

94.5 KOOL FM's "Fulton Homes Noon Salute" Contest Rules 2018

These Contest rules are specific to the above Contest conducted by CBS Radio Stations Inc. d/b/a KOOL-FM (the "**Station**"). Except to the extent specifically set forth below with respect to this specific Contest, the Station's general contest rules apply to this Contest as well. A copy of these specific Contest rules and the Station's general contest rules are available at the Station's studio at 840 N Central Ave., Phoenix, AZ 85004 during regular business hours and on the Station's website at www.KOOLradio/rules.

To the extent that the general contest rules differ from these rules, these rules will govern and control with respect to this Contest.

How to Enter

1. No Purchase Necessary to enter or win the 94.5 KOOL FM's "Fulton Homes Noon Salute" (the "**Contest**").
2. Middle schools and High schools (grades 6-12, with students at least 11 years of age or older) wishing to participate may be public or private, but must be located in one the following counties in Arizona: Maricopa or Pinal.
3. For the purposes of this Contest, a "**Choir/Band**" is defined as a group containing no less than ten (10), but no more than thirty (30) performers. Entries containing fewer than ten (10) or more than thirty (30) performers will not be accepted. Performers must be middle school or high school students of grades six (6) through twelve (12) who are at least eleven (11) years of age.
4. One (1) entry per Choir/Band director and Choir/Band only (each an "**Entry**" and collectively "**Entries**"). Middle schools and high schools that have multiple Choirs/Bands based on grade level, size, etc., may submit multiple Entries provided that no person performs in more than one Entry. Each Entry must be submitted as a separate mp3, mp4, or wav.
5. From approximately 12:01am (MST) on Monday, August 20, 2018 until 11:59pm (MST) on Sunday, May 5, 2019, middle school or high school Choir/Band directors (hereafter referred to as a "**Representative**" or an "**Entrant**") may enter this Contest by submitting an mp3, mp4, or wav vocal/instrumental performance of the song, "The Star Spangled Banner" (the "**Performance**") (lyrics and song clips will be available for reference purposes on Station website www.KOOLradio.com), as follows:
 - i. Visit the "Contests" page on the Station website, click the graphical "Fulton Homes Noon Salute" link, and complete the online submission form as follows:
 1. Enter your email address;
 2. Complete the online submission form with the name of the Entrant, the Entrant's home address and daytime telephone number, the name of the High School where Entrant is a Choir/Band director, the Choir/Band name, and the physical address of the school; and
 3. Upload an audio file in the mp3, mp4, or wav file format ONLY of the Performance. (NOTE: THIS DOES NOT COMPLETE THE ENTRY PROCESS).
 4. Entrants who successfully submit all of the required information above will receive an email confirmation, sent to the email address provided by Entrant when completing the online submission form, within approximately twenty-four (24) hours that will include a link to access and download the REQUIRED "Consent to Participation" form (also available as "**Attachment A**" to these rules).
 - ii. Entrants MUST print and complete the "Consent to Participation" form (accessible either by link provided in submission confirmation email or as **Attachment A** to these rules), AND then

submit the completed form to the Station either by email to jansen.morgan@entercom.com or by dropping off at the Station BY NO LATER THAN 5:30pm (MST) on FRIDAY, MAY 17, 2019.

- iii. **ENTRANTS WHO DO NOT COMPLETE AND SUBMIT A COMPLETED "CONSENT TO PARTICIPATION" FORM BY 5:30pm (MST) ON FRIDAY, MAY 17, 2019 WILL BE DISQUALIFIED.**

6. **The Representative submitting the Entry is responsible for obtaining written permission from ALL performers (or from a parent or legal guardian if the performer is under 18 years of age), consenting to submission of the Entry and participation in the Contest and must sign a certification ("Certification") to this effect in the form attached to these Contest rules as Attachment "A" and submit it with their Entry. Representatives must be employees, not students, of the middle school or high school for which they are submitting an Entry, and 18 years of age or older. FAILURE TO SUBMIT ALL ITEMS AS REQUIRED WILL RESULT IN IMMEDIATE DISQUALIFICATION.**

7. By entering this Contest, Entrants represent warrant and covenant that they have obtained permission from all performers (or from a parent or legal guardian if the performer is under 18 years of age), consenting to submission of the Entry, participation in the Contest and agreement to the terms of these official Contest rules.

