

FIVE BOROUGH WINNERS SPECIAL: \$26 OFFERS + LIMITED-EDITION CUP

TERMS AND CONDITIONS

You must agree to all of the following terms and conditions:

You acknowledge that, by agreeing to participate in New York City Tourism + Conventions' ("NYC Tourism") **Five Borough Winners Special: \$26 Offers + Limited-Edition Cup** ("Effort"), your business will adhere to all terms and conditions NYC Tourism provides for the Effort, including, but not limited to:

- If eligible for either the \$26 Offers and/or the Limited-Edition Cup based on the requirements in the [Registration Form](#) (and while supplies last) all interested patrons may participate in the Effort.
- The Effort must run continuously and for the entirety of the Effort time period as specified in the Registration Form or while supplies last.
- You agree to release NYC Tourism, the City of New York and each of their agents, partners or subcontractors (together the "FBWS Partners") from any liability or claim arising out of any use arising from the Effort (including, but not limited to, the Limited-Edition Cup (the "Product") and to indemnify and hold the FBWS Partners harmless, including each of their respective directors and agents, from and against all liability, suits, penalties or actions, including all costs and expenses arising out of or resulting from: (i) your participation in the Effort; or (ii) the Product(s); (iii) your failure to comply with applicable laws, rules or regulations; or (iv) any act or omission by you, your employees, partners or agents.
- The FBWS Partners are not responsible for any errors, omissions, incorrect information or other misprints that may appear in materials or information; or for distribution or use of the Product. We will provide you with the Product as set in the Registration Form, however, you are responsible for any third-party claims, injuries or consumer disputes or questions. FBWS Partners are not liable for indirect, incidental consequential damages.
- By agreeing to participate in the Effort, you consent to receiving future email communication regarding the Effort from NYC Tourism or its partners, as well as updates related to NYC Tourism and its activities and tourism promotion.
- You represent that You maintain all required licenses, permits and insurance. You represent and warrant that you are in compliance with all applicable federal, state and local laws, rules and regulations, including without limitation health, safety and consumer protection laws.
- Nothing in this Agreement shall be deemed to create any partnership, joint venture or agency relationship between you and NYC Tourism or the FBWS Partners.
- You acknowledge that the Five Borough Winners Special and its \$26 Offers + Limited-Edition Cup is a proprietary program of NYC Tourism. The words and logo are service marks of NYC Tourism. You agree to not use the name, logo, trademarks, service marks, art or other proprietary marks or intellectual property of NYC Tourism or engage in any promotion that could cause confusion for the consumer without prior written approval in each instance by NYC Tourism.
- You grant a royalty-free nonexclusive license to use your trademarks, including corporate logos and name to NYC Tourism and its partners in connection with: (i) the Effort; and (ii) the promotion of New York City and its boroughs.
- You represent and warrant that any materials, including such artwork, content, images, photos, videos or logos that you provide: (i) are fully owned by you or you have the right to grant such use,

as well any content within the material, including the images of any person and that they are 18 years or older; and (ii) NYC Tourism and their partners are authorized to use such materials in connection with: the Effort; and (iii) the promotion of New York City and its boroughs. These uses include, but are not limited to, website, social media, press releases, newsletters, out-of-home media and third-party distribution.

- Changes to the Effort or cancellation of the Effort may be made at NYC Tourism's sole discretion, including, but not limited to, termination of the participation at any time. We will notify you if there are any updates to the Effort.

For the avoidance of doubt, the Effort is not affiliated with, endorsed by or sponsored by Fédération Internationale de Football Association (FIFA).

GENERAL DISCLAIMER

The mini-site may include disclaimer language similar to the following:

New York City Tourism + Conventions' ("NYC Tourism") makes no representations or warranties about the information provided in the Five Borough Winners Special: \$26 Offers + Limited-Edition Cup mini-site or other related collateral. NYC Tourism hereby disclaims any responsibility and/or liability for the Effort, the Product(s), the offer(s) and/or failure by any third party to honor the Effort offer or for any errors, omissions, incorrect information or other misprints that may appear. Offers are subject to availability and blackout dates may apply. Offers do not include tax, gratuities or service charges. Additional restrictions may apply.

Content of the final General Disclaimer language may be subject to change at the sole discretion of NYC Tourism.