

## Dell “Alienware Arena Rewards” Instant Win Game Promotion

**NO PURCHASE NECESSARY. A PURCHASE WILL NOT INCREASE YOUR CHANCES OF WINNING.**

**Open only to legal residents of the United States (excluding Puerto Rico, Guam, and other U.S. territories and protectorates), or Canada (excluding Quebec), who are 18 years of age or older or the age of majority in his/her province/territory of residence and who are members of Alienware Arena (which is free to join).**

1. **Sponsor:** Dell Marketing, L.P., One Dell Way, Round Rock, TX 78682.
2. **Administrator:** Cataboom, LLC, 3030 LBJ Freeway, Dallas, TX 75234.
3. **Overview:**
  - (a) Beginning on August 1, 2019, Sponsor will offer Instant Win Game Promotions to eligible persons with an Alienware Arena account (“Account”). Each Instant Win Game Promotion is independent of any preceding and/or subsequent Instant Win Game Promotions as well as weekly/monthly or other promotions, contests or sweepstakes that may be offered by Sponsor to Account holders. One’s participation in a particular Instant Win Game Promotion will have no effect on his/her participation in any other Instant Win Game Promotion or any other promotion, contest or sweepstakes that may be offered by Sponsor to Account holders.
  - (b) In addition to these Official Rules, each Instant Win Game Promotion is governed by its own [specific regulations](#), which are posted next to each Instant Win Game. Such specific regulations include the game(s) on the Alienware Arena website which are included as part of a particular Instant Win Game Promotion (if any), how to participate in a particular Instant Win Game Promotion as well as the available prizes in that Instant Win Game Promotion. Such specific regulations are made a part of these Official Rules and incorporated herein by reference. In the event of any inconsistency between these Official Rules and the specific regulations for a particular Instant Win Game Promotion, these Official Rules will prevail, govern and control in all cases EXCEPT for the specific elements of the applicable Instant Win Game Promotion (as to which the corresponding specific regulations will prevail, govern and control.)
  - (c) Instant Win Game Promotions are void where prohibited by law.
4. **Timing:** Each Instant Win Game Promotion will begin at 12:00:00 a.m. Eastern Time (ET) and end **the earlier** of all Prizes for that Instant Win Game Promotion being awarded OR 11:59:59 p.m. ET. Sponsor’s computer is the official clock for all Instant Win Game Promotions.
5. **How To Play.**
  - (a) Log into your Account and follow the on-screen instructions as fully set forth in the specific regulations for a particular Instant Win Game Promotion. By way of illustration only: some Instant Win Game Promotions involve playing and achieving a prescribed minimum score in a designated game on the Alienware Arena website;

other Instant Win Game Promotions involve tapping on a certain area on the Alienware Arena website.

- (b) **By participating in a particular Instant Win Game Promotion, you agree to these Official Rules (including, without limitation, the specific regulations for that Instant Win Game Promotion) and Administrator's decisions, which are final and binding in all respects and not subject to appeal.**

**6. Additional Restrictions on Play.**

- (a) **There is a limit of one (1) play/participation per participant, per Instant Win Game Promotion. For Instant Win Game Promotions where a minimum score is required, a given participant will have a minimum of three (3) attempts to achieve the minimum score.**
- (b) In the event of dispute, the potential winner is the individual who is the authorized owner of the Account used to take part in a given Instant Win Game Promotion, as determined by Sponsor in reviewing its business records in its sole discretion. Administrator may condition prize award upon such individual furnishing adequate proof of his/her ownership of the Account in question.
- (c) Use of automated or programmed means of participation in any Instant Win Game Promotion is prohibited and will result in automatic disqualification.
- (d) **Standard message and data rates and/or wireless Internet access charges may apply when participating in Instant Win Game Promotion(s).** You may be charged by the wireless carrier in conjunction with participation in Instant Win Game Promotion(s). Be sure to check the wireless carrier's pricing plan BEFORE participating in Instant Win Game Promotion(s). Wireless Internet access may not be available in all areas.

