

OFFICIAL RULES OF THE VISIT ALBUQUERQUE 2016 #PICTUREABQ BALLOON FIESTA PHOTO CONTEST

The #PictureABQ contest (the "**Contest**") is provided by Visit Albuquerque and Travel New Mexico, (a subsidiary of Simply Social Media). These entities are considered the "**Sponsors**".

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 18. Excluded from eligibility are officers, directors, employees, volunteers, agents and representatives of Visit Albuquerque, Simply Social Media and CrowdRiff Digital (collectively, the "**Excluded Individuals**"). 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 (the "**Rules**"), as may be amended by Visit Albuquerque 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 12:00pm (MST) on September 28, 2016, subject to these Rules, concludes at 12:00pm (MST) on October 9, 2016 (the "**Contest Period**").

Prizes from Visit Albuquerque partner businesses will be given away daily between October 1-9, 2016. Winners will be selected randomly by Visit Albuquerque (@VisitABQ) and Simply Social Media (@TravelNewMexico) from users who posted a photo using the hashtag #PictureABQ on Twitter or Instagram during the Contest Period. Prize redemption will be coordinated between the daily winners and the sponsor businesses.

One winner will receive a hot air balloon ride (the "**Grand Prize**"). The winner will be selected from the approved and registered entries received between September 28, 2016 at 12:00pm (MST) and October 4, 2016 at 11:59pm (MST). Any photos submitted after this deadline will not be eligible for the Grand Prize, but may still be eligible for the daily giveaways. The Sponsors' clock shall be the official timekeeper for the campaign.

PARTICIPATION:

1. To participate in the Contest, you must have a **public** Instagram or Twitter account. 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 #PictureABQ during the Contest Period ("**Photo Submission**"). We want users to show us what they find beautiful and picturesque about Albuquerque, with an emphasis on the fall season. From hot air balloons and craft brews, to roasting green chile and a Sandia sunset, we want to picture Albuquerque through user submissions.
3. To identify their entry into the contest for the Grand Prize, applicants must **register** their photo on PictureABQ.com when prompted by the contest application and complete the entry form (including accepting these contest rules). Those interested only in daily prize giveaways do not have to register their photo on PictureABQ.com.
4. Only Photo Submissions which include the hashtag #PictureABQ in the description, caption or comments will be considered to win a daily prize or the Grand

Prize. Photo Submissions must be original work, have not previously won any award from Visit Albuquerque, 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. Visit Albuquerque 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.

6. There is no limit to the number of Photo Submissions a participant may submit. Applicants that win a daily giveaway prize are still eligible to win the Grand Prize during the contest held on PictureABQ.com. Winners are also eligible to win future contests.

PRIZES:

Prizes from Visit Albuquerque partner businesses will be given away daily between October 1-9, 2016. Winners will be selected randomly by Visit Albuquerque (@VisitABQ) and Simply Social Media (@TravelNewMexico) from users who posted a photo using the hashtag #PictureABQ on Twitter or Instagram during the Contest Period. Winners will be notified via direct message from Visit Albuquerque and Travel New Mexico on the platform that they posted the photo (Instagram or Twitter). Prize redemption will be coordinated between the daily winners and the businesses.

At their discretion, Visit Albuquerque will award a hot air balloon ride on Thursday, October 6 or Friday, October 7, 2016 (depending on weather, pilot and winner availability) to the Twitter or Instagram user whose photo tagged with #PictureABQ is deemed the Grand Prize winner. The winner plus one guest will take off on their balloon flight from Balloon Fiesta Park (during Balloon Fiesta). The balloon ride **must** be taken on one of these two days. If the flight cannot take place on due to weather restrictions, Visit Albuquerque cannot guarantee that the ride will be rescheduled. The ride will **not** be rescheduled if the contest winner is unavailable to ride on October 6 and/or October 7, 2016. The balloon ride will take place in a balloon of Visit Albuquerque's choosing.

SELECTION OF WINNERS:

Daily prizewinners will be randomly selected by Visit Albuquerque (@VisitABQ) and Simply Social Media (@TravelNewMexico). Winners will be notified by direct message on the platform that they posted their photo (Instagram or Twitter). Winners have 24 hours to respond, and if no response is received within 24 hours, the Sponsors will offer the prize to another winner. Once confirmed, the winner's first and last name be shared with the prize's sponsor business. Prize redemption will be coordinated between the daily winners and the sponsor businesses.

The Grand Prize winner will be selected by Visit Albuquerque from the pool of all photos submitted during the submission period (September 28-October 4, 2016). The Grand Prize 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 (collectively, the "**Judging Criteria**").

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.**

Visit Albuquerque will contact the Prize Winner via email and/or direct message on the platform that they posted the photo (Instagram or Twitter) to inform them that they are the Grand Prize winner. If after exercising reasonable efforts, Visit Albuquerque (@VisitABQ) and Simply Social Media (@TravelNewMexico) cannot reach a participant within 24 hours of the first attempt to contact them, the Sponsors 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:

Prizes 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 Visit Albuquerque'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:

Visit Albuquerque, 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 the prize, the Grand Prize winner hereby consents to Visit Albuquerque's use of the winner's name, city of residence, picture, biographical information, statements, and photo entry in any advertising and publicity that Visit Albuquerque 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.

ADDITIONAL TERMS:

Visit Albuquerque reserves the right, at its sole discretion, to disqualify any participant from the Contest if Visit Albuquerque 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 Visit Albuquerque, 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. Visit Albuquerque 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 Visit Albuquerque 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 Visit Albuquerque, the decision or interpretation of Visit Albuquerque shall prevail.

*Participants agree that upon registering a **Photo Submission** on PictureABQ.com, Visit Albuquerque shall be granted the absolute right and unrestricted permission to use **Photo Submission** for the purposes of advertising and promotion of Albuquerque 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 Visit Albuquerque, 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. Travel New Mexico, Simply Social Media, Crowdriff, Instagram, Twitter, the Albuquerque International Balloon Fiesta, 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 (collectively, the "**Releasees**") 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, INCLUDING, WITHOUT LIMITATION, LIABILITY FOR DEATH, PERSONAL INJURY, DAMAGE OR LOSS OF ANY KIND, LOSS INCURRED DURING TRAVEL TO/FROM, AND/OR ATTENDANCE AT, THE ALBUQUERQUE INTERNATIONAL BALLOON FIESTA, AND FROM LIABILITY TO ANY OTHER PERSONS RELATING TO OR RESULTING FROM ENTERING THE CONTEST.

Without limiting the foregoing, the Releasees are not responsible for: (i) any incorrect or inaccurate information, whether caused by participants, Instagram, Twitter, 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, Visit Albuquerque 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 New Mexico, 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 Albuquerque, New Mexico (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 Visit Albuquerque and Travel New Mexico, not to Instagram, Twitter or the Albuquerque International Balloon Fiesta.

10. WINNERS LIST:

For a list of the major winner, mail a self-addressed, stamped envelope to be received by 10/19/16 to: Balloon Ride Sweepstakes, Visit Albuquerque, PO Box 26866 Albuquerque, NM 87126-6866