8. By entering this Contest, Entrants understand and agree that Station may elect to use any Entry submitted for entertainment purposes on-air and may choose to "make fun" of any entry submitted. Entrants waive any right to make any claim against Station, Choir/Band, or any Contest sponsors with respect to any disparaging comment made on-air about such entrant's entry.

9. By entering this Contest, Entrants and associated middle schools and high schools which Entrant represents agrees to indemnify, defend and hold Station harmless from and against any claims, expenses proceedings, suits, actions or costs (including costs from reasonable attorneys' fees) of any kind or nature incurred by Station on account of a breach by Entrant of any of their representations, warranties, covenants or agreements as a result of Entrant's participation in the Contest.

How to Win

- 10. ~~4~~**—At approximately 9:00am (MST) on Wednesday, September 5, 2018; Wednesday, October 3, 2018; Wednesday, November 28, 2018; Wednesday, December 26, 2018; Wednesday, January 16, 2019; Wednesday, February 13, 2019; Wednesday, March 13, 2019; Wednesday, April 10, 2019; and Wednesday, May 8, 2019 Station staff and/or management will review all eligible Entries submitted by 11:59pm (MST) on the Sunday before each selection date (Sunday, September 2, 2018; Sunday, September 30, 2018; Sunday, November 25, 2018; Sunday, December 23, 2018; Sunday, January 13, 2019; Sunday, February 10, 2019; Sunday, March 10, 2019; Sunday, April 7, 2019; and Sunday, May 5, 2019), and will select three (3) entries, based upon any lawful criteria as determined by the Station in its sole discretion as qualifying entries ("**Qualifiers**"). Subject to verification of Contest eligibility and compliance with these Contest

rules, Station will announce three (3) Qualifiers per month of the Contest on the dates listed above. Qualifiers will not receive a prize but will have their performances of "The Star Spangled Banner" played on the Station at noon for one (1) full week during the month they become Qualifiers. Any entries not selected all Qualifiers will remain eligible to be selected during any ~~other~~ subsequent Qualifier selections during the Contest.

11. ~~2.~~ At approximately 9:00am (MST) on Monday, September 10, 2018; Monday, October 8, 2018; Monday, December 3, 2018; Monday, December 31, 2018; Monday, January 21, 2019; Monday, February 18, 2019; Monday, March 18, 2019; Monday, April 15, 2019; and Monday, May 13, 2019 Station staff and/or management will select one (1) Winner from all three (3) Qualifiers selected that month, based upon any lawful criteria as determined by the Station in its sole discretion to win a Prize. Subject to verification of Contest eligibility and compliance with these Contest rules, one (1) Winner will receive one (1) prize (as described in Section 12 below) (each a "Winner"). Qualifiers not selected as a Winner. ~~Any Qualifiers~~ will remain eligible to be selected ~~during any~~ ~~other~~ again in this Contest and may become a Qualifier ~~selections during~~ again in the ~~contest~~ Contest. Any Qualifiers who are selected as Winners during this ~~contesting period~~ Contest are no longer eligible to become a Winner again during this ~~contesting period~~ Contest. Choirs/Bands may only win one (1) Prize in this Contest.

Prize(s)

12. ~~3.~~ Station will award nine (9) Prizes (the "Prize") in this Contest. Each prize is a one-thousand dollar (\$1,000) donation in the form of a corporate check made payable to the winning school's Choir/Band program. Employee/representative who submitted the Entry of the winning school's Choir/Band will forfeit any prize or prize certificate not claimed within seven (7) days of winning, and on behalf of the school, will be required to submit all required paperwork and provide all Station-requested information for the check to be issued. Checks may take up to twelve (12) weeks to receive and will be mailed directly to the winning school's Choir/Band program.

Sponsors

13. ~~4.~~ Sponsors of this Contest are: Fulton Homes and CBS Radio Stations Inc. d/b/a KOOL-FM.

Other Rules Specific to This Contest

14. ~~5.~~ Station retains sole and exclusive possession and retains all rights to use any performance Entry, or any part thereof, indefinitely in any promotions including but not limited to on-air usage without any compensation to Entrants or any third parties. The aforementioned stipulations apply to all winning and non-winning Entries. Station is not responsible for any costs associated with submitting any Entry or any costs arising out of participating in the Contest or failure to adhere to official Contest rules.

