



x-bionic® sphere

the universe of sports, leisure
and innovation

Rules of the “Odfot’ sa a vyhraj!” (“Snap a picture and win!”) competition (“competition rules”)

1. ORGANISER AND PURPOSE OF THE COMPETITION

1.1 The organiser of the “Odfot’ sa a vyhraj!” competition (“**competition**”) is X-BIONIC® SPHERE a.s., with registered office at Dubová 33/A, 931 01 Šamorín, Org. ID: 46 640 134, registered in the Commercial Register at Trnava District Court, Section: Sa, File no.: 10684/T (“**organiser**” or “**controller**” for the purposes of personal data protection).

1.2 The purpose of the competition is to support the organiser’s events and business activities.

2. COMPETITION PERIOD

2.1 The competition is scheduled for 8 November 2019 and 9 November 2019 (“**competition period**”) using the following social networks: Facebook (“**Facebook**”) and/or Instagram (“**Instagram**”).

3. ELIGIBILITY CONDITIONS AND THE COMPETITION ITSELF

3.1 Eligibility for the competition is contingent upon compliance with the rules as defined herein.

3.2 Only natural persons are eligible for the competition who:

- a) have full legal capacity as defined in §8 of Act No. 40/1964 Coll., the Civil Code, as amended,
- b) lack full legal capacity but have the consent of their legal guardian and with a mailing address in Slovakia (“**participant**”).

Participation is not contingent upon membership in the X-CARD customer loyalty program or the purchase of any goods or services provided by the organiser at the X-BIONIC® SPHERE sports and congress facility.

3.3 Participants may only participate in the competition via the organiser's official Facebook and/or Instagram pages as follows:

- a) participants take their own photo with a dog (at least one person and one dog) during the competition period directly on-site and during the following event: the X-BIONIC® AGILITY OPEN, at the organiser’s facility x-bionic® equestor sphere, at the organiser’s X-BIONIC® SPHERE sports and congress facility in Šamorín,
- b) they then upload/share their photo completed pursuant to Subsection 3.3 (a) herein on Facebook and/or Instagram with the hash tag **#xbionicagilityopen** and the code **@xbionicsphere**

3.4 The organiser’s official page is a fan page on Facebook titled “*x-bionic sphere*” located at <https://www.facebook.com/xbionicsphereslovakia/> and a fan page on Instagram titled “*xbionicsphere*” located at <https://www.instagram.com/xbionicsphere/>

3.5 Participants who comply with the conditions under Subsection 3.3 herein by 9 November 2019 at 10:00 pm at the latest will be entered into the prize drawing to be held on 10 November 2019 at 3:00 pm under the conditions specified in Subsection 5 herein.

3.6 A participant may enter the competition during the competition period multiple times.

3.7 Parties automatically disqualified from the competition include the organiser’s employees who are employed or otherwise engaged by the organiser to conduct work activities (vendors), and employees temporarily assigned to conduct work for the organiser from another employer or a temporary labour agency (an agency employee), and their immediate family members, siblings and spouses.

3.8 Persons who do not meet the competition’s eligibility conditions or who violate the competition rules will not be counted as participants in the competition. If it is shown that such person wins the competition despite this fact, for instance by providing false information, such person is not entitled to the prize and will not be given the prize; conversely, a substitute winner may then be selected by the organiser under Subsection 7 herein. If the prize is given to such a person or if the reasons for which such person should have been disqualified from the competition are determined after the prize is given to such person, the organiser is authorised to proceed in accordance with Subsection 7 herein.

4. PRIZE IN THE COMPETITION

- 4.1 Participants eligible for the competition per the competition rules are entered to win the following prize: 1x free registration for the organiser's event: the X-BIONIC® AGILITY OPEN 2020 with a face value of EUR 45 including VAT ("**prize**").
- 4.2 The prize is a non-financial prize and is subject to income tax under Act No. 595/2003 Coll. on Income Tax, as amended. A natural person is taxed on such non-financial prizes or winnings in their income tax return submitted for the given tax year. Non-financial prizes or winnings are exempt from income tax if the value of the winnings or prize do not exceed EUR 350.
- 4.3 The organiser shall immediately report the value of the prize in the manner specified in Subsection 4.1 herein pursuant to §8 (10) of Act No. 595/2003 Coll. on Income Tax, as amended.

