

RULES AND REGULATIONS OUT OF COMPETITION ROSE D'OR FESTIVAL 2010

ARTICLE 1 – AIMS

- a. The Rose d'Or AG (hereinafter referred to as the «Festival Committee») organises an annual television festival (the «Rose d'Or Festival») which hosts an international competition for arts and entertainment programmes (the «Competition»).
- b. The Rose d'Or Festival is politically, ethnically and religiously neutral.
- c. The aims of the Rose d'Or Festival are:
 - To promote professional excellence in arts and entertainment programming worldwide;
 - To encourage the creation of original works for television;
 - To reward creativity, originality and quality in arts and entertainment programming.
- d. The Rose d'Or Festival provides also a platform for programmes Out of Competition, which can be screened in the Film Kiosk, aside the programmes entered into the Competition. The Out of Competition section is aimed to assist in the international promotion and trading of arts and entertainment programming.

ARTICLE 2 – OUT OF COMPETITION CATEGORIES

- a. An entry is to be submitted into one of the Out of Competition Categories, according to the primary content of the programme.
- b. **OUT OF COMPETITION CATEGORIES**
 - **Arts Documentary & Performing Arts**
Recognises excellence in programmes featuring stage recordings and television adaptations of performing arts, as well as excellence in documentary programmes on art forms (music, fine arts, dance, drama etc.) or artists.
 - **Music Video Clips**
Recognises excellence in music video clip production.
 - **Comedy**
Recognises excellence in sketch comedy, panel comedy and improvisation comedy programmes including comedy specials.
 - **Sitcom**
Recognises excellence in serialised sitcom programmes with scripted dialogue.
 - **Drama & Mini Series**
Recognises excellence in mini series and scripted drama programmes made for television, from single programmes to series not exceeding thirteen (13) episodes per season.



- **Soap & Telenovela**
Recognises excellence in serialised soap opera and telenovela (scripted fiction and melodrama) containing multiple episodes, recurring characters and continuing storylines.
- **Children & Youth**
Recognises excellence in fiction or non-fiction programmes designed in content and style and intended to entertain, inform and/or engage young audiences (children aged 2-12 or young people aged 13-18. The age group for which the programme is intended must be indicated on the Entry Form).
- **Variety & Live Event Show**
Recognises excellence in variety show and entertainment live event show programmes (single or continuing programmes that showcase performing talent including music and comedy, usually before a live audience).
- **Game Show**
Recognises excellence in quiz show and game show programmes.
- **Reality & Factual Entertainment**
Recognises excellence in factual entertainment and reality show programmes i.e. non-script format-based series featuring celebrities or members of the public in a structured narrative designed to entertain and/or inform the viewers.
- **Multi-Platform**
Recognises excellence in multi-platform content that enriches and extends a core television programme and focuses on the interface of web and television to achieve 360 degree programming.
- **Other**
For television entertainment programmes which cannot be clearly classified into any of the above categories.

ARTICLE 3 – ELIGIBILITY

- a. Regardless of the year of production or first broadcast, a programme is eligible to be entered into the Out of Competition Section for screening in the Film Kiosk if:
 - The programme has been originally created for television;
 - The programme fits into one (1) of the Out of Competition Categories.
- b. A programme is eligible to be entered into the Out of Competition Section for screening in the Film Kiosk even if the programme has already participated in the Rose d'Or Competition in the past and even has been nominated or has won a Rose d'Or Award.

ARTICLE 4 – ENTRANT

- a. Any individual or organisation from within the media and television industries – i.e. broadcast networks, cable networks, producers or distributors – may enter a programme.
- b. By entering a programme, entrants agree to be bound by the Out of Competition Rules and Regulations of the Rose d'Or Festival. Entrants agree that any failure to abide by any term and condition contained in the Out of Competition Rules and Regulations of the Rose d'Or Festival may result in declaring the entry ineligible and its withdrawal from the Out of Competition section. Entrants acknowledge that all rulings and decisions of the Festival Committee shall be binding and final.
- c. Programme entries must not contain any copyrighted materials, images or music without the entrant first obtaining all necessary clearances, releases and permissions. Entrants who do not hold copyright ownership must obtain consent from the rights owner.
- d. If an entered programme is a co-production, the entrant assumes full responsibility for notifying the other co-production partners of the entry. In the event of a protest by any of the co-production partners, the entry may be declared ineligible by ruling of the Festival Committee. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.



