



OFFICIAL CONTEST RULES (“OFFICIAL RULES”)

NO PURCHASE OR DONATION NECESSARY. A PURCHASE, PAYMENT OR DONATION OF ANY KIND WILL NOT INCREASE YOUR CHANCES OF WINNING. VOID WHERE RESTRICTED OR PROHIBITED BY LAW. This is a skill-based contest and chance plays no role in the determination of the winner.

1. ELIGIBILITY: The Ronald McDonald House Charities of Western New York, Inc. Rock Your Socks Contest (the “Contest”) is open only to individuals who are residents of the 50 United States and who are at least fourteen (14) years of age. Entrants under eighteen (18) years of age must have the consent of a parent or legal guardian, which must be provided to RMHC of WNY as required by these Official Rules. The Judges (as defined herein) and their immediate family members are not eligible to receive a prize. All determinations of eligibility shall be made by RMHC of WNY in its sole discretion. The Contest may only be entered in or from the 50 United States and entries originating from any other jurisdiction are not eligible for entry. All federal, state and local laws and regulations apply.

2. SPONSOR: The Contest is sponsored by Ronald McDonald House Charities of Western New York, 780 West Ferry Street, Buffalo, New York 14222.

3. CONTEST PERIOD: Contest begins at 12:00:01AM (EST) on February 14, 2019 and ends on March 21, 2019 5:00:00PM (EST) (the “Contest Period”). All Submissions (as defined herein) must be received by March 14, 2019 at 11:59:59PM (EST). The Contest consists of two (2) rounds of evaluation, as identified by these Official Rules. RMHC of WNY’s computer is the official time keeping device for the Contest.

4. AGREEMENT TO OFFICIAL RULES: Participation in this Contest and/or entering a Submission constitutes Entrant’s full and unconditional agreement that the Entrant has read and consents to be bound by these Official Rules and RMHC of WNY’s decisions, which are final and binding in all matters related to this Contest. By entering this Contest, each Entrant warrants that his or her Submission complies with all requirements set out in these Official Rules. Winning the Prize (as defined herein) is contingent upon fulfilling all requirements set forth in these Official Rules.

5. HOW TO ENTER: The Contest consists of two (2) Entrant Categories: Professional Photographer (A Professional is defined as a person, group or entity who either earns, or have earned, some or all of their living from photography, and/or have had their photographic work published, and/or are a member of a photographic association or organization, including art directors and graphic designers) and Amateur Photographer (An Amateur is defined as someone that takes photos for fun and passion). RMHC of WNY reserves the right to clarify the Category with the Entrant and/or assign categories as appropriate. Each Entrant category will be judged separately, and the winner be awarded a prize.

Complete the “Rock Your Socks Photo Contest” Entry Form (“Entry Form”) located on the RMHC of WNY website here: rmhcwny.org/rock-your-socks (the “Website”). Submit your completed Entry Form and photograph (“Submission”) online through the Website. Limit one photograph per Submission. Limit one Submission per Entrant. Submissions **must be submitted using use the Entry Form** on the RMHC of WNY Website. Individuals who submit a completed Entry Form are referred to as “Entrants.” The Contest must be entered by visiting the Website and by completing the Entry Form by providing your name, email address and location. Individuals under the age of 18 must also provide the email address for a parent or legal guardian. RMHC of WNY will send a confirmation email to the parent or legal guardian email address and RMHC of WNY must receive confirmation of consent and agreement to these Official Rules from such parent or legal guardian’s email address. Images must be uploaded in JPG format and be no larger than 3 MB.

Entrants may submit no more than one (1) Submission and are encouraged to promote voting for each Entrant's photos through various media, including email, blogging, social networking sites, etc. using the hashtag #RockYourSocksBuffalo. Any additional Submissions above one per Entrant will be disqualified.

Use of automated devices not valid for entry. RMHC of WNY may at its sole discretion disqualify anyone who violates the rules or undermines the integrity of the Contest by disabling cookies, using any form of automatic entering, or any other form of manipulation. Proof of submission is not proof of receipt.

6. ELIGIBILITY REQUIREMENTS FOR PHOTOS/CONTENT RESTRICTIONS/CONSENT: Each Entrant may enter no more than one (1) Submission. Any additional photographs or Submissions above one per Entrant will be disqualified.

A. Prompt.

Submissions must comply with these Official Rules and should be responsive to the following prompt:

- Photo must show the Entrant wearing at least one red & white striped sock and should depict the subjects in a manner consistent with the RMHC of WNY brand and lifestyle, as can be seen further by visiting www.rmhcwny.org.

