

Competition rules Bernard-Massard - "EMOTIONS"

Article I: Organisation

The public limited company CAVES BERNARD-MASSARD – listed in the LUXEMBOURG Trade and Companies Register under number B 4057, registered for VAT under number LU 10407130 and represented by its Board of Directors – established and having its registered office at 8, rue du Pont, L-6773 GREVENMACHER, in cooperation with its exclusive distributor in Belgium, VA.S.Co, with its registered office at Industrielaan 16-20, B-1740 Ternat, hereinafter referred to as the organiser, is organising a free competition with no purchase obligation.

For this competition, Caves Bernard-Massard invites the general public to post one or more photos of their faces, illustrating an emotion of their choice, via the site <https://100.bernard-massard.lu> to try to win various prizes offered throughout 2021. Participation in this competition will be possible from 03/05/2021 to 31 December 2021 at 11:59 p.m.

Each month, 20 winners will be designated by the jury. They will be awarded the prizes offered on a monthly basis.

At the end of the year, a winner designated by the jury will win the final prize. One hundred photos selected by the jury will also be presented to the general public as part of an exhibition dedicated to 100 years of Bernard-Massard which will be held in early 2022.

Article II: Terms of participation

Entry to this competition is free of charge, with no purchase obligation, and is open to any natural person of legal age residing in Luxembourg, Belgium or Canada, with the exception of permanent or temporary members of staff and representatives of the companies Bernard-Massard, VA.S.Co, agence binsfeld and Gracious, as well as their family members.

Each participant can submit one or more photos of his or her choice.

The photo(s) must not contain third-party brands or references to third-party brands. They must be original photos taken by the participant and must not infringe the rights of third parties or contain inappropriate or prohibited content. Any entry on behalf of another person and/or any entry that is incomplete and/or submitted after the deadline (see clause I) will be considered null and void. The organiser of the competition may demand proof of identity and/or proof of address.

Article III: How to take part in the competition

To participate in the competition, participants are invited to go to the website <https://100.bernard-massard.lu>, and take their photo directly or download it from their computer or phone, then fill out a participation form. In the event of non-compliance with the technical constraints, the organiser reserves the right to withdraw an application. The following information is requested on the form:

- First name (*)
- Surname (*)
- Address (*)
- Postcode (*)
- Town/City (*)
- Email address (*)
- Telephone
- I accept the rules. (*)
- I assign my image and copyright rights for the photo sent. (*)

The fields of the form marked with an asterisk are compulsory.

After correctly completing the participation form and once the photo has been validated by the organiser, a validation message is displayed to the user on the website.

Article IV: Intellectual property

By submitting one or more photos intended for publication on the website <https://100.bernard-massard.lu>, on social networks and as part of the exhibition organised to celebrate 100 years of Bernard-Massard, the participant declares that to his or her knowledge, the photo(s) are neither a copy nor an adaptation of an existing work on any medium. In particular, the participant declares that his or her creations do not infringe any third party rights, that is to say that they do not contain any element which:

- violates any intellectual property right (including, but not limited to, a trademark right, a design or model right, an industrial property right, an artistic or literary right, an artist's or performer's right) or any other property right,
- violates any personal right (in particular, but not exclusively, the right to a name, the right to an image and the right to the protection of privacy),
- constitutes an act of unfair or illegal competition.

The organiser reserves the right to refuse or remove any submission that falls within one of the above categories. If, despite the guarantee provided above by the participant, the publication of a photograph on the website <https://100.bernard-massard.lu> was found to be in violation or an abuse of a right, the injured party shall be entitled to inform the organiser of this violation or this abuse, and to request that the content be deleted.

The participant guarantees that he owns and controls all the rights that may be linked to the photo(s), so that the organiser obtains the full right of use and enjoyment. In particular, the participant declares that the rights to the photo(s) have not been assigned, in full or in part, or licensed, that they do not benefit from any privilege or lien, and that they are not currently the subject of any litigation or threat of litigation.

Consequently, the participants shall indemnify the organiser in the event of an action, claim or other procedure initiated or issued against the organiser by any natural or legal person in connection with the use by the organiser of photos created and submitted by participants. This guarantee applies to all damages, interest, expenses, settlement costs or fees to be paid or borne by the organiser.

