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# MICROSOFT SMOKED BY WINDOWS PHONE HUNGER GAMES EVENT CONTEST OFFICIAL RULES

## COMMON TERMS USED IN THESE RULES:

These are the official rules that govern how the Microsoft Smoked by Windows Phone contest promotion will operate ("Contest").

In these rules, "we," "our," and "us" refer to Microsoft Corporation, the sponsor of this Contest. "You" refers to an eligible Contest entrant.

## CONTEST DESCRIPTION:

This is a skill-based Contest. The object of this Contest is for You to come into the Microsoft Store and try to beat the Microsoft Windows Phone in a series of five (5) "Smoked by Windows Phone" challenge scenarios selected by Microsoft at its sole discretion including: (1) Pocket-to-Picture-to-Post, (2) Real-Time Information with Live Tiles, (3) Using the People Hub to Stay in Touch with the People You Care About Most, (4) Updating Your Status Across Multiple Social Networks, and (5) Local Scout ("Challenge"). For purposes of this Contest, each entrant who participates in the Challenge with their own personal smartphone will be called an "entry." All eligible entries received will be judged using the criteria described below to determine the winners of the prizes described below.

## WHAT ARE THE START AND END DATES?

This Contest starts at 9:00 AM, local time, on March 22 2012, and ends at 10:00 PM, local time, on March 29, 2012 or whenever the ten (10) prizes per store have been exhausted, whatever comes first ("Entry Period").

## CAN I ENTER?

You are eligible to enter if you meet the following requirements at time entry:

- **You are** an attendee of a Microsoft Retail Store Smoked by Windows Phone Event Contest; **and**
- **You are** a legal resident of the 50 United States (including the District of Columbia), and you are 18 years or older; **and**
- **You are NOT** an employee of Microsoft Corporation, or an employee of a Microsoft subsidiary; **and**
- **You are NOT** an immediate family (parent, sibling, spouse, child) or household member of a Microsoft employee, an employee of a Microsoft subsidiary, any person involved in any part of the administration and execution of this Sweepstakes..

This Contest is void outside the geographic area described above and wherever else prohibited by law.

## WHAT CONSTITUTES AN ELIGIBLE ENTRY?

To be eligible for judging an entry must meet the following content / technical requirements:

- You must personally execute and complete the Challenge using your own smartphone (Microsoft Windows Phones are not eligible). Each smartphone can only be used once for a Challenge during the Entry Period.

Entries may **NOT** contain, as determined by us, in our sole and absolute discretion, any content that:

- is sexually explicit, unnecessarily violent or derogatory of any ethnic, racial, gender, religious, professional or age group; profane or pornographic;
- promotes alcohol, illegal drugs, tobacco, firearms/weapons (or the use of any of the foregoing) or a particular political agenda;
- is obscene or offensive;
- defames, misrepresents or contains disparaging remarks about other people or companies;
- communicates messages or images inconsistent with the positive images and/or good will to which we wish to associate; and/or violates any law;

We reserve the right to reject any entry, in our sole and absolute discretion, that we determine does not meet the above criteria.

### **HOW DO I ENTER?**

- During store hours, inform a Microsoft Retail Store associate you want to accept the Challenge.
- You must personally execute the Challenge using your own smartphone (Microsoft Windows Phones are not eligible)

We will only accept one (1) entry per person

We will automatically disqualify:

- Any incomplete or illegible entry; **and**
- Any entries that we receive from you that are in excess of the entry limit described above.

### **WINNER DETERMINATION AND PRIZES**

If your smartphone completes the Challenge faster than the Microsoft sales associate using the Windows Phone you will be the winner. In the event of a tie between the Windows Phone and Your smartphone your smartphone will be considered the winner. The decisions of the judges are final and binding.

#### Contest Prizes

First Prize: One (1) Hunger Games PC (CWF-00587 HP Folio 13 Special Edition). Approximate Retail Value (ARV) \$1,049.00.

The total Approximate Retail Value (ARV) of all prizes depends upon the number of winners but will be at least ten (10) per store.

If you are a potential winner, you will be notified immediately.

If there is a dispute as to who is the potential winner, we will consider the potential winner to be the authorized account holder of the e-mail address used to enter the Contest. If you are a potential winner, we may require you to sign an Affidavit of Eligibility, Liability/Publicity Release and a W-9 tax form or W-8 BEN tax form within 10 days of notification. If you are a potential winner and you are 18 or older, but are considered a minor in your place of legal residence, we may require your parent or legal guardian to sign all required forms on your behalf. If you do not complete the required forms as instructed and/or return the required forms within the time period listed on the winner notification message, we may disqualify you and select a runner-up.

