

# PALFINGER WINTER READY SWEEPSTAKES— GENERAL TERMS AND CONDITIONS

## Conditions of participation for the “PALFINGER North America Winter Ready Sweepstakes”

**The following conditions shall apply to participation in the sweepstakes. By participating in the sweepstakes, the participant agrees to be bound by these conditions.**

THIS IS A CONTEST, NOT A LOTTERY AND NO PURCHASE OR PAYMENT OF ANY KIND IS NECESSARY TO ENTER OR WIN. MORE THAN ONE ENTRY, A PURCHASE OR PAYMENT WILL NOT INCREASE YOUR CHANCES OF WINNING. ALL COUNTRY, FEDERAL, STATE, LOCAL, AND MUNICIPAL LAWS AND REGULATIONS APPLY. VOID WHERE PROHIBITED.

### **1. Organizer**

- (1) The organizer of the sweepstakes is PALFINGER AG, Lamprechtshausener Bundesstrasse 8, 5101 Bergheim, Austria its subsidiaries or affiliates or those under common control of the same parent (hereinafter referred to as “PALFINGER”).
- (2) The sweepstakes is not affiliated with Facebook and Instagram and is in no way sponsored, supported, or organised by Facebook and Instagram. Participants therefore do not have any legal claims vis-à-vis Facebook and Instagram in connection with participation in the sweepstakes. . Additional terms and conditions apply and the acceptance of same by participant either in a separate document or click through email is an additional requirement of these Sweepstakes.

(3) Enquiries and information regarding the sweepstakes must be addressed to PALFINGER and not to Facebook and/or Instagram.

## **2. Promotional period, rules of participation and prize**

(1) The sweepstakes shall begin on 19 January 2022 at 10:00 AM (CST) and end on 26 January 2022 at 11:59 PM (CST) (hereinafter referred to as the “Promotional Period”). It is possible to participate in the sweepstakes within the Promotional Period only.

(2) The sweepstakes shall take place on the timeline of the PALFINGER Facebook page (<http://www.facebook.com/palfingernorthamerica>) and on the PALFINGER Instagram page (<https://www.instagram.com/palfingerna/>). During the Promotional Period participants shall have the opportunity to like and comment on the sweepstakes post and follow the PALFINGER Facebook or Instagram page. The odds of winning are the same regardless of the participation on Facebook or Instagram or both as the drawing is random.

(3) Each verified winner will be awarded a PALFINGER goodie bag from our PALFINGER online shop. It contains the following items: Colorblock 3-in-1 Jacket (Value: \$118 USD), Long Sleeve PosiCharge Competitor Tee (Value: \$20 USD), Thinsulate Tool Zone Mechanics Glove (Value: \$33 USD), Double Wall Stainless Steel Tumbler (Value: \$12 USD), and Cooler Bag (Value: \$17 USD). Each Prize value: \$200 per winner (Total value: \$400USD).

## **3. Eligibility for participation**

(1) Legal residents of US, Canada and Mexico who are aged 18 or over who have their own Facebook or Instagram profile shall be eligible to participate. In case of doubt, the participant concerned must provide proof of their age.

**(2) EXPRESSEDLY EXCLUDED FROM THIS SWEEPSTAKES CONTEST ARE ANY AND ALL EMPLOYEES AND/OR RELATIVES OF THE PALFINGER GROUP (INCLUDING ITS UNITED STATES, CANADIAN AND MEXICAN SUBSIDIARIES).**

(3) The participation of competition agencies and participation via the submission of automatically generated mass entries are not allowed. Limit one (1) entry per person, per email address, and per household for the duration of the Sweepstakes Period, regardless of method of entry. Entries received from any person, e-mail address, or household more than the stated limitation will be void.

## **4. Determining the winner; notification of winning**

(1) One winner from Facebook entries and one winner from Instagram entries will be selected by PALFINGER in a random drawing on 27 January 2022. One prize per household.

(2) The Facebook winner will be informed through the comment section and the Instagram winner will be informed through direct message on 28 January 2022.

(3) The winners are asked to submit their postal and e-mail addresses by direct message within seven days of the announcement. If the winner does not respond within this time limit, PALFINGER reserves the right to draw again and to determine a new winner.

(5) The prize shall be delivered to the winner by post or e-mail.

(6) Prize is not transferable. No cash payment or payment of another substitute prize will be offered as a prize.

## **5. Exclusion**

(1) PALFINGER reserves the right to exclude participants who violate these conditions of participation or use unauthorised tools or other manipulative measures. The prize may be denied or reclaimed in such cases.

## **6. Early termination of the competition**

PALFINGER reserves the right to cancel or terminate the sweepstakes at any time without prior notice. In particular, PALFINGER will make use of this possibility if it cannot ensure the proper execution of the sweepstakes for technical reasons (e.g. viruses in computer systems, manipulation of, or problems with hardware or software) or legal reasons.

## **7. Warranty and limitation of liability**

(1) There is no warranty claim in the event that a prize is defective.

(2) Once the prize has been handed over, PALFINGER assumes no liability for damage of any kind caused by the prize or in connection with its use or consumption.

(3) Otherwise, PALFINGER assumes no liability for negligence related to the execution of or participation in this sweepstakes. In the event of gross negligence, PALFINGER will not be liable for loss of profits, simple financial losses, or other indirect or consequential losses in this context.

(4) By participating in the Sweepstakes, entrants agree to release and hold harmless PALFINGER, and each of their respective parents, subsidiaries, affiliates, advertising and promotion agencies, other companies associated with the Sweepstakes, and each of their respective officers, directors, employees, shareholders, representatives, and agents (the Released Parties) from and against any claim or cause of action arising out of participation in the Sweepstakes or receipt or use of the prize(s) granted hereunder.

## **8. Data protection and Privacy**

(1) In the context of the sweepstakes PALFINGER shall collect and use the data required for participation in the sweepstakes only. This relates to the ID participants use for their Facebook or Instagram accounts and under which they participate in the sweepstakes. All participant data – with the exception of those of the winners – shall be erased again after the sweepstakes has ended.

(2) PALFINGER will additionally ask those participants who have been drawn as winners to submit their postal addresses to enable it to deliver the prize to them. These data will be shared with third parties only to the extent that is required to manage the Sweepstakes and permitted by law.

(3) It is a preliminary rule and requirement of the contest that all participants/entrants' Facebook and/or Instagram profiles shall be made public for the duration of the sweepstakes.

(4) The terms of PALFINGER's Privacy policy apply to this Sweepstakes found at:

<https://www.palfinger.ag/en/privacy-policy>

**9. Miscellaneous**

- (1) The organizer's decisions are final in all matters relating to the sweepstakes.
- (2) United States' substantive law applies to these conditions of participation.
- (3) Should individual provisions of these conditions of participation be or become invalid, this shall not affect the validity of the remaining conditions. They shall be replaced by appropriate provisions that most closely approximate the economic intent of the invalid provision.
- (4) PALFINGER reserves the right to suspend the contest, disqualify any entrant for violation of these rules, modify or add to these conditions of participation at any time, without stating the reasons for doing so.

Date: 04 January 2022