**7. Winner Determination.**

- (a) As set forth in the specific regulations for a particular Instant Win Game Promotion, a certain number of times have been randomly pre-selected; should there be more than one (1) designated game for a given Instant Win Game Promotion, certain times may be allotted to each of the designated games. Each such pre-selected time corresponds to a randomly selected Prize. The first person who engages in the required activity for playing that particular Instant Win Game Promotion (as per the specific regulations of that Instant Win Game Promotion; as per Rule 5a above) at or after the randomly pre-selected winning time is a potential winner of the corresponding Prize.
- (b) Prizes will be posted to the participant's Account shortly following the corresponding pre-selected winning time: subject to these Official Rules, no action by the winner is required to claim a Prize. Potential winners located in Canada (excluding Quebec) must correctly answer a skill testing mathematical question without mechanical or other aid before being declared a winner. If the selected Canadian participant fails to correctly answer the skill-testing question, they will be disqualified, and forfeit all rights to the applicable Prize. Sponsor/Administrator disclaim any and all liability for Prizes that are not received in a winner's Account due to Account invalidity or any technological, programming, electronic or other failure, malfunction or error of any

kind. In the event a Prize must be shipped to a winner, Sponsor/Administrator will contact the winner via email to confirm his/her physical address. If the winner does not respond to the email, the winner will forfeit his/her right to the Prize.

- (c) **Any returned or undeliverable Prizes (as applicable) will be forfeited and NOT awarded.**
- (d) Should more than one (1) Prize allotted to a given pre-selected winning time in a particular Instant Win Game Promotion be awarded due to technological, programming, electronic or other failure, malfunction or error of any kind, a random drawing from among all (eligible) winners of that Prize will be conducted so as to award only one (1) unit of such Prize. In such case, winners agree to return the Prizes previously awarded to them immediately upon demand by Sponsor/Administrator. IN NO EVENT WILL MORE THAN THE NUMBER OF PRIZES AS SET FORTH IN THE SPECIFIC REGULATIONS OF A GIVEN INSTANT WIN GAME PROMOTION BE AWARDED IN THAT INSTANT WIN GAME PROMOTION.

#### **8. Prizes/Odds of Winning.**

- (a) Each Instant Win Game Promotion will feature its own Prizes as set forth in the specific regulations of that Instant Win Game Promotion. By way of illustration only, Prizes may possibly include, but are not limited to STEAM® Wallet Codes, Dell Rewards, and Arena Reward Points.
- (b) Certain Prizes may be subject to additional conditions and limitations, which will be set out in the specific regulations of that Instant Win Game Promotion. Without limiting the foregoing:
  - i. STEAM® Wallet Code can be redeemed for the designated game, software or item indicated at STEAM® (<http://store.steampowered.com>); see STEAM® website for terms and conditions of redemption.
  - ii. Dell Rewards are benefits provided pursuant to the Dell Rewards Program which are redeemable for discounts off the purchase price of Dell products. Free enrollment in the Dell Rewards Program is required. Minimum quantities of Dell Rewards are required for redemption; Dell Rewards expire (90) days from date of issuance. See the [Dell Rewards US](#) or [Dell Rewards CA](#) website for additional terms/restrictions.
  - iii. Arena Reward Points are benefits provided pursuant to the Arena Rewards loyalty program which are redeemable for perks and rewards on the Alienware Arena website. See Arena Rewards [Terms and Conditions](#) at the Alienware Arena website for complete details.
- (c) There is a limit of (1) Prize per person/Account in each Instant Win Game Promotion.
- (d) No prize substitution or redemption for cash except by Sponsor due to unavailability of prize for any reason and then for prize of equal value, except as may be required by applicable law. No prize transfer except with Sponsor's permission which may be granted or withheld in its sole discretion without liability of any kind.

- (e) All applicable taxes and unspecified expenses in conjunction with prize acceptance/use are prize winner's sole responsibility. Should a person win Prizes in Sponsor promotions which equal/exceed \$600 in a given calendar year, where Sponsor/ Administrator deems it advisable or necessary, Sponsor/Administrator will report such prize winnings and their composite value to the Internal Revenue Service via IRS 1099 or 1099-S Tax Form; and, winner agrees to fully cooperate with Sponsor/Administrator as to their compliance with such tax reporting obligation by providing his/her Social Security Number via IRS W9 or W8-BEN Tax Form.

