

Terms and Conditions for Participation

Harley Benton X-Mas Contest

§ 1. Anyone who has reached the age of 18 is entitled to participate in the X-Mas Contest. The cooperation partners, employees, family and all other relations of the Thomann (Harley Benton) company are excluded from participation. The participant is responsible for the content of his/her entry and in particular the accuracy of his/her email and/or postal address.

§ 2. The X-Mas Song Contest will **proceed** as follows: This contest is open to anyone who complies with the terms and conditions. The contestants will upload their Christmas song cover video to Instagram. They must use the hashtag „HarleyBentonXmas“. By uploading the song, the contestant agrees to the Terms and Conditions of Participation.

Only songs that are published on Instagram from 8 December 2019 until and including 22 December 2019 with “HarleyBentonXmas” as a Hashtag in the tags will be considered for the competition.

The Christmas Song needs to be performed on a guitar, bass or ukulele. Videos including other instruments will not be considered for winning the contest.

The video performance must have a minimum length of one (1) minute. And a maximum length of three (3) minutes.

If a video is featuring a performance of more than one person, the price is awarded to the person which uploaded the video on his or her instagram account.

On 24.12.2019 we will announce the selected 3 winners, via a private message on Instagram.

Important: We will inform the finalist with a message on Instagram and possibly via other social networks. After receiving the message the Winners will have to respond to the sender of the message (Harley Benton) by the 1st of January. If this deadline is not adhered to, the prize will be transferred to the another randomly chosen entry.

The Winners are chosen Randomly. After receiving the prize notification via Instagram, the winners have to contact Harley Benton by the 1st of January, otherwise the prize will be forfeited and we reserve the right to pass the prize on to the next participant.

§ 3. All songs that are submitted for this contest must be a Christmas song played by the contestant. By participating in the contest, the contestants commit to exempting Thomann (Harley Benton) from all claims and complaints on account of third party copyright breach associated to the song. The submitted song entries may not exceed a total length of 3 minutes.

§ 4. The theme and/or content of the song must have an evident and direct connection to Christmas.

§ 5. The song lyrics and the accompanying video may not contain racist, openly sexual, offensive or discriminating content or inappropriate language; nor may they glorify violence. Entries which do not comply with these conditions will be excluded from the contest.

§ 6. "Like" ratings will not be considered as trends on Instagram and the jury will not use these as a guide. They will not, play a crucial role in the jury's final decision.

§ 7. Recourse to the courts is precluded. The jury's decision on the winners and the awarding of prizes in this contest are final.

§ 8. The winner of first place will receive as first prize a Thomann (Harley Benton) shopping voucher to the value of 500 Euro. The

winner of second place will receive a Thomann (Harley Benton) shopping voucher to the value of 400 Euro while the winner of third place is a Thomann (Harley Benton) shopping voucher to the value of 300 Euro. After receiving the order, Harley Benton will forward the order to Thomann. In the event of disagreements between the musicians, band and/or (co-)writers, Thomann (Harley Benton) will not partake in discussions.

§ 9. The prizes offered in this contest are exclusively for contest participants. The coupon cannot be redeemed for cash.

§ 10. All participants in this contest agree that their contest entries may be published and distributed on the internet and in other media forms. They agree that said publishing and distribution do not create any financial or other right for the participants upon Thomann (Harley Benton). Furthermore, all contest participants agree that Thomann (Harley Benton) may use their contest entries for advertising and promotional purposes, including (but not restricted to) radio and television broadcasts, advertisements and public presentation.

§ 11. The winners of this contest agree that their names (including eventual stage names) and, if applicable, photos may be used for advertising purposes related to the contest, including the publication in printed form and on the internet.

§ 12. The contest is conducted by Thomann GmbH, Managing Director: Hans Thomann, Hans-Thomann-Str. 1, D-96138 Burgebrach, Germany, Contact persons and details are to be found on the Thomann website under the Imprint at http://www.thomann.de/de/compinfo_imprint.html

§ 13. The law of the Federal Republic of Germany is exclusively applicable with the exclusion of the referral regulations under International Private Law.

§ 14. Thomann (Harley Benton) reserves the right to disqualify single or multiple winners if there is reason to believe that part or parts of these conditions are violated, e.g. by manipulating votes.

The contestant agrees that Thomann (Harley Benton) may save all personal data necessary for the execution of the contest for its entire duration. The organizer may render services necessary for the organizing and processing of the contest partly to third parties (cooperation partner). The contestants' personal data are saved by the cooperation partner(s) for the organizing and processing of the contest for its entire duration. All personal data are deleted after the closure and processing of the contest. By participating in this contest, the contestant agrees that his/her personal data may be processed by third parties for the stated purposes, and in particular transferred from the organizer to third parties.

§ 15. The contestants may at any time withdraw their consent to process their personal data. In this case, however, the organizer may have to exclude the contestants from further participation.

Through the Federal Data Protection Act

(Bundesdatenschutzgesetz), contestants additionally have the guaranteed rights to information and correction. The organizer

undertakes to protect the privacy of contestants and ensures that data will be processed in accordance with the Federal Data

Protection Act (Bundesdatenschutzgesetz), the German Telemedia Act (Telemediengesetz), the European directive on data protection

(95/46/EG) and the European regulatory framework on electronic communications (02/58/EG). In particular, in this regard reference

will be made to the general privacy policy found at

www.thomann.de/de/tho_privacypolicy.html.