5. METHOD OF SELECTING A WINNER

- 5.1 The organiser shall hold a random drawing to select one (1) of the participants meeting the eligibility conditions specified herein as the winner ("**winner**"). The drawing shall be public (via a live video stream on the organiser's official Facebook page) and held on 10 November 2019 at 3:00 pm. A participant may only be declared the winner once during the competition.

6. PRIZE NOTIFICATION AND DISTRIBUTION, EXPIRATION OF CLAIM TO THE PRIZE

- 6.1 The winner will be informed of their prize by the organiser over Facebook and/or Instagram and will be requested to provide contact details: including their given name, surname, and email address, within 1 calendar day from the date on which the winner was selected under Subsection 5.1 herein.
- 6.2 If the winner does not provide the information specified under Subsection 6.1 herein within a period of 1 calendar day from the date on which the winner was selected under Subsection 6.1 herein or it proves impossible to contact the winner within a period of 1 calendar day from the date on which these details are provided because the details provided ARE proven invalid, any claim to the prize lapses without any grounds for redress, and the organiser may define a substitute winner under Subsection 7 herein.
- 6.3 If the winner is a natural person who lacks legal capacity, consent from their legal guardian to participate in the competition must be provided after notification of their winning the competition upon organiser request, otherwise any claim to the prize lapses without any grounds for redress and the organiser may define a substitute winner under Subsection 7 herein.
- 6.4 The prize will be given to the winner in person on the basis of a receipt (if the winner is at the event immediately following the announcement of the winner under Subsection 5.1 herein, then they shall appear in person after winning at the organiser's facility) or via email to the email address provided by the winner pursuant to Subsection 6.1 herein.
- 6.5 The winner is not obliged to accept the prize.
- 6.6 The prize in the competition cannot be subject to any lawsuits or otherwise exchanged for cash. Claim to the prize cannot be transferred to another person prior to handover of the prize. The prize may be transferred to another person after it is handed over to the winner.
- 6.7 The organiser is not responsible for the accuracy of the contact details provided by the winner.
- 6.8 The organiser has no liability for the properties of the prize itself.
- 6.9 Any claims involving the prize are null and void, unless otherwise agreed on a case-by-case basis.

7. DISQUALIFICATION FROM THE COMPETITION

- 7.1 The organiser reserves the right to disqualify a participant without prior notice for any violation of the rules as specified herein.
- 7.2 The following participants shall be disqualified:
- a) those who fail to meet any eligibility conditions or violates such eligibility conditions;
 - b) those who use unauthorised aids (such as hacking tools, viruses, trojan horses, etc.) or otherwise gain an advantage through unauthorised manipulation;
 - c) those who participate in the competition on behalf of a third party (with or without their knowledge);
 - d) those who participate in the competition with the help of gaming clubs, automated services and, in particular, a professional gaming service;
 - e) those who post inappropriate photos and/or comments on the organiser's Facebook and/or Instagram that contravene good morals, generally accepted rules of decency and morality or that would degrade human

dignity, contain otherwise inappropriate content or contravene the valid laws of Slovakia or harm the organiser's reputation.

7.3 The prize will be revoked from any such disqualified person or they will be required to refund the value of the handed over or otherwise delivered prize. If someone is disqualified from the competition and/or claim to the prize is lost or never existed under the terms hereof, the organiser may designate a substitute winner; meanwhile, the provisions of Subsection 5.1 herein shall apply in kind.

7.4 Any decision made by the organiser under the rules as specified herein is considered final and no means of appeal are available.

