

# #SEEFRANKENMUTH

## PHOTO CONTEST

### OFFICIAL RULES OF THE FRANKENMUTH CHAMBER OF COMMERCE AND CONVENTION & VISITORS BUREAU #SEEFRANKENMUTH – PHOTO CONTEST

The #SeeFrankenmuth photo contest is provided by the Frankenmuth Chamber of Commerce and Convention & Visitors Bureau.

**ELIGIBILITY:** The contest is open only to legal residents of the United States and the District of Columbia (“U.S.”) who are over the age of 13. Excluded from eligibility are officers, directors, employees, volunteers, agents and representatives of the Frankenmuth Chamber of Commerce and Convention & Visitors Bureau and CrowdRiff Digital. NO PURCHASE IS NECESSARY TO ENTER THE CONTEST. Purchase will not improve chances of winning. The Contest is void where prohibited by law.

#### ACCEPTANCE OF RULES:

Participation in the Contest constitutes an entrant's full and unconditional agreement to these Official Contest Rules as may be amended by the Frankenmuth Chamber of Commerce and Convention & Visitors Bureau at its sole discretion. Winning a Prize (as defined below) is contingent upon fulfilling all requirements set forth herein.

**CONTEST PERIOD:** The Contest commences at 12:00 PM (EST) on Friday June 3, 2016, subject to these Rules, concludes at 11:59 PM (EST) on August 25, 2016. Voting period will begin Tuesday August 2, 2016 and conclude at 11:59PM (EST) on Thursday August 25, 2016.

One Grand Prize winner will be selected from all registered and approved entries received within the designated contest period. Two first prize winners will be selected on a monthly basis, one will be announced on July 1<sup>st</sup> and the other on August 1<sup>st</sup> 2016. Sponsor's clock shall be the official timekeeper for the campaign.

#### PARTICIPATION:

1. To participate in the Contest, you must have an Instagram or Twitter account that is set to “Public.” At the time of writing, there are no fees associated with the creation of either account.
2. Upload a photo to your Instagram or Twitter account tagged with the hashtag #SeeFrankenmuth during the Contest Submission Period, June 3, 2016 concluding at 11:59PM July 31, 2016. We want users to show us what they find beautiful about Frankenmuth whether that be a trip with family, a beautiful sunset or spending time with a spouse, all photos should have an emphasis on the summer season.
3. To identify their participation in the Contest, applicants must register their photo on the contest application and complete the entry form (including accepting these contest rules).
4. Only Photo Submissions which include the hashtag in the description may be claimed in order to enter the Contest. Photo Submissions must be original work, have not previously won any award, do not contain any material that would violate or infringe upon the rights of a third party, including copyrights, trademarks, or rights of privacy or publicity. The Frankenmuth CVB retains the sole discretion to refuse entry or disqualify any submission that it believes contains obscene, insensitive or inappropriate content, and that does not comply with these official Rules or is not consistent with the spirit of the contest.
5. Incomplete entries or entries received after the expiry of the applicable Contest Period will be considered null and void and ineligible to win any prize.

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6. There is no limit to the number of Photo Submissions a participant may submit. Applicants who win the monthly drawing are still eligible for the Grand Prize drawn August 26<sup>th</sup>.

### **PRIZES:**

At their discretion, the Frankenmuth Convention & Visitors Bureau will award \$100 in Frankenmuth money to each winner on July 1<sup>st</sup> and August 1<sup>st</sup>. The Grand Prize winner, announced on August 26<sup>th</sup> 2016 will receive a two night stay at the hotel of their choice, blackout dates apply, along with \$200 in Frankenmuth money, redeemable at over 150 businesses.

### **SELECTION OF WINNERS:**

The winners will be selected by the Frankenmuth Convention & Visitors Bureau from the pool of all photos submitted during the submission period. Winner will be decided based equally on the following criteria:

1. originality; 2. creativity; 3. the photos aesthetic and graphic value; 4. overall quality of photos on the user's account; and 5. consistency with the Theme of the competition.

In determining the Judging Criteria, the judges may consider the quantity of "Likes" and comments associated with a Photo Submission, however the number of "Likes" or comments will not be the only factor in determining the winning submission.

The Frankenmuth Convention & Visitors Bureau will contact the Prize Winner via email and social media to inform them that they are a prize winner. If after exercising reasonable efforts, the Frankenmuth CVB cannot reach a participant within 48 hours of the first attempt to contact them, the Frankenmuth Convention & Visitors Bureau will be free of any liability and may forfeit the prize. If there is a dispute as to the identity of an online participant, the prize will be awarded to the authorized account holder of the email address submitted when the photo was claimed.

### **TERMS OF ACCEPTANCE:**

Prize must be accepted as awarded. No prize substitution, assignment or transfer of prizes is permitted, except: (i) as otherwise explicitly provided herein; or (ii) at Frankenmuth Convention & Visitors Bureau's sole discretion. All costs and expenses not specifically included above as part of any prize, including, without limitation, insurance, taxes, meals, beverages, gratuities, phone calls, other transportation costs, and any other personal and incidental expenses and any taxes thereon, are the sole responsibility of the winner (and his/her Guests, as applicable).

### **PRIVACY:**

The Frankenmuth Convention & Visitors Bureau, its authorized agents and/or representatives may collect, use, and disclose the personal information provided by each entrant at the time they enter the Contest for the purposes of administering the Contest and Prize fulfillment. By entering this Contest, each entrant expressly consents to the use of their personal information for such purposes.