**Odds of winning a Prize in a given Instant Win Game Promotion depend on when a given eligible Account holder participates in that Instant Win Game Promotion as compared to other eligible Account holders.**

## **9. Releases.**

- (a) **By participating, an individual releases and agrees to hold harmless Sponsor, Administrator, Valve Corporation, iGames, Inc., other third party prize suppliers; their respective parents, affiliates and subsidiaries; and the directors, officers, agents, representatives, shareholders, employees, successors and assigns of any of the above organizations, from any and all liability arising from any Instant Win Game Promotion, any Instant Win Game Promotion-related activity, or the acceptance, receipt, possession or use/misuse of Prize(s), as applicable. The preceding includes but is not limited to damage the mobile device (or information/data stored thereon) used by an individual to participate in any Instant Win Game Promotion.**
- (b) Except where prohibited by law, by accepting prize(s), winner agrees to the use of winner's name, likeness, photo, voice, biographical information, image and other indicia of persona for advertising/publicity/trade purposes by Sponsor and its designees without further compensation or notice.
- (c) All information submitted in connection with the Instant Win Game Promotions will be treated in accordance with these Official Rules and Alienware Arena's [Privacy Policy](#).

## **10. Additional Conditions of Participation.**

- (a) The following persons are not eligible to participate or win prize(s) in Instant Win Game Promotions:
- i. employees, officers and directors of Sponsor, Administrator, Valve Corporation, iGames, Inc., any other third-party supplier, their respective parents, affiliates and subsidiaries;
  - ii. the immediate family members (namely, parent, spouse, child, sibling) of any person in the preceding category regardless of where they live and the members of the same household of any person in the preceding category, whether or not related.
- (b) Sponsor and Administrator are not responsible for (i) participation/attempted participation in any Instant Win Game Promotion that is late, lost, garbled,

incomplete, inaccessible/blocked, corrupted, jumbled, misdirected, delayed or damaged, regardless of cause, all of which are void; (ii) any incomplete, incorrect or inaccurate participation information, whether caused by tampering, hacking, equipment malfunction/failure or other cause; (iii) any error, omission, interruption, deletion, defect, delay in operation or transmission of plays, communications line failure, theft or destruction or unauthorized access to, or alteration of, plays; and (iv) any problems or technical malfunctions, disruptions or failures of any kind, including the functionality of telephone network or lines, computer on-line systems, servers or providers, software or programming, including without limitation any event which interferes with or corrupts the intended operation of any Instant Win Game Promotion.

- (c) Sponsor's/Administrator's failure to enforce any provision of these Official Rules in a given instance shall not constitute the waiver of such provision.
- (d) Tampering with any Instant Win Game Promotion, interfering with the intended operation of any Instant Win Game Promotion, or seeking to defraud Sponsor and/or Administrator in conjunction with any Instant Win Game Promotion will result in disqualification (if applicable). In addition, depending on the nature and severity of the conduct in question, Sponsor may revoke such person's Account, prohibit him/her from participation in future sweepstakes or contests sponsored by Dell Inc., and/or pursue legal remedies against such individual.
- (e) If Sponsor/Administrator determine in their sole discretion that a given Instant Win Game Promotion – in whole or in part – cannot be conducted as originally planned due to any cause beyond their control (e.g., computer virus/bug, tampering, fraud, natural disaster, riot, strike affecting such Instant Win Game Promotion, either directly or indirectly, Sponsor/Administrator may cancel, modify or suspend such Instant Win Game Promotion and make the Prizes available in such affected Instant Win Game Promotion in a manner that Sponsor/Administrator in their sole discretion determine is fair, appropriate and consistent with these Official Rules. In such event, Sponsor will post a notice on the Alienware Arena website.

**11. Arbitration/Choice of Law.**

Except where prohibited, entrant agrees that any and all disputes, claims and causes of action arising out of, or connected with, the Instant Win Game Promotion or any prize awarded shall be resolved individually, without resort to any form of class action, and exclusively by United States District Court for the Western District of Texas and the Texas State District Court in Williamson County, Texas. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, entrant's rights and obligations, or the rights and obligations of the Sponsor in connection with the Sweepstakes, shall be governed by, and construed in accordance with, the laws of the State of Texas, without giving effect to any choice of law or conflict of law rules (whether of the State of Texas or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the State of Texas.

- 12. Winners' List.** For the list of winners of prizes valued at over \$25, send a self-addressed stamped envelope to "ALIENWARE INSTANT WIN GAME PROMOTION WINNERS" care of the Administrator at the above-indicated address. Be sure to include the date of the Instant Win Game Promotion you are inquiring about. Each winners' list

request must be mailed separately. Winners' list requests must be received no later than (7) days (if a Saturday, Sunday or Holiday, then the next business day) after the date of the corresponding Instant Win Game Promotion. Winners' list will be available after approximately (3) weeks after the date of the corresponding Instant Win Game Promotion.