If you are confirmed as a winner of this Contest:

- You may not exchange your prize for cash or any other merchandise or services. However, if for any reason an

advertised prize is unavailable, we reserve the right to substitute a prize of equal or greater value; **and**

- You may not designate someone else as the winner; **and**
- If you accept a prize, you will be solely responsible for all applicable taxes related to accepting the prize; **and**
- If you are otherwise eligible for this Contest, but are considered a minor in your place of residence, we may award the prize to your parent/legal guardian on your behalf; **and**
- Unless otherwise noted, all prizes are subject to their terms and conditions.
- Some Challenge scenarios reflect set-up and pre-installed apps.

We will only award one (1) prize per person.

#### **WHAT OTHER CONDITIONS AM I AGREEING TO BY ENTERING?**

By entering this Contest you agree:

- To abide by these Official Rules; **and**
- To release and hold harmless Microsoft and its respective parents, subsidiaries, affiliates, employees and agents from any and all liability or any injury, loss or damage of any kind arising from or in connection with this Contest, or any prize won; **and**
- That Microsoft's decisions will be final and binding on all matters related to this Contest; **and**
- That, by accepting a prize, Microsoft may use of your proper name and state of residence online and in print, or in any other media, in connection with this Contest, without payment or compensation to you, except where prohibited by law.

#### **WHAT LAWS GOVERN THE WAY THIS CONTEST IS EXECUTED AND ADMINISTRATED?**

This Contest will be governed by the laws of the State of Washington, and you consent to the exclusive jurisdiction and venue of the courts of the State of Washington for any disputes arising out of this Contest.

#### **WHAT IF SOMETHING UNEXPECTED HAPPENS AND THE CONTEST CAN'T RUN AS PLANNED?**

If someone cheats, or a virus, bug, catastrophic event, or any other unforeseen or unexpected event that cannot be reasonably anticipated or controlled, (also referred to as force majeure) affects the fairness and / or integrity of this Contest, we reserve the right to cancel, change or suspend this Contest. This right is reserved whether the event is due to human or technical error. If a solution cannot be found to restore the integrity of the Contest, we reserve the right to select winners from among all eligible entries received before we had to cancel, change or suspend the Contest.

If you attempt to compromise the integrity or the legitimate operation of this Contest by hacking or by cheating or committing fraud in ANY way, we may seek damages from you to the fullest extent permitted by law. Further, we may ban you from participating in any of our future Contest, so please play fairly.

#### **HOW CAN I FIND OUT WHO WON?**

If you send an email to [SBWP@microsoft.com](mailto:SBWP@microsoft.com) within 30 days of March 29, 2012, we will provide you with a list of winners that receive a prize worth \$25.00 or more.

This Contest is sponsored by Microsoft Corporation, One Microsoft Way, Redmond, WA 98052.

#### **PRIVACY STATEMENT**

At Microsoft, we are committed to protecting your privacy. Microsoft uses the information you provide to notify prize winners, and to send you information about other Microsoft products and services, if requested by you.

Microsoft will not share the information you provide with third parties without your permission except where necessary to complete the services or transactions you have requested, or as required by law. Microsoft is committed to protecting the security of your personal information. We use a variety of security technologies and procedures to help protect your personal information from unauthorized access, use, or disclosure. Your personal information is never shared outside the company without your permission, except under conditions explained above.

If you believe that Microsoft has not adhered to this statement, please notify us by sending email to [SBWP@microsoft.com](mailto:SBWP@microsoft.com) and we will use commercially reasonable efforts to remedy the situation.

### **WHO IS SPONSORING THIS CONTEST?**

Microsoft Corporation  
One Microsoft Way  
Redmond, WA 98052

### **FREE GIFT OFFER**

Entrants that lost the Challenge can get a free Windows Phone by recycling their losing smartphone. This offer does not include the following Windows Phones: Nokia Lumia 800 Unlocked GSM Phone Entertainment Bundle - Magenta, CYF-00058 and Nokia Lumia 800 Unlocked GSM Phone Entertainment Bundle - Black, CYF-00059. Offer good only in the 50 United States & D.C. to customers who participated in the Microsoft Smoked by Windows Phone Hunger Games Event Contest and lost the Challenge. Offer good only to entrants that recycle their losing smartphone through the Microsoft Store Electronics Recycle Program. Recycle Program Terms and Conditions apply, for details see: [microsoftstore.com/recycle](http://microsoftstore.com/recycle). No value will be provided for your phone, you will be required to sign a recycle form. Limit one gift per entrant. This offer is non-transferable and cannot be combined with any other offer. This offer begins on March 22, 2012 and ends on March 29, 2012 or while supplies last, and is not redeemable for cash. Taxes, if any, are the sole responsibility of the recipient. Phone contract is not included.