

New Mexico Lottery Authority ORO Scratcher Song Competition Rules

THE NMLA AT ITS SOLE DISCRETION MAY END OR CANCEL THIS COMPETITION AT ANY TIME. COMPETITION AND RULES ARE SUBJECT TO CHANGE AT THE NMLA'S DISCRETION AT ANY TIME.

1. Promotion Description

- a. The New Mexico Lottery Authority (NMLA) will conduct the ORO Scratcher Song Competition (Competition) according to these rules.
- b. The NMLA is seeking New Mexico talent to submit original music for a chance to win a prize.
- c. The selected Grand Prize music will be recorded and used to support the game.
- d. For a period of two years from the notice of award, the NMLA will have full and unfettered use of the final recording as it deems fit for all advertising related to the ORO games.

2. Method of Entry

- a. Entrants must go to www.nmlottery.com/promotions and click on the "ORO Scratcher Song Competition" link to complete an entry submission form.
- b. Additionally, entrants must submit their song entry via email to orosong@nmlottery.com.
- c. The NMLA will select one (1) Grand Prize entry that may be featured as the music for the NMLA ORO Scratcher advertisements as well as any other use to support the ORO games.
- d. The NMLA will select two (2) Runners-up.
- e. In the event of an unforeseen circumstance, the NMLA reserves the right to substitute another qualified entry to be featured as the music for the ORO advertisements.

3. Entry Periods, Deadlines, and Winner Selection Dates

- a. Entry period begins Friday, January 20, 2023, at 3:00 PM MT.
- b. Entries must be received no later than 3:00 PM MT on Friday, February 17, 2023.
- c. Entry eligibility will be determined by the time/date of successful submission for the Competition by the Entry and Competition Schedule below.
- d. Winners will be selected on the dates below, or as soon as practical.

ENTRY AND COMPETITION SCHEDULE

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| Friday, January 20, 2023 at 3:00 PM MT | Entry begins |
| Tuesday, January 24, 2023 at 4:00 PM MT | Online Video Conference Q&A Session link: TBD |
| Friday, January 27, 2023 at 12:00 PM MT (Noon) | Online Video Conference Q&A Session link: TBD |
| Monday, January 30, 2023 at 9:00 AM MT | Online Video Conference Q&A Session link: TBD |

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| Friday, February 17, 2023 at 3:00 PM MT | Entry songs and submission form due |
| Friday, February 24, 2023 <i>or as soon as practical</i> | Winners announced |
| February 27 – March 3, 2023 <i>(estimated, depending on availability)</i> | Music Production |
| Monday, April 3, 2023 | TV & Radio spots begin airing in NM |

4. Location of Competition Selection

New Mexico Lottery
4511 Osuna Rd. NE
Albuquerque, NM 87109

5. Eligibility Requirements

- a. Entrants must reside in New Mexico to be eligible.
- b. Entrants must certify that they are at least eighteen (18) years of age.
- c. Entrants must include both a 30-second and a 15-second song (in length).
- d. Entries must include the following Mandatory words/lines:
 1. "ORO Scratchers"
 2. "New Mexico Lottery"
 3. The Disclaimer: "You must be at least 18 to play. Please play responsibly."
 4. Entry and info at nmlottery.com (or similar wording)
- e. Entrants must agree (via checking the YES box on the Agreement form) to the following Entry Agreement:

You have created and written a certain "work" which is the music and lyrics of a musical jingle, a copy of which is submitted as an entry in the New Mexico Lottery ORO Scratcher Song Competition. If selected, it will be used for the purpose of advertising the New Mexico Lottery ORO Scratchers.

You represent and warrant to us that:

- i. The work created by you is original;
- ii. It does not and will not infringe upon or violate the copyrights or any other rights whatsoever of any person or entity;
- iii. No adverse claim exists with respect to it;
- iv. It has not heretofore been published or exploited in any form anywhere in the world;
- v. You own and control said work and all rights in it throughout the world;
- vi. You have the full and exclusive right and authority to enter into this agreement and to make the grant herein contained; and
- vii. Any and all materials that are incorporated in the work are works made for hire and free from any reversionary rights therein.

