

## **THE GAME - RULES, TERMS AND CONDITIONS**

### **1 PROMOTOR/ORGANIZER**

The competition called "THE GAME" is being organized by Bavaria N.V., a private limited liability company incorporated under the laws of the Netherlands, having its registered office at Lieshout (Netherlands) domiciled at De Stater 1, NL-5737 RV Lieshout, the Netherlands (hereinafter: 'Bavaria').

### **2 COMPETITION**

Participation in the Competition is possible from June 19<sup>th</sup> at 9:30 am CET (08:00 Central European Time) until June 30<sup>th</sup> 2014 at 9:30 CET. The competition consists of a skill-testing question and a prize draw on the <https://www.facebook.com/86rockradio> (hereinafter: the competition)

Participating in the competition implies acceptance of these competition rules.

These Competition Rules and further information regarding the Competition can be found on <https://www.facebook.com/86rockradio>

### **3 PERSONS ALLOWED TO PARTICIPATE**

Participation in the prize draw is exclusively reserved for official residents of the United States (Arizona residents are excluded), Canada (Québec residents are excluded), France, the United Kingdom, Spain, Montenegro and the Netherlands who are of a legal drinking age in their country of residence. In case of dispute, proof of identity may be asked.

The draw is not open to employees of Bavaria or one of its affiliates, nor to any of their direct relatives.

Participation in the Competition does not imply any obligation to purchase and no fees or costs will be charged by Bavaria.

#### 4 PARTICIPATION IN THE COMPETITION

To participate in the competition:

- The participant must navigate to the 8.6 Rock radio Facebook account (<https://www.facebook.com/86rockradio>) and click on "The Game" app.
- The participant must have a Facebook account to access the competition. His/her age range will therefore automatically be recognized from the account.
- If the participant is not connected to his Facebook account, he/she will be invited to do so in order to access the competition.
- To participate, the participant must "Like" the page.
- To play, he/she must answer a question.
- Once this is done, the participant is invited to fill out a form with his/her contact details (last name, first name, e-mail address, email confirmation, year of birth, country of residence)

He/she then:

1. Must answer a skill-testing question. Quote two titles you heard on 8.6 Rock Radio. The 2 songs chosen must have been aired while you were playing the game
2. Checks the box " I expressly agree that Bavaria N.V. may collect, use and process my personal data in conformance with art. 8 Competition Rules";
3. Checks the box "I have read and understood the competition rules and I accept them";
4. He/She then confirms his/her participation in the prize draw by clicking the button "VALIDATE.
5. He/she is then invited to invite his/her friends on Facebook, and to share his participation on Facebook, Twitter or Pinterest.

## **5 INVALID PARTICIPATIONS**

Participations with incorrect contact details will be deemed invalid. Generally speaking, any game entry showing anomalies (e.g. incorrect age, incomplete form or incorrect information on the form, attempt to fraud or cheat) will be rejected.

Bavaria reserves the right to make all the necessary verifications related to participants' identity and address. Any erroneous or fraudulent indication will lead to the cancellation of the participation.

Any participation that has been interrupted (e.g. due to an interrupted internet connection) will be considered as null and void.

## **6 PRIZES**

The following prizes can be won in the prize draw:

- 1<sup>st</sup> prize: 1 headphone beats by dre € 299.95
- 2<sup>nd</sup> prize: 1 Ray Ban aviator sunglasses € 150
- 3<sup>rd</sup> to 15<sup>th</sup> prize: 1 bag US 8.6 BAVARIA € 20

Bavaria will be responsible for notification and payment of any tax on games of chance.

## **7 DRAWS AND NOMINATION OF WINNERS**

For the prize draw, only valid participation from all participating countries and registered during the period of competition validity, from June 19<sup>th</sup> at 9.30 am CET (00:00 Central European Time) until June 30<sup>th</sup> 2014 at 9:30 CET, will be taken into account.

The prize draw takes place on July 1st, 2014. The prize draw will be performed at random by computer.

Winners will be informed by email within 15 days after the prize draw. After being notified, the winner must confirm/supply by email within 30 days, all contact details and other information requested. The winner will then receive detailed instructions on how to obtain his/her prize.

Any potential winner who:

- Cannot be contacted within 14 days within the date of the initial informing of the win; and/or
- Does not confirm/supply his/her contact complete details within 30 days from the date of first attempted notification;

will lose his/her prize which will be attributed to an alternative winner chosen among the replacement winners of the prize.

Winners will receive their prize within 8 weeks counting from the prize draw.

Bavaria cannot be held responsible and is not obligated to carry out further investigation if the postal details do not match those provided by the winner, if they are erroneous or if the winner remains unavailable or cannot be contacted. In that case, the winner will not receive his/her prize nor any compensation or indemnity.

Generally speaking, if the email address does not match the one provided by the winner at the time of the prize notification, or if there are network problems or power cuts which prevent the transport of this information, Bavaria cannot be held responsible under any circumstances.

Allocated prizes which cannot be distributed or whose winners cannot benefit from for reasons which are beyond the control of Bavaria, will be deemed lost for their beneficiaries and will not be reallocated. Prizes offered within the framework of the competition cannot be subject to any sort of claim, any refund of the (total or partial) cash value of the prize, nor the exchange or replacement of the prize with another prize, of any value, for any reason whatsoever.

