of your preferences. We tie your personally identifiable information to information in the profile, and use it to improve the content of the Site for you or to inform you about products or services that we think will be of interest to you. We may also receive information from the retailer, dealer, or automaker from whom you obtained your satellite Receiver. We often receive information from the dealer from whom you purchase your product prior to initiating service with us. Some demographic information, which you are not required to provide, include: your gender, marital status, education and occupation; 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.

**Users.** We collect information you provide to us when you purchase products from us and when you subscribe to and/or use the SIRIUS XM Service. For example, you may provide us a billing address and credit card information, including your name, address, email address and telephone number, when you become a user of the SIRIUS XM Service or perhaps purchase a product through our online store. When you register online to subscribe, purchase and/or use the SIRIUS XM Service, you must complete a registration form that may require you to provide personally identifiable information, including your name, address, email address and telephone number. Our online registration forms may also request your date of birth.

Our website may also offer interactive services, such as chat rooms, 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 personally identifiable information in these areas.

You must be at least eighteen (18) years old to register online for the SIRIUS XM Service or our games, contests, and promotions. If you are a minor (under the age of eighteen), please do not submit any personally identifiable information to us. We do not knowingly collect, maintain, or sell products or services to people under 18.

**Third Party Links.** Our website may contain links to other websites. We are not responsible for the content or privacy practices of those websites, including the use of personally identifiable information about you collected by those websites. We encourage you to be aware when you leave our Site and to read the privacy statements of websites you visit that collect personally identifiable information. This privacy statement applies only to information collected by us on the Site and collected when you subscribe to or use the SIRIUS XM Service or purchase products from us.

**Advertisements.** We may from time to time use various outside ad-serving companies and affiliates to serve advertisements on the Site. In the process of serving advertisements, the ad serving companies may place a cookie in your browser's cookie file and may use information about your visits to the Site and other websites in order to provide advertisements on the Site about products and services that may be of interest to you. By delivering ads on the Site, the ad-server is able to record what ads a user -- identified by the unique cookie -- has seen, and what pages the user was viewing when the ads were delivered. This web usage information is combined with other ad delivery information the ad-server has collected from your visits to the Site and other websites not affiliated with SIRIUS XM. With both cookies and other ad-serving technology, the information that we collect and share is anonymous and not personally identifiable. It does not contain your name, address, telephone number or email address. This non-personally identifiable information is used as part of the ad-serving process for reporting and to select and direct the ads you see online at the Site and other websites not affiliated with us.

**Surveys or Promotions.** From time to time we may provide you the opportunity to participate in sweepstakes, contests or other promotions promoted on the Site, which might be sponsored or conducted by SIRIUS XM or by a third party. If you participate, we will request certain personally identifiable information from you. Participation in these promotions is completely voluntary and you will have a choice whether or not to disclose this information. The requested information typically includes contact information. Except as explained otherwise in the Official Rules for a particular contest, giveaway, or promotion, such as in a paragraph entitled "Privacy Notice" or similar, any personal information you provide will be used in accordance with this policy. If there is a third party sponsor involved please make sure to review that third party's privacy policy. In addition, from time to time you may be able to participate in our surveys to help us improve the SIRIUS XM Service. Except as may be explained otherwise in that survey, any personal information so collected will be used for our internal purposes only.

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

We do not knowingly collect, maintain, or sell products or services for purchase to people under 18 or use personal information from our websites about children under age 18. If a child who we know to be under age 18 sends personal information to us online, we will only use that information to respond directly to that child, notify parents, or seek parental consent.

## **USE**

### **USE OF ANONYMOUS INFORMATION:**

We use the anonymous information we collect from our website and your IP address to administer our site, improve our

goods and the SIRIUS XM Service, determine how our website is being used, identify popular areas of our website and analyze trends and usage patterns. We may use your IP address to help diagnose problems with our server.

#### **PERSONAL INFORMATION:**

**Our Use.** We receive and store any personal information you enter on the Site or give to us voluntarily in any other way and may use it to contact you from time to time. We will use your information to (i) provide and improve the SIRIUS XM Service, (ii) enforce the SIRIUS Terms & Conditions or XM Customer Agreement, as applicable, which govern your subscription for Services, (iii) offer you extensions of service, or new products and services, (iv) send you information on products, services, special deals, promotions, or information which we think may interest our users and subscribers, and (v) perform market research. We do not knowingly market or sell the SIRIUS XM Service to, or knowingly solicit information from, anyone who is under 18.

