

Terms and conditions of the "FairyTrees2021" competition – INSTAGRAM

§ 1 General rules

These Terms and Conditions set out the regulations, scope and conditions of the "FairyTrees2021" contest. (hereinafter: "Competition"), run by JKB Handels GmbH, USt-IdNr.: DE306565421 c/o REGUS, Berliner Allee 47, 64295 Darmstadt. The competition will be held on the Instagram portal at <https://www.instagram.com/fairytreesde>. The competition is organized by JKB Handels GmbH (hereinafter referred to as the "Organizer"). Activities related to technical support and selection of Competition winners are carried out by the Organizer. The Competition will be held from 19.11.2021 (from the time of publication of the Competition post) to 20.12.2021. The Competition is not sponsored, administered or organized by Instagram. Instagram is not responsible for the Contest. Any questions, comments or complaints related to the Contest should be directed to the Organizer and not to the Instagram portal. The Organizer agrees, jointly and severally, to indemnify the Instagram portal against any Contest Participant who files a claim against Instagram in connection with this Contest.

§ 2 Participants of the competition

The Competition is open to any person (hereinafter: Participant) who:

1. is resident in the European Union,
2. is of legal age or has the consent of a statutory representative to participate in the Competition,
3. is not related to the Organizer in any personal, capital or organizational way,
4. has read the Competition Terms and Condition and accepts its provisions,
5. completed the Competition Task.

Failure to meet any of the conditions specified in paragraphs 2.1 - 2.5 constitutes grounds for excluding the Participant from the Competition, and in the event of later detection of such circumstances, including after the date of awarding the prize, the right to seek its return.

§ 3 Task and prizes

The task of the Competition is to publish on the private profile of the Participant on the Instagram website a photo taken by himself presenting the Participant of the Competition with the Fairytrees tree. The photo must be described with a #fairytrees2021 hashtag and marked with a @fairytreesde. The photo can be followed by a comment with the answer to the question "Why do we like Christmas?"; then the Participant must leave a comment with the text "done" under the post informing about the competition on the FairyTrees profile on Instagram published on 18.11.2021. Organizer will choose three photos with the best answer to the question and will award each of their authors depending on the place awarded:

- first place: 1000 €
- second place: 500 €
- third place: 300 €

Winners will be notified by 31.12.2021 in a private message sent in Instagram. In order to receive a private return message by 05.01.2022, winners need to include the winner's name, mailing address (street, house number, postcode, city) and bank account. Prizes will be sent to the winners by bank transfer until 31.01.2022.

The Organizer reserves the right not to argue the choice of photos. Correct execution of the Competition Task is tantamount to acceptance of the provisions of the Regulations by the Participant without the need to make separate statements on this subject and is tantamount to submission by the Participant (and in the case of the Participant who is a minor or does not have full legal capacity - by his/her statutory representative) of the following statements and obligations:

- The Competition task is a manifestation of the individual and original work of the Participant.
- The participant has all rights to the submitted work and these are not limited or encumbered in any way for the benefit of other person. The Competition task presents only the Participant's person and he/she agrees to disseminate his/her image for the purposes of the Competition. If the Competition task contains images of other persons, they have given the Participant express consent to use their image for purposes related to the Competition.
- The use of the Competition task by JKB Handels GmbH in accordance with the Competition Regulations and shall not endanger or violate any rights, goods or secrets protected by law.
- The participant accepts that the Competition Task will be used to create a photo - mosaic from all competition entries, which will be published on Instagram Fairytreesde's profile.
- The participant accepts that the Competition Task may be used for Fairytrees brand advertising in any media (as licensed below). The participant grants JKB Handels GmbH a non-exclusive license to use the Contest Task in connection with the Contest. The license is granted without territorial restriction for a period of 5 years after the Contest Task is posted on Instagram's service for copyright rights to use the Contest Task in connection with the Contest. A license is granted in the fields of public display, reproduction, display, broadcast, re-broadcasting, making available to the public at a selected time and place (on the Internet), use of a Contest Task as a promotional or advertising activity and permission to create and exploit the Contest Task's creations, combine it with other goods.
- JKB Handels GmbH has the right to grant sublicenses.
- JKB Handels GmbH may request the winner to sign a agreement to transfer the rights to the Competition Task.
- The Organizer reserves the right to remove and exclude the Competition Tasks from the Competition:
 1. not in accordance with Instagram's Terms and Condition,
 2. not meeting the criteria specified in the Regulations or reported in violation of the Regulations,
 3. content that is inconsistent with good morals, immoral, offensive or violates applicable laws,
 4. infringing the rights, including in particular copyrights, or the personal rights of third person, including the unlawful use of images of third person,
 5. contains logos or advertising material about any goods or services other than Fairytrees.

§ 4 Processing of personal data

The administrator of the personal data collected during the competition is JKB Handels GmbH, USt-IdNr: DE306565421 c/o REGUS, Berliner Allee 47, 64295 Darmstadt. Competition participants accept the use and processing of their personal data for the purposes of organizing and conducting the Competition. Personal data of the Competition Participants will be collected and processed in accordance with the rules set out in the Act of 10 May 2018 on the Protection of Personal Data (Journal of Laws No. 1000), and the Participant has the right to access their content and correct them, as well as delete them. Participants' data shall not be disclosed to other entities. Providing the data is voluntary, but necessary to conduct the Competition.

§5 Complaint procedure

All complaints and objections concerning the course of the Competition may be submitted by the Participants in writing letter to the address of the Organiser's registered office within 7 (seven) days from the closing date of the Competition at the latest. The Participant will be informed about the way the complaint will be dealt with by registered mail (unless the Participant agrees to send the notification by e-mail only), within 7 (seven) days. Any other reservations, questions, comments or complaints concerning the competition may be sent by e-mail to the Organiser's e-mail address: info@jkb-group.com

§6 Final decisions

Terms and condition are available on the Fairytrees website in the Regulations tab and in the Organizer's office. A brief description of the rules of the Competition may be found on the Organiser's website. All such content is for informational purposes only. Only the provisions of these Terms and condition and applicable laws shall have legal force. The Organizer has the right to amend the Competition Regulations, but the amendments to the Regulations will not violate the acquired rights of the Participants. In the event of a change or cancellation of any of the provisions of these Regulations by a decision of a competent authority or court, the remaining provisions of these Regulations remain in force and are binding on the Organizer and the Participant.