Authorisation to use photographs

By submitting his or her photo to the organiser for publication on the website <https://100.bernard-massard.lu>, the participant expressly authorises the organiser to reproduce and publicly display his or her photo on its website, on social networks and on any medium used to illustrate the competition, throughout the duration of the competition and for an unlimited period, without compensation of any kind for the participant.

The participant also authorises the organiser to use his or her photo within the framework of an exhibition dedicated to 100 years of Bernard-Massard.

Article V: Endowments

This competition foresees several prizes for several winners throughout 2021.

- Twenty winners per month, drawn at random from all participants, will win a bottle of the Cuvée 1921.
- One hundred overall winners will be selected by the jury. They will win the following prizes:
 - a Prestige box,
 - two invitations for the exhibition dedicated to 100 years of Bernard-Massard,
 - a print of their photo (format to be agreed).

Article VI: Designation of winners

The jury will take into account all complete and correct entries submitted by adults.

Winners will be selected by a jury consisting of four people. In the event of disagreement between the jury and Bernard-Massard, the final decision rests with Bernard-Massard.

Winners will be personally informed of their prize by email using the details they provided on the entry form.

If the winner does not respond within seven days of being informed that he/she has won a prize, it will be awarded to another participant, chosen by the jury.

Article VII: Organisers' exclusion from liability

If, following a case of force majeure, on technical grounds or for any other purely accidental reason, the competition has to be cancelled, postponed or interrupted, the organiser, in the capacity of organising company, shall not be held liable in any way.

The organiser may not be held liable if the email address for the entrant entered on the registration form is not valid or does not work, or if the inbox is full and prevents emails from being received.

The organiser hereby reminds entrants of the characteristics and limitations of the Internet and accepts no liability for the consequences of entrants connecting to the Internet through the page <http://bernard-massard-100-ans.lu>.

Furthermore, the organiser cannot, under any circumstances, be held liable in the event of problems with the delivery and/or loss of emails. More specifically, the organiser cannot be held liable for any damage, material or immaterial, caused to entrants, to their computer equipment or to the data stored therein, or for any potential resulting consequences for their personal, professional or commercial activities.

Nor can the organiser be held liable if one or more participants cannot connect to the website of the operation or enter the competition through it due to any technical error or any problem linked but not limited to: (1) a network overload; (2) human or electronic error; (3) any malicious action; (4) the telephone connection; (5) hardware or software; (6) any hardware or software error; (7) a case of force majeure; (8) disruptions that could affect the smooth running of the competition.

The organiser reserves the right to suspend, amend, extend, shorten, cancel or interrupt the competition at any time and without notice.

Article VIII: Acceptance

Acceptance of the general conditions is mandatory to participate in the competition.

Entrants unconditionally accept all the decisions taken by the organiser in relation to the competition. The decision of the organiser in relation to identification of the winner is irrevocable and final. The organiser has the right to check, at any time, that these rules have been properly applied.

Merely by entering, entrants permit, without entitlement to compensation, the use of their (sur)name and photo for the advertising and press releases and/or mailshots in relation to the competition, which may be published.

Article IX: Personal data

The email address of the winner is collected for monitoring purposes. The email addresses of all entrants will be deleted no later than twelve months after the expiration of the competition. Pursuant to the Law of 2 August 2002 on the protection of persons in relation to the processing of personal data, all entrants have the right to access and amend their data and can oppose the processing of this data by writing to the following competition address: Bernard-Massard, 8, rue du Pont, L-6773 Grevenmacher.

Article X: Miscellaneous

These rules are governed by Luxembourg law. All the provisions hereof have the force of law between the parties. No disputes shall be admissible from fifteen days after the competition closes.

Questions or claims in respect of these rules or this competition can be sent via email to concours@bernard-massard-100-ans.lu. No communication will be entered into in relation to this competition.

The rules can be obtained from the organiser, free of charge, on written request.

These rules have been filed with the firm of judicial officers Tapella & Nilles, 14-16, rue du Canal, L-4050 Esch-sur-Alzette, and may be consulted on the website www.tapella-nilles.lu