15. ~~6.~~ Station is not responsible for technical problems that may impact the ability of mp3, mp4, or wav entries to properly download and play on Station computer.

ATTACHMENT "A"
94.5 KOOL FM's "Fulton Homes Noon Salute" ("CONTEST")
CERTIFICATION OF CONSENT TO PARTICIPATION

This CERTIFICATION must be signed below by the Representative responsible for submitting an entry in this Contest. All references below to "I", "my" and "me" and "Entrant" refers to the Representative who signs the form below.

By signing below, I, the undersigned, certify that I have obtained written permission from ALL performers (or from a parent or legal guardian if the performer is under 18 years of age) who performed on the mp3, mp4, or wav (the "Content") I submitted as entry into this Contest and that each performer (or parent or legal guardian if the performer is under 18 years of age) consented to submission of the Entry and participation in the Contest.

I also acknowledge that the rules associated with this Contest are available to me at www.KOOLradio.com. I agree that by being permitted to participate I agree to be bound by the terms and conditions of all rules applicable to this Contest.

By entering this Contest and submitting an entry, I represent to the Station that the use and distribution of such entry will not violate or infringe upon the rights of any third party, including, without limitation, copyrights of others.

By entering this Contest, I understand and agree that Station may elect to use any Entry submitted for entertainment purposes on-air or online. I waive, and have secured from all members of the Choir/Band, any right to make any claim against Station or any Contest sponsors with respect to any disparaging comment made about such Entrant's entry. I hereby irrevocably grant to Entercom, and represent that I have secured from all members of the Choir/Band to grant on their behalf to Entercom, a perpetual, transferable, royalty-free license to use, publish, broadcast, transmit, and exploit the name, likeness, portrait, recorded voice and/or image and likeness of myself and all members of the Choir/Band, in any manner, by any means, whether now known or hereafter devised, as well as the right to edit, alter, or otherwise use the Content in whole or in part, alone or in compilation with content provided by third parties, and for any of which neither I nor any member of the Choir/Band shall receive any payment or any additional compensation; and in so doing, I respectively waive, and have secured from all members of the Choir/Band the right to waive, any potential claims against Entercom or any of its affiliates with respect to any such usage and/or editing in whole, or in part, alone or in compilation with content provided by third parties. Specifically, I acknowledge and agree, and have obtained from all members of the Choir/Band their acknowledgement and agreement, that such Content may be used by Entercom for, among other things, and without limitation, posting on the internet (including without limitation, the Station website(s) and third party websites such as Facebook or Twitter, Instagram, or YouTube, and/or social media pages, and/or viral distribution through email or other means of sharing), inclusion in commercials however distributed, and/or for on-air broadcast or other cable, fiber, satellite, mobile or other means of distribution, and I hereby consent, and have secured from all members of the Choir/Band their consent, to all such use, for any of which neither I nor any member of the Choir/Band shall receive any payment or any additional compensation.

By entering this Contest, Entrants and associated middle school or high school which Entrant represents agrees to indemnify, defend and hold Station from and against any claims, expenses proceedings, suits, actions or costs (including costs from reasonable attorneys' fees) of any kind or nature incurred by Station on account of a breach by Entrant of any of their representations, warranties, covenants or agreements as a result of Entrant's participation in the Contest.

I have read this certification and fully understand its contents. I acknowledge that this certification was willingly and voluntarily signed. I affirm that I am more than 18 years of age and that I intend to be legally bound by the terms of this certification.

I agree to keep the original copies of the written consents described above for at least 6 months after this Contest ends and to provide it to CBS Radio Stations Inc. ("**Entercom**"), upon Entercom's request, at any time prior to 6 months after this Contest ends whether or not I am a winner in this Contest.

AGREED TO BY:



Print Name

Signature

Date

School

Street Address

City / State / Zip Code

Phone Number

Email

Print Name

Signature

Date

School

Street Address

City / State / Zip Code

Phone Number

Email

Document comparison by Workshare 9.5 on Monday, August 20, 2018 12:26:17 PM

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