**Telephone:** Specifically, by registering on the Site, or by subscribing to the SIRIUS XM Service and providing your telephone number, you agree that this action constitutes a purchase, inquiry and/or application for purposes of telemarketing laws. Regardless of the fact that your telephone and/or cell number may be listed with the Federal Do-Not-Call Registry, or your local State Do-Not-Call list, you expressly consent to receive future information about products and services from us, and in that regard, you hereby consent to our contacting you pursuant to the business relationship established using the information you provided to us. This means we may contact you, in person or by recorded message, by e-mail, phone and/or cell number (including use of automated dialing equipment), text (SMS) message, or any other means of communication that your wireless or other telecommunications device may be capable of receiving (e.g. video etc.), except as may be prohibited by law. (Please note that as of September 1, 2009, we will not contact you by the use of a prerecorded telephone message unless we have your prior express consent of a higher quality standard, as required by Federal law.)

**Mail and Email:** We may also send you information or offers from time to time to the postal address or email address we have on file.

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

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

**Vendors.** We employ other companies and individuals to perform functions on our behalf. Examples might include fulfilling orders, sending e-mail, removing repetitive information from customer lists, analyzing data, providing marketing assistance, providing search results and links and providing customer service. They have access to your personal information needed to perform their functions, but may not use it for other purposes. We use your credit card information, of course, only to charge you for any paid products and services you have authorized. We will not supply your credit card information to any third party except the credit card company or associated billing company.

**Third Party Offers.** We may share personally identifiable information and demographic information with third parties in order to have them send you special offers and promotions or other information we think you might find of interest. They may use your email address, postal address, or telephone number, to provide you with information about their products or services. You acknowledge and agree that we have this right to make our customer list, and portions thereof, and your information available to these select third parties. If you do not want us to provide your information to third party companies, it is your obligation to please let us know, by contacting us at either SIRIUS Customer Care at [www.sirius.com/customercare](http://www.sirius.com/customercare), or XM Listener Care at [www.xmradio.com/listenercare](http://www.xmradio.com/listenercare), or 1-800-XM-RADIO (1-800-967-2346).

**Other Uses.** We may use your personal information to contact you about the SIRIUS XM Service, or for other purposes in which you have expressed an interest, for example, if you have contacted customer service or made an inquiry.

**Service Related Announcements.** We will provide you with service and account related announcements on occasions when it is necessary to do so. For instance, if our service is temporarily suspended for maintenance, or the delivery of a service or product is delayed we might send you an email, or other message, or if there is some service issue with something you might have ordered. Generally, you may not opt-out of these communications, which are not promotional in nature. If you do not wish to receive them, you have the option to cancel your subscription or order by contacting us at SIRIUS Customer Care, [www.sirius.com/customercare](http://www.sirius.com/customercare), or 1-888-539-7474, or XM Listener Care, [www.xmradio.com/listenercare](http://www.xmradio.com/listenercare), or 1-800-XM-RADIO (1-800-967-2346).

**Exceptional Circumstances.** If SIRIUS XM or any of its lines of businesses or affiliated companies 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 sold as part of that transaction. Therefore, information about our subscribers, users of the Site and the SIRIUS XM Service, including personal information, will be disclosed as part of any merger or acquisition, creation of a separate business to provide the Site or the SIRIUS XM Service, or sale or pledge of our company assets, as well as in the event of an insolvency, bankruptcy or receivership in which personal information would be transferred as one of the business assets of the company. The purchaser or transferee will be bound by the terms of this privacy policy. Information about our users, including personal information, may also need to be disclosed in connection with a commercial transaction where SIRIUS XM, or an affiliate, seeks financing, investment, support or funding.

We also may have to release personally identifying information if required to do so by law or in the good-faith belief that disclosure is necessary (a) to conform to the law or to comply with legal process served on us or our affiliates; (b) to protect and defend our rights or property or the rights or property of other users of our website; or (c) to act under exigent circumstances to protect the personal safety of users of our website or the public.

**CALIFORNIA SUBSCRIBERS:** California Civil Code Section 1798.83 permits our subscribers who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please write us:

SIRIUS XM Radio Inc.  
Attn: Legal Department - CA Privacy Rights  
1500 Eckington Place NE  
Washington, D.C. 20002

#### **BEHAVIORAL ADVERTISING:**

"Online behavioral advertising" as the Federal Trade Commission defines it, means the tracking of your online activities **over time** - including the searches you conducted, the web pages you visited, and the content viewed - in order to deliver advertising targeted to your particular interests. The definition is not intended to include "first party" advertising, where no data is shared with third parties, or "contextual advertising," where an ad is based on a single visit to a web page or a single search query.

SIRIUS XM tracks your online activities here on our sites to better serve you information regarding SIRIUS XM while you are here (i.e., "first party advertising"), and also to serve you information from third party advertisers. To do this, we share your anonymous information (not personal information) with third party ad serving companies. We do this so that while you are roaming the Internet, we may cause our agents to serve you with advertisements about the SIRIUS XM Service and products while you are on third party websites (i.e., "contextual advertising").