You agree to hold New Mexico Lottery and their assigns and licensees, harmless from and against any loss, damage or expense, including court costs and reasonable attorneys' fees, that the New Mexico Lottery and their assigns and licensees may suffer or incur as a result of any breach or

alleged breach of the foregoing warranties. Please evidence your acceptance hereof and agreement hereto by checking the AGREEMENT Checkbox.

- f. Entries must include original scripts and music.
- g. Entries must not infringe on any copyright and/or intellectual property.
- h. Entries must not include profanity, hate speech, or inappropriate language.
- i. Entries should not appeal to or be directed at children.
- j. The NMLA reserves the right to edit selected ORO songs as necessary.
- k. The NMLA reserves the right to perform background checks on the owners of the winning ORO Scratcher Song.
- l. NMLA reserves the right to select an alternate winner for any reason.
- m. NMLA reserves the right to cancel the competition if the NMLA determines, at any time, that songs, entrants or song winner does not represent the NMLA well.
- n. The NMLA is not responsible for songs that violate copyright or other laws.
- o. All required information must be submitted for the entry to be eligible. The NMLA is not responsible for mis-delivery, late delivery, or the failure of receipt of any required information, regardless of the cause of the failure of transmission.
- p. Entrants may submit multiple songs for entry.
- q. Entrants who submit more than one (1) entry may win as a Grand Prize Winner and Runner-Up.
- r. Entrants who submit more than one (1) entry may not win both Runners-up prizes.
- s. Entries mailed or hand delivered to the NMLA will be disqualified and will not be returned.

6. Prize Details

- a. One (1) Grand Prize winner will receive:
 - o Three thousand dollars (\$3,000).
 - o A recording session in a professional sound studio in Albuquerque
 - o Five-hundred-dollar (\$500) travel stipend
 - o The above reference compensation is the only compensation that will be given to the winner for the use of the songs.
- b. Two (2) Runners-up will receive one thousand dollars (\$1,000) each. This is the only compensation the runners up will receive.

7. WINNER SELECTION

- a. The NMLA will select one (1) Grand Prize winner and two (2) Runners-up from the songs submitted.
- b. Songs will be judged based on originality, composition, New Mexico theme and suitability to be featured as the music for the NMLA ORO Scratcher games.
- c. If there are less than three (3) suitable decisions, the NMLA may cancel all or part of the ORO Scratcher Song Competition and prizes.
- d. All decisions by the NMLA will be final.

8. Selected Entry Notification

- a. A selected entrant will be notified using the email address used in the Entry Submission Form. In addition to the email, the NMLA may attempt to notify a selected entrant by phone.
- b. A selected entrant must acknowledge receipt of the email or phone call and/or submit a completed NMLA Claim Form within the timeframe specified by the NMLA. Failure to submit the completed NMLA Claim Form and any additional forms or releases in the designated timeframe may result in disqualification, in which case a Runner-up may become the Grand Prize winner and an alternate may become a Runner-up, at the NMLA's sole discretion.

9. Miscellaneous

- a. Exceptions or modifications to these rules must be approved in writing by the NMLA CEO and the NMLA EVP for Security.
- b. The winners will receive an IRS Form W-2G.
- c. Failure to provide accurate information could cause an entrant selected as a winner to be disqualified.
- d. The NMLA reserves the right to assign a designee(s) to perform the responsibilities of parties specifically assigned duties within these rules.
- e. Upon submitting an entry, the entrant(s) agree that the NMLA may use their name, voice, photograph, video, any social media postings, and/or likeness in any form for the purpose of advertising and/or publicizing the NMLA.
- f. Void where prohibited by law.