

## **“Salewa guess&win” COMPETITION RULES**

### **PROMOTER**

This competition (hereinafter the “Competition”) is organised by:

**Oberalp AG-SPA** with registered offices at Via Waltraud-Gebert-Deeg 4 - Bolzano - Tax Code and VAT Number 00122250210 (hereinafter “Oberalp” or the “Promoter”).

### **TYPE**

Skill competition.

### **TERRITORY**

Italy.

### **PROMOTIONAL PERIOD**

It will be possible to participate in the Competition from 00:00:01 on 13 May 2019 to 10:00:01 (a.m.) on 16 June 2019 (hereinafter the “Promotional Period”).

The prizes will be awarded, by means of a ranking (hereinafter the “Final Classification”), by 19 July 2019.

### **PURPOSE OF THE COMPETITION**

Through the competition, Oberalp aims to promote awareness of its “Salewa” brand (which identifies products for mountain sports) and the website [www.salewa.com](http://www.salewa.com) (hereinafter the “Salewa Website”).

Buying a Salewa branded product is not a requirement for participation in the Competition.

### **TARGET ENTRANTS**

Adult users of the Salewa Website.

### **TERRITORY AND APPLICABLE LAW**

Whereas:

- a) the Competition can only be entered through the dedicated web page accessible from the Salewa Website;
- b) Oberalp, as the Promoter, is a company resident in Italy;
- c) the Salewa Website as well as the systems for collecting and managing entries to the Competition are

located in a data centre resident in Italy;

in view of the above, the Competition will take place entirely in Italy, as it is in this territory that the entries will be collected and all the procedures will take place for awarding the promised prizes, by means of a ranking.

Therefore, the applicable law is exclusively Italian law.

## **PRIZES TO BE WON**

The following prizes will be awarded by means of a Final Classification:

to the first-place winner: a prize of their choice between:

- a) one night's accommodation (single or double room for single use) at a hotel of at least 3-stars located in Sulden (Trentino-South Tyrol), including breakfast and lunch and a local activity consisting of a paragliding excursion (tandem with a qualified instructor), worth a total value of €450 (VAT included) and hereinafter referred to as the "Stay". The prize therefore consists exclusively of the Stay (with the related meals and excursions as indicated above); therefore, the transfers to the location of the Stay (Sulden) and anything not expressly indicated are not part of the prize and will be at the expense of the winner;

or

- b) Salewa branded products (hereinafter the "Salewa Product Kit") worth a total value of €450 (VAT included) and consisting of a Salewa T-shirt (€40), a Salewa sweatshirt (€100), a pair of Salewa trousers (€80), a pair of Salewa Speed Hiking shoes (€170), a Salewa Speed Cap (€50) and a Salewa headband (€10).

to the second-place winner: a prize consisting of a Salewa Ultra Train X-Alps 18L backpack, with a retail value of €100 (VAT included).

to the third-place winner: a prize consisting of a Salewa X-Alps Direlease® T-shirt, men's or women's version depending on the winner, with a retail value of €40 (VAT included).

## **TOTAL PRIZE MONEY**

€590 (VAT included).

## **COMPETITION ADVERTISING, ENTRY METHODS AND METHOD FOR AWARDING PRIZES**

During the Promotional Period, the Competition will be advertised on the Salewa Website, from which access will be made available to the online entry form (hereinafter the "Entry Form") through which it will be

possible for entrants to:

1. indicate their prediction as to which athlete sponsored by Salewa – of the 5 registered in the international paragliding competition officially named “Red Bull X-Alps 2019” of which the Salewa brand is a sponsor (departing from Salzburg on 16 June 2019, thirteen intermediate stages and arriving in the Principality of Monaco) – will achieve the best position;
2. indicate their prediction of the total time (expressed in days, hours, minutes and seconds) taken by the selected Salewa athlete (in the manner described in point 1 above) to complete the entire Red Bull X-Alps 2019 route (hereinafter "Total Time Indicated");
3. confirm that they have read and understood these rules;
4. provide their personal data consisting of their name, surname, date of birth, email address, telephone number and country of residence (hereinafter the "Data").

All those who complete and submit the Entry Form during the Promotional Period are hereinafter referred to as "Registered Users".

