

## **Conditions OF THE "Valentine's Day TikTok GIVEAWAY" Contest ("Contest")**

### **1. Contest Organiser**

The organizer of the Contest is Dermacol, a.s., ID No.: 247 66 208, with its registered office at Prague 6, Výtvarná 1023/4, Postal Code 16100, registered in the Commercial Register maintained by the Municipal Court in Prague, File No. B 16659 (hereinafter referred to as the "Organizer").

Contact details of the Organiser in relation to the Competition are: [eshop@dermacol.cz](mailto:eshop@dermacol.cz), or tel.: +420 296 836 836.

### **2. Location and duration of the Competition**

The Contest is conducted via the social network TikTok (<https://www.tiktok.com>) in the period from 07.02.2024 from the moment of announcement of the Contest on the Organizer's TikTok account [@dermacol\\_international](https://www.tiktok.com/@dermacol_international) ([https://www.tiktok.com/@dermacol\\_international](https://www.tiktok.com/@dermacol_international)), by publishing a contest post marked "Valentine's Day TikTok GIVEAWAY" (hereinafter referred to as the "Contest Post"), until 14.02.2024 at 23:59 hours (hereinafter referred to as the "Contest Period").

### **3. Competitors**

Any natural person over 18 years of age with a delivery address in the continental Europe or Northern America who has registered a personal profile on TikTok, who complies with the TikTok Social Network Terms and Conditions throughout the Contest Period, and who meets the other Contest conditions set out in these Rules may become a Contestant.

By entering the Contest, the Contestant agrees to these rules and agrees to abide by them.

Persons who are employed by or are close to the Organiser or other companies participating in the Competition, as well as persons in any family or similar relationship with such persons, in particular persons listed in Section 22 of Act No. 89/2012 Coll., Civil Code, as amended, may not participate in the Competition.

### **4. Conditions of participation in the Competition**

The Contestant enters the Contest by commenting on the Contest post (hereinafter referred to as the "Contest Comment"). The Contestant must also follow the instructions contained directly in the Contest post published on the Organizer's TikTok account [@dermacol\\_international](https://www.tiktok.com/@dermacol_international).

To participate in the Contest, the following conditions must be met:

- follow the Instagram account @dermacol\_international and the TikTok account @dermacol\_international
- write a Contest comment under the Contest post published on the TikTok profile of the Organizer @dermacol\_international
- Furthermore, the Organizer would welcome contestants to tag or share with their friend who might also be interested in this Contest.

Participation in the Competition is not conditional upon the purchase of goods, services or payment of any other entry into the Competition.

## **5. Competition winners, prize**

The winner is the contestant who has fulfilled all the conditions according to these rules, and also the one whose Contest comment will be selected as the most interesting (or most original) by an expert jury appointed by the Organizer.

One winner will be selected for the Contest.

The winner will receive - a set of 16H Lip Colours.

The Organizer will publish (announce) the name of the winner (or his/her profile) on 14.02.2024 (after the end of the Contest), in a comment under the Contest post on the Organizer's TikTok account @dermacol\_international, or also on TikTok stories. The Winner will also be notified of this information by message on the social network, along with further instructions.

The Winner must claim his/her prize within 48 hours of being declared the winner according to the previous paragraph by sending a private message to the Organizer's TikTok account @dermacol\_international or to the following email address: eshop@dermacol.cz.

If the Winner fails to claim the prize within the time limit and in the manner set out in the previous paragraph, his/her claim to the prize shall be forfeited and the Expert Jury shall determine a new Winner according to the winning criteria who has fulfilled all other conditions set out in these Rules.

The Organizer reserves the right to exclude from the Contest such contestants who do not meet the conditions set out in these rules, as well as contestants whose Contest comments are not in accordance with good manners (especially vulgar, offensive, racist), will damage the reputation of the Organizer, will violate the legal rights of third parties (especially intellectual property rights - copyrights), or who otherwise violate the rules of the Contest and/or the social network TikTok.

## **6. Handing over the prize**

After the Winner has claimed the prize in accordance with Article 5 of these Rules, the Organiser will notify the Winner of the prize details and delivery. In the event that the Winner fails to provide correct delivery details or the prize is undelivered/uncollected, the Promoter will ask the Winner to correct the details. If the prize cannot be delivered a second time, the jury will determine a new winner according to the winning criteria, who has fulfilled all other conditions set out in these rules.

## **7. Contestants' rights and obligations**

Only a Contest Comment that meets the conditions set out in these Rules will be considered a valid Contest Comment and therefore a valid registration for the Contest. By submitting and publishing a Contest Comment (i.e. registering for the Contest), the Contestant confirms and is responsible for the fact that he/she is the author of the Contest Comment, to which he/she exercises all rights to the full extent, that he/she does not infringe any proprietary, copyright or other rights of third parties, and that he/she agrees to the subsequent use of his/her Contest Comment for the Organizer's marketing purposes by publishing it on the Organizer's website <https://www.dermacol.cz/> and also on the Organizer's social networks (especially Instagram account @dermacol\_international, Facebook account Dermacol International, TikTok account @dermacol\_International), without any payment. The Contestant is also responsible for ensuring that their Contest Comments do not contain any illegal, vulgar or other inappropriate content. Contest entries whose content is in violation of the preceding sentence will be automatically disqualified from the Contest and deleted. Contestants are not entitled to compensation for any costs associated with participating in the contest and accepting any prize.