- e. Each entrant represents and warrants to the Festival Committee that the entrant has the right and authority to enter the programme and that the entrant's entry does not infringe upon or violate any copyright, trademark, right of privacy or right of publicity or any other right of any kind or nature of any person or entity. If the Festival Committee has reason to believe that a programme entry contains any material that may infringe upon or violate any right or law, the entry may be declared ineligible by ruling of the Festival Committee. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.
- f. Entrants grant to the Festival Committee the unrestricted right to use the entry information provided on the respective entry form for Rose d'Or Festival programming, publicising and advertising – including the «Rose d'Or Festival Programme Guide».
- g. Correct entry information is the responsibility of the entrant; no review or proof reading will be provided. The Festival Committee is not liable for any incorrect listings that are the result of incorrect or misspelled information provided on the entry form. Entrants warrant that all of the information provided on the entry form is true and correct and has been verified by all parties involved – including dates of initial broadcast and programme production credits. If any information is found incorrect, the entry may be declared ineligible by ruling of the Festival Committee. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.
- h. Entrants agree to defend, indemnify and hold the Festival Committee and its affiliates, employees, officers, directors, licensees, assigns and successors, harmless from and against any and all claims, liabilities, damages, losses or expenses arising out of the entrant's breach of any warranties set forth in the Out of Competition Rules and Regulations, including, without limitation, any claims based on the infringement or violation of any copyright, trademark, right of privacy or right of publicity.

ARTICLE 5 – ENTRY SUBMISSION AND REQUIRED ENTRY MATERIALS

- a. Entries can be submitted only online, by completing the Out of Competition Entry Form on the official website of the Rose d'Or Festival (www.rosedor.com). After submitting the Out of Competition Entry Form, a confirmation will be automatically sent per e-mail to the contact person for the entry.
- b. For each entry the following entry materials must be submitted:
 - **One (1) paper copy of the confirmation of the submission, duly completed and signed;**
 - A short summary of the entry (max. 500 characters) must be provided in English in the specified text field on the online Entry Form. The summary will be published in the Rose d'Or Festival Programme Guide.
 - **Two (2) DVD copies [PAL or SECAM or NTSC Standard Play] of the entered programme;**
 - The entered programme must be submitted the way it was initially produced, without the content of the programme (graphics, scenes or credits) being re-edited;
 - Entries that are not originally produced in English language must include appropriate subtitling in English, except of entries for the Music Video Clips category;
 - Entries should be submitted without on-screen visible time codes or promo reels;
 - Entries should not include any advertisement, commercials and promotional spots, so the programme can be viewed without interruption or distraction.
- c. For each entry in the Multi Platform category the following entry materials must be submitted additionally:
 - **One (1) CD or DVD [PAL or SECAM or NTSC Standard Play] with a short presentation of the project;**
 - The presentation should contain subtitles or a voiceover narrative in English, which effectively demonstrates the viewers experience and highlights the media features and/or functionality of the core television programme.
 - **Optionally an URL address** for an online accessible website, wapsite or telephone access presenting the multi-platform content surrounding the television programme, which must be accessible online at least until September 22, 2010.
- e. Incomplete entries will not be accepted by ruling of the Festival Committee and no refund of the respective entry fee will be granted.



ARTICLE 6 – OUT OF COMPETITION ENTRY FEES AND DEADLINES

- a. All Out of Competition Entries must be submitted and received no later than July 16, 2010 (the «Out of Competition Deadline»);
- b. For each entry a non-refundable Out of Competition Entry Fee must be paid:
 - CHF 180 (Swiss Francs) for each entry that has been submitted on or before April 30, 2010 («Early Bird Fee»);
 - CHF 200 (Swiss Francs) for each entry that has been submitted after April 30, 2010 but not later than July 16, 2010.
- c. The Out of Competition Entry Fee includes:
 - Screening of the submitted entry in Out of Competition section in the Film Kiosk during the Rose d'Or Festival (18 – 22 September 2010), accessible for the accredited festival participants;
 - Listing of the entry and the contact details of the production company, distributor/broadcaster and sales company in the Rose d'Or Festival Programme Guide.
- d. Payments must be made in CHF (Swiss Francs) using one of the following payment options:
 - Payment with credit card (Visa, MasterCard): By submitting the credit card information on the Out of Competition Entry Form, the entrant grants the Festival Committee the right to debit the credit card for the respective Out of Competition Entry Fee of the entered programme;
 - Payment via bank transfer: Upon receipt of the invoice, bank transfers must be made to the bank account of the Festival Committee within 10 days (the invoice will be sent per e-mail to the contact person for the entry).
- e. If full payment has not been received on time to meet the Out of Competition Entry Fee Payment Deadline, the entry will be declared ineligible and disqualified by ruling of the Festival Committee.