B. Content Restrictions.

Submissions must be each Entrant's original work, must not have been previously published, and may not have won previous awards. Submissions must not infringe upon and must not contain material that violates or infringes any person's or entity's intellectual property rights in any way, including, without limitation, any copyrighted material, trademarks or logos. Unless express prior written permission has been obtained, a Submission must not include any individual's name or likeness (other than Entrant's own, in whole or in part), refer to public figures, or contain materials embodying the names, likenesses, photographs, or other identifying elements of any person, living or dead. If the Submission contains any material or elements that are not owned by the Entrant and/or are subject to the rights of third parties, the Entrant is responsible for obtaining, prior to submitting the Submission, any and all releases and consents in writing necessary to permit the use and exhibition of the Submission by RMHC of WNY in the manner set forth in these Official Rules. The Entrant must obtain a signed release from any identifiable person who is seen or has allowed the use of his/her name, likeness or image in the Submission, or that has otherwise contributed to the Submission. In the event that a Submission includes any identifiable person who is seen or has allowed the use of his/her name, likeness or image in the Submission or that has otherwise contributed to the Submission, and such individual is under the age of 18, the Entrant must obtain a signed release from a parent or legal guardian of such individual. Upon request, the Entrant must provide such signed release to RMHC of WNY in a form acceptable to RMHC of WNY. If an Entrant fails to provide such signed release within seven (7) days after request from RMHC of WNY, such Entrant may be disqualified. Entrants are encouraged to use the release forms found on the Website.

If the Submission contains any material that RMHC of WNY deems, in its sole discretion, to be morally objectionable, inappropriate, unfit for publication or inconsistent with RMHC of WNY's reputation and image, such Submission will be immediately disqualified. Submissions may not contain material that is unlawful, or in violation of or contrary to the laws and regulations in any jurisdiction where such Submission is created.

C. Consent.

Entering the Contest and/or submitting a Submission constitutes Entrant's consent to give RMHC of WNY a royalty-free, irrevocable, perpetual, fully paid-up, non-exclusive license to use, reproduce, modify, publish, create derivative works from, and display such Submissions in whole or in part, all information in any Submission including, without limitation, Entrant's name, likeness and other information, on a worldwide basis, and to incorporate such Submission or information into other works, in any form, media or technology now known or

developed in the future, including for promotional, marketing or commercial purposes, as RMHC of WNY may select in its discretion. If requested, Entrant will sign any documentation required for RMHC of WNY or its designees to make use of the non-exclusive rights Entrant is granting to use the Submission.

IF YOU DO NOT WISH TO GRANT RMHC OF WNY RIGHTS TO YOUR SUBMITTED IMAGE THEN DO NOT ENTER THE CONTEST. SUBMISSIONS THAT DO NOT COMPLY WITH ANY OF THESE OFFICIAL RULES WILL NOT BE ACCEPTED.

D. Submissions Posted.

By entering the Contest and/or submitting a Submission, Entrant agrees that his/her Submission may, if the Submission is not void or disqualified, be posted online at the Photo Gallery (as defined herein), and/or any other website as determined by RMHC of WNY, for visitors to the website(s) to view, comment, and/or vote on.

7. WINNER DETERMINATION:

A. Round One. Eligible photos will be added to The 2019 Rock Your Socks Facebook Photo Gallery located here: <https://www.facebook.com/rmhcnwy> ("Photo Gallery"). Eligible photos will be uploaded as received.

To vote for your favorite photo(s) simply "like" or "love" the photo in the Photo Gallery. Each "like" or "love" is treated as one (1) vote. Online voting will be held from February 14, 2019 through 5:00pm EST on March 21, 2019 (the "Voting Period"). Entrants are encouraged to promote voting for their entry through email, blogging, social networking sites, etc.

At the conclusion of the Voting Period, the ten (10) eligible photos from each Entrant category with the most votes ("Finalist Photos") will qualify for Round Two. In the event of a tie for the tenth most votes, all eligible photos tied for the tenth most votes will also qualify for Round Two.

B. Round Two. One (1) winner will be selected from the Finalist Photos. A panel of qualified judges ("Judges") determined by RMHC of WNY will judge and select the winner from among the Finalist Photos. Finalist Photos will be judged based on the following objective criteria:

- (i) creativity;
- (ii) quality;
- (iii) originality;
- (iv) responsiveness to the prompt; and
- (v) overall impact.

Each of the objective criteria will be weighted equally.

The Entrant whose Finalist Photo receives the highest score from the qualified judges will be deemed the winner ("Winner"). In the event of a tie, the Entrant among those tied for the highest score whose Finalist Photo receives the highest "responsiveness to the prompt" score, as determined by the qualified judges, will be deemed the Winner. All determinations of the qualified judges with regard to the Contest and the determination of the Winner are final.