We retain your data, and require our ad serving companies to retain your data, only for as long as is necessary to fulfill these business purposes. We provide reasonable security measures for the data about your online activities, which measures are at least as secure as the security we use to protect our own information, and require our ad serving companies to do the same. These protections are appropriate to the sensitivity of the data we've collected, the nature of our business operations, and the types of risks faced by SIRIUS XM.

You have the power to take control of how SIRIUS XM tracks your online activities while you are on our website. Since we use the standard "privacy" feature of major browser applications to store data about your visit to our website, 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 Site, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests. At the other end of the range, if you reject "third party" cookies, you have the greatest ability to opt-out of "contextual advertising" while you are on third party websites. Only you can control the access SIRIUS XM has to your anonymous information for "behavioral advertising."

#### **CHOICE**

You may opt-out of use of your information as set forth above by contacting, as applicable, SIRIUS Customer Care at [www.sirius.com/customercare](http://www.sirius.com/customercare), or 1-888-539-7474, or XM Listener Care at [www.xmradio.com/listenercare](http://www.xmradio.com/listenercare), or 1-800-XM-RADIO (1-800-967-2346).

You can also set your own preferences online for receipt of SIRIUS XM marketing and promotional emails by following the instructions included at the bottom of each newsletter.

In addition if you wish to set your preferences online for receipt of SIRIUS XM marketing and promotional emails or E-Newsletters, you can go to the SIRIUS Newsletter Preference Center at [www.sirius.com/newsletters](http://www.sirius.com/newsletters), or the XM E-mail Preferences page at [www.xmradio.com/sign\\_up/unsubscribe.xmc](http://www.xmradio.com/sign_up/unsubscribe.xmc).

#### **SECURITY**

Our website is highly secure, with extra security in place to protect personally identifiable information. We use a varied combination of security measures to safeguard the confidentiality of the personally identifiable information you provide us when you purchase or use our products or the SIRIUS XM Service. We have security procedures for the storage and disclosure of personal information, which you have given us in order to prevent unauthorized access. Our security measures for your personal information, and for the data about your online activities, are at least as secure as the security we use to protect our own information. We retain your data only for as long as is necessary to fulfill our business purposes.

Keep in mind however, that no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

It is important for you to protect against unauthorized access to your password and to your computer. Be sure to sign off when finished using a shared computer.

The Site may also contain links to other Web Sites. Keep in mind that we do not control, and are not responsible for, the privacy or security practices or the content of these other web sites.

SIRIUS XM ASSUMES NO RESPONSIBILITY OR LIABILITY WITH REGARD TO ANY THEFT, LOSS, ALTERATION OR MISUSE OF PERSONAL 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 AGREEMENT BETWEEN THAT THIRD PARTY AND SIRIUS XM.

## **ACCESS**

If for any reason you are concerned that the personal information you provided to SIRIUS XM is not correct, or should you wish to have your email address removed from our mailing list or contact information changed or updated, please contact, as applicable, SIRIUS Customer Care at [www.sirius.com/customer care](http://www.sirius.com/customer care), or 1-888-539-7474, or XM Listener Care at [www.xmradio.com/listener care](http://www.xmradio.com/listener care), or 1-800-XM-RADIO (1-800-967-2346). We will be happy to review, update or remove information as appropriate. We may still retain your information in our files, however, to resolve disputes, enforce our Terms and Conditions, and due to technical and legal requirements and constraints related to the security, integrity and operation of the Site and the SIRIUS XM Service.

## **NOTIFICATION OF CHANGES**

The Effective Date of this Privacy Policy is set forth below. Please make special note of the Effective Date of this Privacy Policy. We may revise and update this Privacy Policy at any time without notice if our practices change, as 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 any material changes to our Privacy 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 the Site or the SIRIUS XM Service after the Effective Date, you are deemed to consent to our then-current privacy policy.

Please be assured that before we use any previously collected personal information of yours in a manner which is *both* materially different from promises we made when we collected that information, and retroactively for data collected prior to the new effective date of our policy revision, we will attempt to reach you to obtain your affirmative express consent before using that information in the new manner.

## **DISPUTES**

If you choose to visit the Site, your visit and any dispute over privacy is subject to this Privacy Policy and, as applicable, either our SIRIUS Terms and Conditions, or our XM Customer Agreement, including limitations on damages, arbitration of disputes, and application of the laws of the State which governs the terms of the website and SIRIUS XM Service you use.

## **THANK YOU FOR CHOOSING SIRIUS|XM RADIO.**

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