With regard to entry, the following should be noted:

- each entrant will have the right to fill in the Entry Form only once; the data 'name' + 'surname' + 'date of birth' data must be unique, it being understood that the email address entered may not be subsequently associated with entries by other individuals;
- the Data entered in the Entry Form must be true and correct;
- given that the email address of the Registered User will be used for both communicating any prize win and for all subsequent communications, each entrant in the Competition shall be responsible for the correct entry of such data when completing the Entry Form;
- in order to receive any prize won, the above email address must therefore be attributed to an email box that is operative and manned by the Registered User (i.e. reachable and not disabled from receiving new messages);
- the Data will be processed – in compliance with Regulation (EU) 2016/679 of 27 April 2016 and Legislative Decree no. 196 of 30 June 2003 (as supplemented and amended by Legislative Decree no. 101 of 10 August 2018) – for the primary purposes connected with running the Competition and for such processing by the Promoter; as this relates to regulatory and contractual obligations, it is not necessary to obtain the consent of the parties concerned;
- any refusal to give further optional and specific consents to processing for promotional and marketing purposes will not prevent entry in the Competition;

- by entering the Competition, entrants also acknowledge that submitting the data (including an email address) of any third party other than themselves, even if not attributable to an existing person, will cause the loss of all rights arising from entering the Competition, including the possibility of winning any prize; furthermore, if the data provided can be traced back to an existing identifiable person other than themselves, the entrant, by submitting such data, shall hold the Promoter harmless with respect to any dispute, claim or request for compensation that may be made by that third party, following receipt of unsolicited communications.

Following the conclusion of the Red Bull X-Alps 2019 competition, Oberalp shall:

- A. first select from the database of entrants all the Registered Users who indicated the Salewa athlete in the highest position at the end of Red Bull X-Alps 2019 (excluding, therefore, those who indicated one of the 4 athletes in a lower position);
- B. list the Registered Users referred to under point A in descending order, based on the degree of difference (plus or minus deviation) between the Total Time Indicated and that actually taken by the Salewa athlete in the Red Bull X-Alps 2019 race.

By 19 July 2019, in the presence of an official (the person responsible for consumer protection and safeguarding public confidence at the competent CCIAA (Italian Chamber of Commerce)) and making available to said official the list referred to under point B above, the promised prizes will be assigned in the following manner:

the Registered Users occupying the first three positions of the Final Classification will be awarded the prizes respectively provided for on the basis of their position; the Registered Users in fourth to tenth place will constitute the runners-up.

In the event that in the Phase Classification there are equal rankings among the positions giving entitlement to a prize, Registered Users with the same ranking will be classified according to who completed the Entry Form first, on the basis of the criterion that, the closer in time to the start of the Red Bull X-Alps 2019 race they entered, the more useful information (by way of example and not limited to: the physical fitness of a particular Salewa athlete, weather forecasts or wind map from which the conditions preferred – or not – by a particular athlete can be inferred, activities prior to the competition carried out during the Prologue Race, etc.) for making their predictions may be known.

## **NOTIFICATION OF WINNERS AND DELIVERY OF PRIZES**

The contact procedure described below will be carried out after the prizes have been awarded.

The communication will be made by email, to the addresses provided when filling out the Entry Form.

Regarding the first-place winner, they must reply to the aforementioned communication within 10 days, also by email, confirming which prize they have chosen from the two available options.

In the event that the winner opts for the Stay, further contacts will follow to make the prize available and to agree the date of use with the winner (excluding the period of August 15) provided this is by 31 October 2019.

If the winner chooses the Salewa Product Kit, they must indicate their clothing size, shoe size and the address to which the products must be sent within 180 days of the date the winners are announced.

Regarding the second- and third-place winners, they must reply within 10 days, also by email, indicating the address to which the respective prize won must be sent within 180 days of the date the winners are announced.

If no reply is received within 10 days of notification of the win (the date of the email will be taken as proof), the right to the respective prize won will be lost and the first runner-up will be contacted, using the same procedure described above.

## **ACCESS TO THE RULES**

These rules will be published on the Salewa Website.

## **WAIVER OF RIGHT TO WITHHOLDING TAX**

Oberalp expressly waives the right to recover withholding tax pursuant to Art. 30 of Presidential Decree 600 of 29/9/73 in favour of the winners.

## **FINAL NOTES**

- If not requested or not assigned, the promised prizes will be donated to charity:  
Caritas Italiana - Non-Governmental Organization (NGO) registered in the registry of Italian public benefit organisations - Via Aurelia 796 - 00165 Rome - Tax Code 80102590587.
- As a guarantee for the promised prizes, security has been given by means of a bank guarantee issued in favour of the Italian Ministry of Economic Development.
- Oberalp shall not be liable for the sending of communications regarding a prize win that have not been received by the recipient if the email box is not authorised to receive new messages, if the address

provided does not exist or cannot be reached for reasons attributable to the email service provider used by the recipient of the communication or if the message is incorrectly classified as spam.

- Oberalp has the right, for the protection of all entrants, to block access to the Competition to any person who tries to circumvent or violate the computer system used to manage and control entries, and reserves the right to inform the competent authorities of such attempts.
- Oberalp shall not be liable in the event of inability to access the Salewa Website for reasons attributable to the device (desktop or mobile) used by the potential entrant, to the software installed on it, to the Internet connectivity provider, or to any cause of force majeure or cause attributable to third parties.