8. EARLY TERMINATION OF THE COMPETITION

8.1 The organiser reserves the right to interrupt or otherwise terminate the competition at any time and without prior warning and without providing a reason. The organiser shall exercise this option when technical or legal reasons prevent the competition from being conducted in a proper manner. If such premature termination is the result of conduct on the part of a participant, the organiser may seek compensation for damages from such person.

9. PRECLUSION OF LIABILITY FOR DAMAGES

9.1 The organiser is in no way responsible for any direct or indirect harm or damages resulting from participation in the competition or the inaccessibility of an Internet server, except in the case of gross negligence or deliberate fault. Additionally, the organiser is not responsible for any technical malfunctions, especially network, electronic or computer malfunctions or force majeure circumstances.

10. GENERAL CONDITIONS

10.1 This competition is in no way affiliated with Facebook and/or Instagram and is not organised or supported by these entities. Information on the participants is not provided to Facebook; rather it is provided to the administrator of the organiser's Facebook and/or Instagram pages. Information obtained from participants shall be used exclusively for the purposes of competition. Please note that Facebook and/or Instagram are independent controllers of personal data, and they process your activity on these networks and your personal data for their own purposes. For more information, please see Facebook and/or Instagram's updated personal data protection policies.

10.2 By participating in the competition, participants express their consent to the competition rules and commit to comply with them fully.

10.3 The winner is aware of their responsibility for any tax and/or statutory insurance premium obligations resulting from their prize, which they are obliged to settle on an individual basis.

10.4 Complaints concerning the competition itself shall be submitted in writing via email to marketing@x-bionicsphere.com and within 5 calendar days from the date on which the reason for the complaint occurred at the latest. Complaints received after this deadline or made over the phone shall be disregarded.

10.5 If any provisions hereof are or become invalid, such fact has no prejudice on the validity of the remaining provisions hereof. Such invalid provisions shall be replaced by suitable provisions that as closely as possible reflect the intent of the original provisions that have become invalid.

10.6 The organiser reserves the right to modify these competition rules at any time and without prior notice.

10.7 The competition rules are subject to valid Slovak law. These competition rules are accessible online at www.xbionicsphere.com and a hard copy version hereof is stored at the organiser's registered office.

11. PERSONAL DATA

11.1 X-BIONIC® SPHERE a. s., with registered office: Dubová 33/A, Šamorín, 931 01, Org. ID: 46 640 134, registered in the Commercial Register at Trnava District Court, Section: Sa, File no.: 10684/T is a personal data controller ("**Controller**") within the information systems in which the personal data of Data Subjects is processed.

11.2 Under Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, or "GDPR") participants agree to these competition rules simply by participating the competition and which constitutes a legal arrangement between the parties in the form of a public competition organised by the organiser under §847 et seq. of the Civil Code.

11.3 For the purposes of conducting and assessing the competition, we will process your personal data in the following scope: given name, surname, email address and/or pseudonym used on Facebook and/or Instagram and the content that you post or publish on the organiser's official pages on the same social networks in connection with this competition

(i.e. your photo with a dog) pursuant to Subsection 3.3 herein. For the purposes of notifying the winner and handing over the prize, we will process your personal data in the following scope: given name, surname, e-mail address and identification details for your profile on Facebook and/or Instagram.

- 11.4 Providing this personal data is a contractual requirement without which you cannot be considered eligible for the competition and whereby the legal basis for such processing is laid down in Article 6 (1)(b) GDPR.
- 11.5 The processing of this personal data is limited to the competition period, whereby all of the participants' personal data will be erased within 5 calendar days from the handover of the prize to the winner of the competition or from the moment the competition is terminated in any other manner as specified herein at the latest.
- 11.6 More information on the conditions for processing your personal data and that is not specified herein is available on our website at www.x-bionicsphere.com in the Privacy and Personal Data Protection Policy document.

In Šamorín, dated 6 November 2019

X-BIONIC® SPHERE a.s., Dubová 33/A, 931 01 Šamorín, Org. ID: 46 640 134, Tax ID: 2023504054, VAT ID: SK2023504054, registered in the Commercial Register at Trnava District Court, Section: Sa, File no.: 10684/T