

## **KX Birthday Club Weekly Sweepstakes 2023 Official Rules**

**1. Sponsors.** This Sweepstakes (“Sweepstakes”) is sponsored by KXMC+ (“Station”), 1811 N 15<sup>th</sup> St. Bismarck, ND 58501 and North Hill Bowl 1901 N Broadway # A, Minot, ND 58703 (collectively, the “Sponsor(s)”). This Sweepstakes is void where taxed, restricted, or prohibited and is subject to all local, state, and federal laws. By entering, each entrant accepts and agrees to be bound by these Official Rules and the decisions of the Sponsor(s), which shall be final and not subject to appeal.

APPLE IS NOT INVOLVED IN ANY WAY IN THIS CONTEST/SWEEPSTAKES. THE SPONSOR(S) IS/ARE SOLELY RESPONSIBLE FOR PROVIDING THE PRIZE(S) LISTED HEREIN. THE PRIZE(S) WON ARE NOT APPLE PRODUCTS, NOR ARE THEY RELATED TO APPLE IN ANY WAY. THE RESPONSIBIITY OF ORGANIZING THIS CONTEST/SWEEPSTAKES AND DISTRIBUTING THE PRIZE(S) ARE THE SPONSORS’ RESPONSIBILITIES. APPLE DOES NOT SPONSOR THIS CONTEST/SWEEPSTAKES IN ANY WAY.

**2. Eligibility.** No purchase necessary to enter. The Sweepstakes is open to legal U.S. citizens who reside within KXMC+ viewing area and who are at least 18 years of age at the time of entry. Current or former employees of KXMC+, Nexstar Broadcasting, Inc., the other Sponsors, the other television and radio stations and multichannel video programming distributors in KXMC+ viewing area, their parent companies, subsidiaries, affiliates, advertising or promotional agencies (including anyone who prepares and/or distributes Sweepstakes materials), and the immediate family members or persons living in the same household (whether related or not) of all the foregoing are not eligible to participate or win. The term “immediate family members” includes spouses, grandparents, parents, siblings, children and grandchildren.

Participants are eligible to win a KXMC+ contest or sweepstakes only once every 30 days. Only one winner per household is permitted in any contest or sweepstakes. Participants are eligible to win a prize valued at \$600.00 or more only once every six months. Text, data, or messaging rates may apply.

**3. Entry.** This Sweepstakes will begin on February 20, 2023 at 12:00am (CST) and end on December 31, 2023 at 11:59pm (CST). To enter the Sweepstakes, entrants must [www.kxnet.com/contests](http://www.kxnet.com/contests) and submit an entry form. Entrants must include their name, phone number and e-mail address in order to enter. Incomplete entries will not be considered. All entries must be received by December 31, 2023 at 12 midnight CST. One entry per person, per day will be accepted.

Sponsor(s) is/are not responsible for telephone service outages, delays, equipment malfunctions, busy signals, hang-ups, errors or data loss of any kind, lost or unavailable connections, or late, lost, failed, illegible, incomplete, garbled or deleted entries, transmissions, or voicemails or other network or technological difficulties that may prevent an individual from completing his/her telephone call or online entry, or for printing errors in any advertisement, entry form, or these Official Rules.

Entry materials that have been tampered with or altered are void. Any automated or computer-generated entries, fake or duplicate identities, spam, or improper techniques (as determined by Sponsor(s)) will be disqualified. Any questions regarding the validity, completeness, or number of entries submitted by an individual or the identity of the authorized account holder of an e-mail address, phone number, or social media profile shall be determined by Sponsor(s) in its/their sole discretion. If the Sponsor(s) determine(s), in its/their sole discretion, that there is any suspected or actual tampering with the Sweepstakes (electronic or otherwise) or if technical difficulties (e.g. infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of Sponsor(s) compromise the security, fairness, integrity or administration of the Sweepstakes, the Sponsor(s) reserve(s) the right to void the entries at issue and/or modify, suspend, cancel or terminate the Sweepstakes and conduct a random drawing to award the prize among all eligible entries received as of the termination date. If the Sweepstakes is terminated due to tampering or technical difficulties prior to its expiration date, notice will be posted online at [www.kxnet.com](http://www.kxnet.com). Sponsor(s) reserve(s) the right to disqualify any entrant that tampers with the operation of the Sweepstakes or website or violates the Official Rules of the Sweepstakes. The Sponsor(s) reserve(s) the right to disqualify any entrant who acts in a disruptive, harassing, vulgar, or unsportsmanlike manner, as determined by the Sponsor(s) in its/their sole discretion. Entries not conforming to these entry specifications will not be acknowledged or returned.

By entering this Sweepstakes online, participants agree to KXNet.com's Terms of Use and the Privacy Policy located at [www.kxnet.com/privacy-policy](http://www.kxnet.com/privacy-policy). Upon entry, all entry information becomes the property of the Sponsor(s), and entrants grant the Station the right to distribute all of their entry information to the other Sponsor(s). By entering, entrants grant the Sponsor(s) the right to broadcast and distribute their name, image, likeness, voice, entry materials, and biographical information in any media whatsoever, including on the air on the Station and on [www.kxnet.com](http://www.kxnet.com), for any purpose whatsoever, worldwide, in perpetuity, without any further authorization from or compensation to the entrant.

**4. Odds of Winning.** The odds of winning depend on the number of eligible entries received.

**5. Prize(s).** There will be forty-five (45) winners in this Sweepstakes (one winner per week). Every Monday at 10am CST the weekly winner will be randomly selected from all eligible entries and notified that they won by phone or e-mail. The winner(s) will receive one (1) gift certificate to North Hill Bowl in Minot, ND. The retail value of the prize is \$25. Entrants can win only once.