8. PRIZE:

There is one prize (1) per Entrant Category: (One (1) for the Professional Entrant category and one (1) for the Amateur Entrant category) for a total of two prizes (2) that each consist of the following: \$500.00 cash; Entrant's name and winning photo posted on the RMHC of WNY website under the "Latest News" page; Entrant named in a press release by RMHC of WNY; Entrant named in social media postings from RMHC of WNY; a banner including Entrant's name on the

Website; and Entrant being named in a newsletter created by RMHC of WNY (the Latest News post, press release, social media postings, banner post and newsletter collectively may be referred to as "Postings").

Details and contents of the Postings shall be made in RMHC of WNY's sole discretion. The approximate retail value of the Prize is \$500. If the actual value of the Prize is lower than the stated approximate retail value when awarded, then the difference will not be awarded. The Prize is non-transferable and no substitution by the Winner is allowed. RMHC of WNY reserves the right to substitute the Prize, or any portion of the Prize, with a prize of equal or greater value at its sole discretion. The Winner will be notified promptly by e-mail. The Winner will also be announced via social media platforms and on RMHC of WNY's website. RMHC of WNY will arrange with the Winner for delivery of the Prize. In case of a dispute as to the identity of any Entrant, entry will be declared made by the registered name and email address or postal address on such Entry Form. Any potential winner may be requested to provide RMHC of WNY with proof that such person is the Winner.

The Winner will be solely responsible for all taxes, fees and expenses associated with the Prize or acceptance of the Prize. All federal, state and local taxes on the Winner's acceptance of the Prize are the Winner's responsibility.

9. GENERAL RULES: Entrants agree to be bound by these Official Rules and RMHC of WNY's decisions. Winner may be required to execute and return an Affidavit of Eligibility, Liability Release and (where legal) Publicity Release within fourteen days of such Entrant being notified that he or she is the Winner. If the Winner does not return the Affidavit of Eligibility, Liability Release and Publicity Release within the time allowed, such Winner may be disqualified and an alternate may be determined at RMHC of WNY's sole discretion. In the event that a Winner is disqualified and an alternate is determined, the Entrant with the Finalist Photo that received the next highest score from the qualified judges will be deemed the alternate Winner. Submissions will not be acknowledged or returned.

The Contest is void where restricted or prohibited by law. RMHC of WNY's failure to enforce any term of these Official Rules shall not constitute a waiver of that provision. The failure of RMHC of WNY to comply with any provision of these Official Rules due to events or factors beyond the reasonable control of RMHC of WNY, including, without limitation, an act of God, act of terrorism, hurricane, war, fire, riot, earthquake, act of public enemies, actions of governmental authorities outside of the control of RMHC of WNY, or other force majeure events will not be considered a breach of these Official Rules.

Any and all disputes, claims, and causes of action arising out of or in connection with the Contest shall be resolved individually, without resort to any class action. This Contest shall be governed by, and construed in accordance with, the laws of the State of New York, regardless of conflicts of laws principles. Any action or litigation concerning this Contest shall take place exclusively in the federal or state courts sitting in Erie County, New York, and each Entrant expressly consents to the jurisdiction of and venue in such courts and waives all defenses of lack of jurisdiction and inconvenient forum with respect to such courts. Each Entrant agrees to service of process by mail or other method acceptable under the laws of the State of New York. **ANY CLAIMS, JUDGMENTS, AND/OR AWARDS OF ANY ENTRANT SHALL BE LIMITED TO ACTUAL OUT-OF-POCKET COSTS ASSOCIATED WITH ENTERING INTO THIS CONTEST. EACH ENTRANT HEREBY WAIVES ANY RIGHTS OR CLAIMS TO ATTORNEY'S FEES, INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ENTRANT, WHETHER FORESEEABLE OR NOT AND WHETHER BASED ON NEGLIGENCE OR OTHERWISE.**

10. RELEASE: By participating in the Contest, all Entrants agree to release and hold harmless RMHC of WNY and any of its respective subsidiaries, affiliates, suppliers, distributors, advertising/promotion agencies, vendors and prize suppliers, and each of their respective parent companies and each such company's officers, directors, employees, agents, shareholders, affiliates, suppliers, distributors and advertising agencies, and Facebook, Inc., from and against any and all claims, liability or cause of action, including, without limitation, personal injury, death, or damage to or loss of property, arising out of participation in the Contest or any Contest-related activity or receipt or use or misuse of the Prize. Entrants assume all liability for any injury or damage caused, or claimed to be caused, by participation in the Contest and use and/or redemption of the Prize.

