

THE CREATIVE COMMONS SWAG CONTEST — OFFICIAL RULES

These are the Official Rules (“Rules”) that govern your participation in the 2007 Creative Commons Swag Contest (“Contest”). Participation in the Contest constitutes your full and unconditional agreement to and acceptance of these Rules; **so, it is important that you read and understand them** prior to participating in the Contest.

- (1) **Entry Period:** You may enter the Contest by following the procedure set out in (3) below from 9:00 a.m. PT on Tuesday, November 13, 2007 until 8:59 a.m. PT on Monday, December 17, 2007 (“Contest Period”). The Contest is sponsored and run by Creative Commons Corporation, a charitable corporation, headquartered at 171 Second Street, Suite 300, San Francisco, California 94105 USA, tel. (415) 369-8480 (“CC”).
- (2) **Who is Eligible?** The Contest is offered only to natural persons 18 years of age or older on November 13, 2007. CC employees, independent contractors, officers, and directors, their respective shareholders, agents, representatives affiliates, subsidiaries, advertising, promotion and fulfillment agencies, and legal advisors (“CC parties”), and the immediate family members and persons living in the same household of such persons, are not eligible to participate in the Contest. Void where prohibited by law.
- (3) **How to Enter:** CC is offering you the chance to use your creativity to help promote CC and its mission! To enter, you must:
 - (a) take a photo that features some CC swag (for example, buttons, flyers, stickers, T-shirts) from CC or one of its international affiliates;
 - (b) make sure you have an account on www.flickr.com and then upload your photo to your Flickr account;
 - (c) license your photo under the Creative Commons Attribution 3.0 license (<http://creativecommons.org/licenses/by/3.0/>);
 - (d) join the CCSwagcontest07 group by clicking the “Join this Group?” button on the CCswagcontest07 group page at <http://www.flickr.com/groups/ccswagcontest07/> (“CCswagcontest 07 group page”); and
 - (e) add your photo to the CCswagcontest07 group page by clicking the “Send to Group” button that appears between the photo title and the photo on the photo page and then choosing the CCswagcontest07 group.

By including your photo in the CCswagcontest07 group page you agree to at all times comply with these Rules and the terms, conditions and policies applicable to your use of <http://www.flickr.com/>. CC reserves the right to disqualify any entry

that violates these Rules and any terms, conditions or policies of <http://www.flickr.com/>.

Submit your photo(s) online from 9:00 a.m. PT on Tuesday, November 13, 2007 until 8:59 a.m. PT on Monday, December 17, 2007. To be eligible for the weekly prizes and overall prizes, entries must be uploaded and viewable by CC via the CCswagcontest 07 group page by 9:00 a.m. PT on each Monday beginning with Monday, November 19, 2007 during the Contest Period. Entries that finish uploading after 9:00 a.m. PT on each relevant Monday and are not viewable by CC at 9:00am PT on the CCswagcontest 07 group page are not eligible.

CC is not responsible for late, lost, delayed, damaged, misdirected, incomplete, illegible, or unintelligible entries. Incomplete, illegible, or unintelligible entries are not eligible.

Only one person may enter per photo and CC will treat the Flickr account holder for an eligible photo as the Contest entrant.

Your photograph must not infringe any third party copyright or violate the rights of any person. Make sure that you only use content in your photograph that you are authorized to use. If you use content that you are not authorized to use, you are not entitled to enter this competition and your entry will be disqualified and not considered by the judges. To be eligible for the prizes (described below in (6)), an entrant must be the sole author and copyright owner of the photo, or must have *express* permission via a license or otherwise to use or incorporate those portions of the photo(s) authored or owned by third parties and to license those portion(s) in accordance with these Rules.

- (4) **Format of Entries:** Entries must be submitted in those formats accepted by Flickr such as JPEG, non-animated GIFS, PNGS, TIFFS. If the image submitted to the CCswagcontest 07 page is less than 1024x768, to be eligible as a winner under (6) the entrant must have a high resolution version available on request by CC.
- (5) **What others may do with your photo(s):** By submitting a photo as part of the Contest, you agree to grant a non-exclusive, irrevocable, royalty-free license that photo to the rest of the world under a Creative Commons Attribution 3.0 license available at <http://creativecommons.org/licenses/by/3.0/>.

CC reserves the right to evaluate each entry's eligibility under the Rules as well as for compliance with the US Copyright Act and any and all other applicable laws. By submitting an entry, you are representing and warranting that the content in your entry is authorized to be recorded and included by you in the CCswagcontest 07 group page and licensed to the general public under a Creative Commons Attribution 3.0 license. Please note that CC may reject any and all entries which it determines to be offensive or which are demeaning or harmful to the reputation or goodwill of CC or its brand.