All results are unofficial until winner(s) is/are verified by the Sponsor(s). Prizes may not be exchanged, substituted, transferred or redeemed for other prizes by winner. Cash will not be awarded as a substitute for prize. Prizes are awarded 'as is' with no guarantees or warranties as to use, merchantability, or fitness for a specific purpose, and the Sponsor(s) is/are not responsible for defective prizes. Sponsor(s) reserve(s) the right to substitute a prize in their sole discretion without an on-air or off-air announcement, in which case a prize of equal or greater value will be awarded. Other terms and conditions may apply.

**6. Conditions for Acceptance of the Prize(s).** The winner(s) must claim the prize(s) in-person at the North Hill Bowl 1901 N Broadway # A, Minot, ND 58703 during regular business hours (M-F from 9:00 AM CST - 4:30 PM CST). Prize(s) will not be mailed under any circumstances. The

prize(s) must be claimed by Friday, January 26, 2024 at 4:30pm CST or it/they will be forfeited. Winner(s) will be required to provide a valid government issued photo identification card and to execute an affidavit of eligibility and publicity and liability release prior to receiving their prize(s). The Station may require the winner's guests, invitees, or travel companions to sign liability releases prior to receiving the prize. All unclaimed or rejected prizes will be forfeited. Failure by the winner(s) to respond to the Station's messages, calls, e-mails or other notifications will lead to forfeiture of the prize(s). Failure to completely fill out and sign all waivers, releases, or forms requested by the Station will result in forfeiture of the prize(s). Upon forfeiture of the prize(s), the Station has the right to award that prize to another winner using the method described above. A winner who forfeits any prize is not eligible to win another Sweepstakes conducted by the Station for thirty (30) days. If this Sweepstakes is open to entrants under the age of 18, a winner is under the age of 18, a parent or legal guardian will be required to claim the prize(s) and execute all releases on behalf of the minor. If a prize winner is a minor, that winner's travel companion must be his/her parent or legal guardian.

Payment of all federal, state and local taxes is the sole responsibility of the winner(s) and the winner(s) may receive an IRS 1099 Form or equivalent from the Sponsor(s). The Sponsor(s) will report any individual winnings over \$600 (in cash or fair market value of goods or services) in a one year period to the Internal Revenue Service. Winner(s) is/are required to fill out any tax forms requested by the Sponsor(s) in order to receive their prize(s).

Unless otherwise stated above, Winner(s) will be solely responsible for any and all license and registration fees, accommodations, transportation costs, gratuities and all other items of an incidental nature. Prize(s) may subject to availability. All expenses on receipt and use of prize(s) are the sole responsibility of the winner(s), the Sponsor(s) is/are not responsible for any weather changes or extenuating circumstances relating to a prize received. The Sponsor(s) is/are not responsible for replacing or reimbursing winners with any form of compensation for events that are delayed or canceled. All delays and cancellations are deemed beyond the control of the Sponsor(s). This includes, but is not limited to, event cancellations, trip schedule changes, flight cancellations, changes in travel arrangements, travel delays of any form and duration, game cancellations and delays, as well as all acts of nature. Sponsor(s) will not be responsible for failure to supply the prize(s) by reason of any force majeure events, such as acts of God, war, terrorist attacks, unusually severe weather, labor strikes, or other causes beyond the control of the Sponsor(s).

By accepting the prize, the winner or winners (or, in the case of a minor, their parent/legal guardian) agree to have their name, voice, likeness, biographical information, and entry materials used in any advertising or broadcasting material relating to this Sweepstakes, and in any media whatsoever, including the Station and on [www.kxnet.com](http://www.kxnet.com), for any purpose whatsoever, worldwide, in perpetuity, without any further authorization or compensation to the entrant.

**7. Limitation on Liability.** Sponsor(s) disclaim(s) all liabilities to the winner(s) with respect to receipt and use of the prize(s). Winners and their guests or travel companions, by acceptance of their prize(s), agree to release and hold the Sponsor(s) and its/their affiliated companies, their advertising, promotion and production agencies, and their respective parent companies, subsidiaries, affiliates, officers, shareholders, directors, employees, agents and representatives harmless from any and all liability, claims, causes of actions, damages, fines, and costs of any kind

whatsoever (including reasonable attorney's fees) which may be sustained directly or indirectly to persons or property in connection with the receipt, ownership or use of the prize or while preparing for, participating in, and/or traveling to any Sweepstakes- or prize-related activity.

**8. Reservation of Rights.** Sponsor(s) reserve(s) the right to make changes to these Official Rules in their sole discretion which will become effective upon announcement. Sponsor(s) reserve(s) the right to cancel or terminate this Sweepstakes for any reason in the event that it cannot be run or administered as intended by the Sponsor(s). Any such changes or termination will be announced on [www.kxnet.com](http://www.kxnet.com). Any attempt by an entrant or any other individual to deliberately damage or undermine the legitimate operation of the Sweepstakes may be a violation of criminal and civil laws and should such an attempt be made, Sponsor(s) reserve the right to prosecute or seek damages from any such person to the fullest extent permitted by law.

**9. Contact Information.** For questions or more information about this Sweepstakes, please contact KXMC+ at 1811 N 15<sup>th</sup> Street, Bismarck, ND 58501. For a copy of these rules, addendum, and/or list of winners please send a self-addressed stamped envelope to KXMC+ within sixty (60) days of the end of this Sweepstakes.