ARTICLE 7 – SHIPMENT OF MATERIALS

- a. All required Out of Competition Entry Materials, as set forth hereinabove, must be sent prepaid via mail to the postal address of the Festival Committee (Rose d'Or Festival, Sempacherstrasse 3, 6003 Lucerne, Switzerland; Attn: Awards Department) and must be received no later than July 16, 2010 (the «Out of Competition Deadline»).
- b. If the Out of Competition Entry Material has not been received on time to meet the Out of Competition Deadline, the entry will be disqualified and no refund of the respective entry fee will be granted.
- c. Any transportation costs, customs duties or taxes are to be borne by the entrant. The Festival Committee will not accept any packages requiring brokerage fees, duties and/or taxes.
- d. The Festival Committee is not responsible for late, lost, damaged or incomplete shipment of Out of Competition Entry Materials. All physical materials submitted – i.e. DVD copies, CDs, paper copies – shall become the property of the Festival Committee and will not be returned due to the volume of materials submitted.

ARTICLE 8 – VERIFICATION PROCESS AND ACCEPTANCE INTO THE OUT OF COMPETITION SECTION

- a. Entries will be verified to ensure that:
 - The entry has been received complete with all required materials and on time to meet the entry deadline;
 - The technical quality of the submitted programme is sufficient;
 - The eligibility requirements are met;
 - The respective entry form has been duly completed and signed;
 - The respective entry fee payment has been received on time to meet the payment deadline.



- b. Any entry that lacks sufficient technical quality may be declared ineligible by ruling of the Festival Committee, if a replacement of sufficient technical quality cannot be obtained, or cannot be obtained on time to meet the entry deadline. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.
- c. Any entry that contains any content determined by the Festival Committee, in its sole discretion, as morally objectionable (i.e., pornography, violence, racism etc.) may be declared ineligible by ruling of the Festival Committee. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.
- d. Any entry that has not complied with the Out of Competition Rules and Regulations of the Rose d'Or Festival will be declared ineligible by ruling of the Festival Committee. If an entry is declared ineligible, the entry will be disqualified and no refund of the respective entry fee will be granted.

ARTICLE 9 – GRANT OF RIGHTS

- a. By submitting a programme, entrants grant to the Festival Committee all necessary rights to use the submitted programme for the purpose set forth hereinabove, and represent and warrant to the Festival Committee that they have the right and authority to do so.
- b. Entrants warrant that all screenings at the Film Kiosk of the Rose d'Or Festival are not subject to copyright fees or any other payments or compensations of any kind or nature.
- c. In addition to the grant of rights set forth hereinabove, each entrant acknowledges and agrees that the Festival Committee shall have the right to use any excerpts of the programme entry up to a maximum of three (3) minutes, and in case of entries for the category Music Video Clips up to a maximum of thirty (30) seconds, in connection with the Rose d'Or Festival and to exhibit, screen, disseminate, broadcast, transmit and distribute such excerpts of the programme entry by any means and in any and all media, including but not limited to television broadcast and internet distribution, throughout the world and in perpetuity.
- d. Entrants represent and warrant that they have the right and authority to grant the said rights to the Festival Committee and that the exercise of the rights granted to the Festival Committee will not in any way infringe upon any rights of any person or entity.

ARTICLE 10 – ACCEPTING THE RULES AND REGULATIONS

- a. The act of submitting a programme implies that the entrant has accepted and agreed to be bound by the present Out of Competition Rules and Regulations of the Rose d'Or Festival as set forth herein.
- b. The Festival Committee reserves the right to change, modify or amend the Out of Competition Rules and Regulations at any time without notice.
- c. If for any reason the Out of Competition section is cancelled or cannot be completed as planned, the Festival Committee reserves the right to suspend or terminate the Out of Competition section of the Film Kiosk.
- d. If any provision of the Out of Competition Rules and Regulations is declared invalid or unenforceable, all other provisions shall remain in effect.

ARTICLE 11 – GOVERNING LAW AND JURISDICTION

- a. The Out of Competition Rules and Regulations of the Rose d'Or Festival shall be construed under and governed by the laws of Switzerland.
- b. The courts of Lucerne shall have exclusive jurisdiction over any dispute arising out of or in relation to the Out of Competition Rules and Regulations of the Rose d'Or Festival.

JANUARY 2010