Bavaria cannot be held responsible for any damages whatsoever (personal, physical, material, financial or other damage) arising from the participation in the Competition or from the use of one of the prizes.

## **8 PRIVACY, PERSONALITY AND IMAGE RIGHTS**

When visiting the Facebook account 8.6 Rock Radio, visiting "The Game" app and participating in the competition, personal data may be collected by Bavaria, either directly (where the visitor or participant is asked to provide his/her personal data) or indirectly.

Participants explicitly agree that the following personal data may be collected, processed, used and disclosed by Bavaria N.V. and Bavaria N.V. may provide this personal data to its affiliates companies belonging to the European Bavaria group of companies:

- data concerning a visitor when he/she visits "The Game" app:

- public profile of the visitor on Facebook (name, profile picture, age range, gender, country and other public info);
  - Facebook friends' list;
  - email address;
  - birthday.
- data concerning a participant when he/she participates in the competition:
    - first and last name;
    - email address;
    - country of residence;
    - year of birth.
- from a participant if he/she wins the Competition:
    - address of residence;

The abovementioned personal data will be used for the performance of the competition and will be collected by or provided to third parties (e.g. internet service providers and application service providers) if this is necessary for the performance of the competition to benefit from or to obtain prizes.

The email address may – upon consent of the participant - also be used to send email newsletters from Bavaria.

Each visitor and participant expressly authorizes Bavaria N.V. and subsidiaries belonging to the European Bavaria group of companies, to determine, use, publish and exploit all or any of the personal information collected when visiting "The Game" app, provided on the entry form or otherwise related to the entry, including his or her surname and first names and profile picture, for advertising, commercial, marketing or promotional purposes directly relating to the competition and/or Bavaria using any existing or future media. Such use of personal data will not give rise to any rights of a visitor or participant.

In addition, personal data may be collected and analyzed in connection with the use of the "The Game" app, such as IP address, number of hits, pages visited, previous/subsequent sites visited and length of user session. This information may be collected by using cookies. The use of cookies can be allowed or prevented by changing the browser settings. Blocking all cookies, however, may effect the experience and full features offered in "The Game" app.

To review, or to request rectification or removal of the personal data collected, or to raise any questions or complaints, please send an e-mail to [86.contest@bavaria86.com](mailto:86.contest@bavaria86.com) or write to: The Game - BAVARIA BREWERY- 5737 ZG Lieshout - The Netherlands.

## **9 CHANGE OR CANCELLATION OF THE COMPETITION**

Bavaria reserves the right, if circumstances require so, to shorten, lengthen, change, stop forward or cancel the Competition. Bavaria cannot be held liable for any damages suffered by participants as a result thereof.

Bavaria reserves the right to stop or suspend the competition in case of fraud or in any other case when, for any reason, the computer system allocates prizes which were not provided for in these competition rules. In that case, the messages informing the participants of winning will be considered null and void. By no means will the number of prizes exceed the number provided for in these competition rules.

## **10 FACEBOOK DISCLAIMER**

This Competition is in no way sponsored, endorsed or administered by, or associated with, Facebook.

By participating in the Competition, participants explicitly releases Facebook from any responsibility or liability regarding this competition.

Participants understand that they are providing their personal data to Bavaria NV and not to Facebook.

## **11 LIMITATION OF LIABILITY**

Bavaria is not responsible for: (1) any incorrect or inaccurate information, whether caused by entrants, typing errors or by malfunction of any the equipment or programming associated with or utilized in the Competition; (2) technical failures of any kind, including, but not limited to malfunctions, interruptions, or disconnections in phone lines, the internet network or hardware, software, scripts or data; (3) unauthorized human intervention in any part of the entry process of the Competition; (4) technical or human error which may occur in the administration of the Competition or the processing of entries; (5) any bugs, viruses, trojan horses, or the like, which may be transmitted to or through the Website by any third party; or (6) any injury or damage to persons or

property which may be caused, directly or indirectly, in whole or in part, from a person's participation in the Competition or receipt or use of any prize.

More specifically, Bavaria is not responsible for any material or immaterial damage caused to the participants, to their computing equipment and to the data stored in it, and of the consequences which could disturb their personal, professional or commercial activity.

Moreover, Bavaria cannot be held responsible if participants are unable to connect to the website or unable to compete because of any technical fault or any problem linked to network traffic density, even if this is due to an error on the part of Bavaria or third parties acting on its behalf.

Bavaria shall not be liable for any and all damage, including but not limited to physical and material damage, incurred during or as a consequence of the use or consumption of any of the prizes.

If, for any reason a participant's participation is confirmed to have been erroneously deleted, lost, or otherwise destroyed or corrupted, the participant's sole remedy is another participation in the Competition.

#### **11 AVAILABILITY COMPETITION RULES**

Participation in the competition implies that these competition rules have been accepted. These competition rules are available free of charge on upon written request at the following address: THE GAME – Bavaria Brewery – De State 1, 5737 RV Lieshout, the Netherlands, or on facebook (<https://www.facebook.com/86rockradio>) in "The Game" app.

#### **12 GOVERNING LAW**

These competition rules, the competition and all matters arising from or connected with it, are solely governed by the laws of the Netherlands.

#### **13 ADDITIONAL TERMS FOR PARTICIPANTS RESIDING IN THE NETHERLANDS**

These Competition Rules comply with the Dutch Code of Conduct regarding Promotional Games of Chance (Gedragcode Promotionele Kansspelen).