By submitting a Contest Comment to the Contest (i.e. by posting it under a Contest Post), the Contestant grants the Organizer a royalty-free, non-exclusive license to the Contest Comment's content for all known uses, unlimited in territory, location, quantity, and limited in time only for the duration of the Contestant's proprietary rights, including the Organizer's rights. The Organiser is entitled to sub-license or assign this licence to a third party. The organiser is not obliged to use the licence.

The Organizer reserves the right to publish the name of the winner of the Contest with the prize in the announcement of the winner of the Contest in the manner set out in Article 5 of these Rules. By entering the Contest, the Contestant confirms that he/she agrees to the publication of his/her name and prize in the event of winning the Contest. The Contestant acknowledges that if, in accordance with the law, he/she withdraws his/her consent without reasonable cause or due to a material change in circumstances, the withdrawing Contestant will indemnify the Promoter and the Organiser against any loss arising from such withdrawal.

The licence and consent referred to in this article is also granted by the Contestant to all other works of authorship created in cooperation with the Organiser or a third party designated by them as a result of participation in this Contest (in particular in the claiming of a prize), without any payment.

## **8. Rights and obligations of the Organiser**

The Organiser reserves the right to substitute the declared prize with a prize of a similar type and value and to change the terms and conditions of prize delivery in the event that the prize referred to in Article 5 of these Competition Rules cannot be delivered to the winner in accordance with these Competition Rules. The Organiser shall not be liable for any incorrect or inaccurate information provided in connection with the Competition, whether caused by human error or technical fault. The Organiser is not obliged to provide unsuccessful entrants with any reasons why their Competition Comments are not considered to be winning

## **9. Privacy Policy**

The Contestant acknowledges that by entering the Contest, the Organizer is entitled to process the personal data of the Contestants to the extent necessary for the Contest in accordance with these Rules, the announcement of winners and the delivery of the prize.

The Organizer processes the personal data of the contestants in the following scope: name and surname, or user name on the TikTok social network, e-mail address, delivery address, telephone number.

The Organizer processes personal data for the purpose of ensuring the conduct, termination and announcement of the Contest in accordance with these Rules and for the purpose of subsequent communication with the winners and the delivery of the prize. The legal basis for the processing is the performance of the contract (or the performance of what the Organiser has committed to in these rules). The Contestant has the right to access, erasure, correction, restriction of processing, portability and the right to lodge a complaint with the Office for Personal Data Protection ([www.uouu.cz](http://www.uouu.cz)) in relation to the personal data processed.

In the event that the Organiser wishes to use the personal data for a purpose other than those set out in these rules, it will ask the individual for his/her explicit and voluntary consent.

Detailed information on the processing of personal data by the Organiser as data controller and on the rights of data subjects is contained in the document "Privacy Policy" available on the website <https://www.dermacol.cz/stranka/ochrana-soukromi-cz>.

## **10. Final Provisions**

There is no legal entitlement to any prize under these rules. It is not possible to exchange the prize for cash or to claim any prize other than the prize specified by the Organiser.

The Promoter declares that the Competition is in no way sponsored, endorsed or administered by Instagram (Meta) and TikTok and is in no way connected with the Competition; Instagram (Meta) and TikTok shall have no rights or obligations to entrants under the Competition.

The Contest Organizer may, in cases where it suspects that a Contestant has engaged in fraudulent conduct in order to win a prize in the Contest, require further verification to

determine eligibility. The Contestant must provide the required data or documents within 48 hours and in the required form. The Promoter reserves the right to make a final determination in disputed cases as to whether or not a Contestant has complied with all rules for participation in the Contest and reserves the right to deny eligibility for a prize. In the event that the Organiser has reasonable grounds to suspect that a Contestant has engaged in fraudulent conduct in order to win a prize in the Contest, the Organiser shall have the right to exclude such Contestant from the Contest without entitlement to the prize.

By registering (i.e. posting a Contest comment), the Contestant agrees to the terms and conditions of the Contest and agrees to fully comply with them.

The Organiser reserves the right to cancel or terminate the Competition in exceptional and justified cases. The Organizer is entitled to change the rules of the Contest or the technical or organizational arrangements of the Contest, in which case the change of the rules is effective from the moment of publication on the Organizer's website <https://www.dermacol.cz/>. In the event that the Contestant does not agree with the change of the Contest rules, he/she is entitled to terminate his/her participation in the Contest free of charge by unilateral notification delivered to the Organizer by private message to TikTok account @dermacol\_international, to email address [eshop@dermacol.cz](mailto:eshop@dermacol.cz) or by phone at +420 296 836 836.

These Contest rules will be stored at the Organizer's headquarters for the duration of the Contest and will also be published on the website: <https://www.dermacol.com/>.

This Competition is governed by Czech law.

In Prague on 07.02.2024