- (6) **Prizes:** There will be two tiers of prizes — weekly and overall.
- (a) *Weekly winners:* At approximately 9:00am PT of each Monday starting with Monday, November 19, 2007 during the Contest Period (see (1) above) and ending with Monday, December 17, 2007 the judges will select the best entry, based on the selection criteria set out in (7) below, for that week. The weekly winner will be included on the CC Support page, <http://support.creativecommons.org>, with full attribution to the entrant by 10am of the Monday on which the weekly winner is chosen. The weekly winner's photo will appear on the CC Support page for 7 days from the time of posting.
 - (b) *Overall winners:* The two best overall winning entries will be chosen from the weekly winners selected under (a) based on the selection criteria set out in (7) below and will receive use of their photo on a postcard to be included, with full attribution, as a giveaway by CC as part of CC's upcoming 12 month promotional materials. The winner will also receive 100 copies of these high-quality color postcards.

All prize expenses and/or services not specified herein are not included and are the sole responsibility of the winner(s). No alternative prize, cash equivalent, or other substitution is permitted except by CC, at CC's sole discretion, in the event of prize unavailability. Prizes are nontransferable. All federal, provincial, state and/or local taxes are the sole responsibility of the winners.

- (7) **Judging:** The weekly and overall winning entries will be selected by CC as determined by highest overall grading score from all eligible entries received during the applicable time period, according to the following criteria:
- (a) Use of CC swag (25% of overall grade);
 - (b) Creativity (25% of overall grade);
 - (c) Production Quality (25% of overall grade); and
 - (d) Relevance to CC's mission (25% of overall grade).

All grading decisions are final. CC reserves the right to disqualify any entry that is, in CC's discretion, inappropriate, offensive or demeaning to CC's reputation or goodwill, or contrary to [CC's mission](#) or these Rules.

Once the grading of all entries has been completed, CC will notify the winning entries via email using FlickrMail and the contact information provided via the winner(s) Flickr accounts. If a winner fails to respond within 7 days of the date of the notification, that winner will be disqualified and the next highest scoring photo

will be selected as an alternate winner and notified according to this procedure. If a winner fails to submit a high resolution version of his/her winning photo within 7 days of the date of request by CC, that winner will be disqualified and the next highest scoring photo will be selected as an alternate winner and notified according to this procedure.

- (8) **General Terms and Conditions:** By participating, entrants agree that the CC parties are not responsible or liable for, and are released and held harmless from: (i) telephone, electronic, hardware or software program, network, Internet, or computer malfunctions, failures, or difficulties of any kind; (ii) any condition caused by events beyond the control of CC that may cause the Contest to be disrupted or corrupted, including without limitation the functioning or lack thereof of the <http://www.flickr.com> site; (iii) any printing or typographical errors in any materials associated with the Contest; (iv) any and all losses, damages, rights, claims and actions of any kind in connection with or resulting from participation in the Contest or acceptance of any prize, including without limitation, personal injury, death, and property damage, and claims based on publicity rights, defamation, or invasion of privacy. CC reserves the right, in its sole discretion, to suspend or cancel the Contest at any time if a computer virus, bug, or other technical problem corrupts the administration, security, or proper conduct of the Contest. All issues and questions concerning the construction, validity, interpretation and enforceability of these Rules, or the rights and obligations of the participant and CC in connection with the Contest, shall be governed by, and construed in accordance with the laws of the State of California, without giving effect to any choice of law or conflict of law rules or provisions (whether of the State of California or any other jurisdiction), that would cause the application of the laws of any jurisdiction other than the State of California.
- (9) **Winners List/Official Rules:** A copy of these Rules and a winners list may be obtained by sending an email request to info@creativecommons.org. Requests for winners list must be received by March 30, 2008.
- (10) **Privacy:** By entering into this Contest you consent to the use of your name as set out in the Creative Commons Privacy Policy available at: <http://creativecommons.org/privacy> regarding use of all material entered and/or submitted for this Contest. Please note that as a condition of uploading a photo to Flickr you may be required to agree to and comply with Flickr's privacy policy in addition to the Creative Commons Privacy Policy.
- (11) **DMCA Compliance:** CC complies with the provisions of the Digital Millennium Copyright Act (DMCA). In compliance with the DMCA, a Designated Agent has been established with proper documentation sent to the US Copyright Office. If you have a concern regarding the use of copyrighted material on a site, which is hosted by Creative Commons, please contact the agent designated to respond to reports alleging copyright infringement. The designated agent for Creative Commons to receive notification of claimed infringement [under Title II of the](#)

[DMCA](#) is:

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- (12) Notices: © 2007 Creative Commons Corporation. CREATIVE COMMONS and the “Double C” Logo are trademarks of Creative Commons Corporation. Entrants are authorized to reproduce CC’s name and logo in the image that they submit to this contest for the sole purpose of entering this contest and any and all right, title, interest and goodwill from such usage inures to the benefit of CC. No permission is granted to use CC’s name or logos for any purposes including without limitation trademark or other commercial purpose except as permitted by law.