*By accepting a Prize, a winner hereby consents to Frankenmuth Convention & Visitors Bureau's use of the winner's name, city of residence, picture, biographical information, statements, and photo entry in any advertising and publicity that Frankenmuth Convention & Visitors Bureau may conduct in any media or format, whether now known or hereafter developed, including but not limited to the Internet, at any time in perpetuity, without further compensation or notice to the winner.*

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### **ADDITIONAL TERMS:**

Frankenmuth Convention & Visitors Bureau reserves the right, at its sole discretion, to disqualify any participant from the Contest if the Frankenmuth Convention & Visitors Bureau finds or reasonably believes such individual to be tampering with the entry process or the operation of the Contest or where applicable, the Contest Page; and/or to be acting: (i) in violation of these Rules; (ii) in an unsportsmanlike or disruptive manner; or (iii) with the intent to annoy, abuse, threaten or harass the Frankenmuth Convention & Visitors Bureau, CrowdRiff, any of their respective employees, any other participants, or any other person. Any attempt by a participant or other individual to automate the entry process, or otherwise, undermine the legitimate administration, security or operation of the Contest, is a violation of criminal and civil laws. The Frankenmuth Convention & Visitors Bureau reserves the right to seek remedies and damages from any such person to the fullest extent permitted by law. Participants engaging in any of the foregoing activities may be disqualified and will forfeit any Prizes won.

The decisions of the Frankenmuth Convention & Visitors Bureau in regards to all matters of the Contest are final and binding upon participants. In the event of any dispute regarding the interpretation of the rules of the Contest or any decision rendered by the Frankenmuth Convention & Visitors Bureau, the decision or interpretation of the Frankenmuth Convention & Visitors Bureau shall prevail.

Participants agree that upon registering a Photo Submission, the Frankenmuth Convention and Visitors Bureau of Frankenmuth, Michigan shall be granted the absolute right and unrestricted permission to use Photo Submission for the purposes of advertising and promotion of Frankenmuth as a visitor and convention destination including but not limited to the foregoing, the right to copy, reproduce or broadcast for the purpose of advertising promotion or any other lawful purpose whatsoever without further payment or notice.

All participants must comply with applicable laws. Any entry that is illegible, incomplete, altered, or contains false information, is invalid.

Contestants acknowledge that the Frankenmuth Convention & Visitors Bureau, and all involved advertising and promotional agencies, other suppliers providing Prizes or other materials or services in connection with this Contest, anyone else involved in the development or execution of this Contest (e.g. Crowdriff, Instagram, Twitter, etc.), each of their respective parent companies, subsidiaries and affiliated companies and each of their respective shareholders, directors, officers, employees, agents, representatives, successors and assigns have not made, -nor are in any manner responsible, for any warranty, representation or guarantee, express or implied, in fact or in law, relative to any prize, including but not limited to, its quality, merchantability and fitness for a particular purpose. Further, no responsibilities are accepted by any of the Releasees for any additional expenses, omissions, delays, re-routing, or acts of any government or authority.

BY PARTICIPATING IN THE CONTEST, EACH PARTICIPANT HEREBY RELEASES AND HOLDS HARMLESS ALL OF THE RELEASEES FROM ANY AND ALL LIABILITY, INJURIES, LOSS, CLAIMS OR DAMAGE OF ANY KIND WHATSOEVER (INCLUDING DIRECT, INDIRECT, INCIDENTAL, CONSEQUENTIAL OR PUNITIVE DAMAGES) ARISING FROM OR IN CONNECTION WITH: (I) PARTICIPATING IN THE CONTEST; AND/OR (II) ACCEPTANCE, USE, MISUSE OR NONUSE OF ANY PRIZE OR PARTS THEREOF, AND FROM LIABILITY TO ANY OTHER PERSONS RELATING TO OR RESULTING FROM ENTERING THE CONTEST.

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Without limiting the foregoing, the Releasees are not responsible for: (i) any incorrect or inaccurate information, whether caused by participants, Instagram, or any third parties, or by any of the equipment, hardware, software or programming associated or used with the Contest; (ii) technical errors, defects, delays or failures of any kind, including, without limitation, malfunctions, interruptions or disconnections in communications lines, Internet or website access, hardware or software; (iii) digital or electronic disruptions (e.g. security breaches); (iv) unauthorized human intervention (e.g. hacking); (v) technical or human error which may occur in connection with any aspect of the Contest; (vi) any injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from a participants or Guest's participation in the Contest, or receipt or use of any Prize; (vii) participants' breach of Instagram and/s terms of use; and (viii) lost, incomplete, illegible or garbled entries, mail or transmissions, interrupted or unavailable network, server or other connections, miscommunications, computer viruses, bugs, worms, tampering, unauthorized intervention, fraud, failed computer hardware or software or telephone transmissions, or other errors or problems of any kind whether electronic, mechanical, or human.

Notwithstanding any other provision contained herein, the Frankenmuth Convention & Visitors Bureau reserves the right, in its sole discretion, to modify, amend, cancel, suspend, reinstate or close the Contest, at any time in whole or in part without prior notification, and for any reason whatsoever.

The Contest and the Rules shall be governed exclusively by and construed in accordance with the laws in the state of Michigan, without regard to conflicts of laws principles. Any dispute not otherwise determined in accordance with the rules of the Contest shall be adjudicated in the courts sitting in Michigan (or any appeals court therefrom).

The Contest is in no way sponsored, endorsed or administered by, or otherwise associated with, Instagram or Twitter. Participants are providing their information to the Frankenmuth Convention & Visitors Bureau and not to Instagram, Twitter.

### **10. WINNERS LIST:**

For a list of the major winner, mail a self-addressed, stamped envelope to be received by 9/5/16 to:  
SeeFrankenmuth Photo Contest, Frankenmuth Chamber and CVB, 635 S. Main St. Frankenmuth, MI 48734