11. LIMITATION OF LIABILITY: RMHC of WNY shall not be responsible for any typographical or other errors in these Official Rules, in the printing of the offer, the administration of the Contest, or in the announcement of the Prize or determination of the Winner. If for any reason the Contest is not capable of running as planned, including due to infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failure, human error or any other causes beyond the control of RMHC of WNY that corrupts or affects the administration, security, fairness, integrity, or proper conduct of the Contest, RMHC of WNY reserves the right in its sole discretion, to disqualify any individual who tampers with the entry process, and to cancel, terminate, modify or suspend the Contest. Notwithstanding anything herein to the contrary, RMHC of WNY reserves the right to amend, modify, or cancel the Contest at any time without notice. If technical malfunctions or suspicious voting irregularities corrupt the process of determining the Winner, RMHC of WNY reserves the right, in its sole discretion, to determine the Finalist Photos based solely on all eligible votes made prior to termination, as determined in RMHC of WNY's sole discretion. RMHC of WNY and its agents are not responsible for lost, late, stolen, incomplete, invalid, delayed, misdirected, illegible, postage-due or damaged entries or Internet technical, hardware, software, telephone or transmission failures of any kind, or for inaccurate transmissions of or failure to receive Contest materials or Submissions by RMHC of WNY on account of technical problems or traffic congestion on the Internet or any website or any combination thereof, which limit a person's ability to enter the Contest. RMHC of WNY and its agents assume no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction or unauthorized access to, or alteration of, entries. RMHC of WNY and its agents are not responsible for any problems or technical malfunction of any telephone network or lines, computer online systems, servers, or providers, computer equipment, software, failure of any e-mail or Submission to be received by RMHC of WNY on account of technical problems or traffic congestion on the Internet or at any web site, any combination thereof, or otherwise, including any injury or damage to entrant's or any other person's computer related to or resulting from participation or downloading any materials in the Contest. RMHC of WNY is not responsible for and shall not be liable for late, lost, misdirected, or unsuccessful efforts to notify the Winner. **BY SUBMITTING A SUBMISSION, ENTRANT AGREES TO INDEMNIFY RMHC OF WNY IN RESPECT OF ANY AND ALL CLAIMS, JUDGMENTS, LOSSES, DAMAGES, SETTLEMENTS, EXPENSES, COSTS AND OTHER LIABILITIES AND EXPENSES (INCLUDING ATTORNEYS' FEES) RELATING TO OR ARISING OUT OF ANY BREACH BY ENTRANT OF ANY OF ENTRANT'S OBLIGATIONS UNDER THESE OFFICIAL RULES. RMHC OF WNY MAKES NO WARRANTIES, REPRESENTATIONS OR GUARANTEES, EXPRESS OR IMPLIED, IN FACT OR IN LAW, AS REGARDS THIS CONTEST OR THE MERCHANTABILITY, QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, REGARDING THE PRIZE OR ANY COMPONENT OF THE PRIZE.**

CAUTION: ANY ATTEMPT BY AN ENTRANT TO DELIBERATELY DAMAGE ANY WEBSITE OR UNDERMINE THE LEGITIMATE OPERATION OF THE CONTEST MAY BE A VIOLATION OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, RMHC OF WNY RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH PERSON TO THE FULLEST EXTENT PERMITTED BY LAW.

12. DISQUALIFICATION: RMHC OF WNY RESERVES THE RIGHT IN ITS SOLE AND UNFETTERED DISCRETION TO DISQUALIFY ANY ENTRANT WHO TAMPERS OR IS SUSPECTED OF TAMPERING WITH THE CONTEST OR DETERMINATION OF THE WINNER. RMHC OF WNY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO DISQUALIFY ALL VOTES THAT ARE DEEMED TO BE FRAUDULENT. RMHC OF WNY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO DISQUALIFY ANY ENTRANT ACTING IN VIOLATION OF THESE OFFICIAL RULES OR IN AN UNSPORTSMANLIKE OR DISRUPTIVE MANNER, AS WELL AS ALL VOTES ASSOCIATED WITH SUCH ENTRANT.

13. PRIVACY POLICY/DATA COLLECTION: The Website Entry Form includes a pre-selected option for Entrant to be added to RMHC of WNY's email opt-in contact list, from which any Entrant may opt-out at any time, including by unselecting the email opt-in option prior to submission. Information provided by Entrant in relation to the Contest is subject to RMHC of WNY's privacy policy located at <http://rmhcwny.org/about-rmhc/legal-reports-2/privacy-policy/>.

14. WINNER LIST: For the name of the Contest winners, visit the Website at rmhcwny.org/rock-your-socks.

15. NO FACEBOOK ENDORSEMENT: This Contest is in no way sponsored, endorsed, administered by, or associated with Facebook, Inc. Any information provided by Entrant in connection with the Contest is to RMHC of WNY and not to Facebook, Inc. Entrant agrees and understands that by using www.facebook.com, Entrant is subject to the terms, conditions, and policies that govern the use of www.facebook.com. Entrant should review the applicable terms and policies for www.facebook.com, including privacy and data gathering practices, before using or interacting with Facebook, Inc.

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