

**EXERGEN GAME TEMPERATURE CONTEST**  
**OFFICIAL RULES**  
**NO PURCHASE NECESSARY**

Prizes will be awarded to persons who correctly guess the temperature in order of their submissions. The number of prizes for each game will be limited to 10 per game, the first 10 persons who submit a correct guess will each receive one prize.

**1. DESCRIPTION/SPONSOR/AGREEMENT TO THE OFFICIAL RULES:**

The Exergen "Game Temperature" Contest ("Contest") is designed to reward participants who correctly guess the air temperature at the start of NCAA football games aired on IMG Radio Network, Touchdown Radio Productions, and ESPN radio, and NFL football games also aired on Westwood One radio networks. As set forth more fully below, participants will submit these guesses online prior the start of each game.

Exergen Corporation ("Sponsor"), is solely responsible for all aspects of this Contest ("Contest"). Participation in the Contest constitutes the participant's unconditional acceptance of and agreement to these Official Rules ("Official Rules") and the decisions of the Sponsor, whose decisions shall be final and legally binding in all respects. This Contest is in no way sponsored, endorsed, or administered by or associated with Facebook. You understand that you are providing your information to the Sponsor and not to Facebook.

**2. ELIGIBILITY:** This Contest is open only to legal residents of the fifty (50) United States, who are currently residing in the fifty (50) United States and the District of Columbia (excluding Puerto Rico and all other territories), who are 18 years of age or older, or the age of majority in their state of residence (whichever is older) at the time of registration. Employees, officers, and directors of the Sponsor, its parents, affiliates, subsidiaries, divisions and advertising, promotional, fulfillment and marketing agencies (collectively "Promotion Entities"), their immediate families (parent, child, sibling & spouse) and persons living in the same households as such individuals (whether related or not), are not eligible to participate in the Contest. All questions of eligibility shall be determined by Sponsor in its sole and absolute discretion.

**3. How to Enter the Contest**

There is No Purchase Necessary to participate in the Contest. During the Contest period, visit [www.gametimetemperature.com](http://www.gametimetemperature.com) and submit a guess for any or all of the games listed no later than 30 minutes prior to the start of each game. Only games that are listed on the contest entry form are eligible for Game Time Temperature Contest entries.

**Limit (1) one entry per person per game during the Entry Period.** Multiple participants are not permitted to share the same email address. Any attempt by any participant to obtain more than the stated number of entries by using multiple/different email addresses, identities, registrations and logins, or any other methods will void that participant's entries, and that participant may be disqualified. Use of any automated system to participate is prohibited, and will result in disqualification. Sponsor is not responsible for lost, late, incomplete, invalid, unintelligible, or misdirected registrations, which will be disqualified. In the event of a dispute as to any registration, the authorized account holder of the email address used to enter will be deemed to be the entrant. The "authorized account holder" is the natural person assigned an email address by an Internet access provider, online service provider or other organization responsible for assigning email addresses for the domain associated with the submitted address. Potential winners may be required to show proof of being the authorized account holder. All entries become the sole and exclusive property of Sponsor, and will not be returned. Sponsor reserves the right to contact entrants and all other individuals whose email address is submitted as part of this Contest. Normal internet access and usage charges imposed by your online service will apply.

If Sponsor is notified that any element of an entrant's Submission infringes upon the rights of another person, or receives a legally valid request to remove or invalidate the affected entry because of such infringement, such entry may be removed and disqualified from the Contest in Sponsor's sole discretion. No entrant will be eligible to receive a prize unless Sponsor determines, in its sole and absolute discretion, that such entrant's Submission has been or can be sufficiently cleared for legal purposes, and such entrant has complied with the terms of these Official Rules. By entering the Contest, all entrants: (a) give the Promotion Entities full and complete usage rights to the Entry Materials (as defined below); (b) agree that all Entry Materials become the sole and exclusive property of Sponsor for its use, as it deems appropriate, and for no further compensation, acknowledgement of or approvals by entrant and (c) agree that no Entry Materials will be returned to entrants. "Entry Materials" include: [1] all information and material submitted by you in connection with the Contest, including the entry information and all other forms, contracts or releases required to be submitted by you, whether required by Sponsor prior to or after entry; and [2] your name, likeness, image and biographical data as contained in or reflected by the entry.

#### **4. Winner Selection**

At or near the start of each game, the on-air announcer on the WESTWOOD ONE, ESPN, IMG, or TOUCHDOWN RADIO NATIONAL RADIO BROADCAST will announce the official game time temperature for purposes of this Contest.

**For indoor stadiums the official game time temperature for the purpose of this contest is the temperature inside the stadium, which is the temperature on the field of play.** Sponsor will determine the first entrants by order of submission who correctly guess the official temperature announced on-air. Depending on the actual temperature, Sponsor will select the corresponding number of winners (ex: the first 10 persons who submit the correct temperature per game, will be declared winners). For Contest purposes, "game-time temperature" refers to the temperature revealed on **THE national radio BROADCAST OF THE GAME** and will be the only figure used to determine the accuracy of your prediction.

Sponsor's game clock will determine whether entries have been timely received. Winners will be selected and notified on a weekly basis.

#### **5. Entry Requirements**

Follow the criteria below when submitting your Contest entry at [www.gametimetemperature.com](http://www.gametimetemperature.com)

- a) Click on the specific game you wish to guess, under the "How to Play" heading (i.e. New York vs. New England, Baltimore vs. Pittsburgh, etc.)**
- b) An email filled in with the game on the subject line, followed by "game time temperature guess [ ] degrees F"**
- c) Enter your Game Time Temperature prediction in the bracket [ ].**
- d) Provide your full name and mailing address in the body of the email.**
- e) Submit your entries no later than 30 minutes prior to the start of each game**

By entering this Contest you give Exergen Corporation the authorization to use your name, photo, or likeness in promotional materials without further compensation.

#### **6. Winner Notification**

Each winner will be notified by email within 48 hours from date of winner's determination.

#### **7. Prizes and Approximate Retail Values: One (1) Exergen Temporal Scanner (home model)**

Winners will receive a home model of the Exergen Temporal Scanner thermometer (ARV of prize is \$49.99). No transfer, substitution or cash equivalent for any prize will be permitted,

except at the sole discretion of the sponsor. No responsibility or liability is assumed for damages, losses or injury resulting from acceptance or use of any prize.

### **8. General Rules**

The Exergen Corporation is not responsible for undeliverable, lost, delayed, misdirected or misaddressed email or any other issues regarding the electronic delivery of the entry or for electronic or human errors of any kind. Failure to comply with any published Contest rules is grounds for immediate disqualification from the Contest. Sponsor and its agencies will have no liability or responsibility for any claim arising in connection with your participation in the Contest or the awarding of prizes. Winners assume all liability for any injury or damage caused, or claimed to be caused, by participation in the Contest or use or redemption of a prize.

### **9. Sponsor**

The sponsor of the Contest is the Exergen Corporation, 400 Pleasant Street, Watertown, MA 02472. The Contest is in no way sponsored, endorsed or administered by, or associated with the National Football League, Westwood One, FOX, CBS, NBC, ESPN, IMG Radio Network, Touchdown Radio Productions, NFL Network, or Facebook. You understand that you are providing your information to the Exergen Corporation and not to Facebook. The information you provide will only be used in the event you are selected as a Contest winner.

### **10. Dates of Contest:**

The Contest begins at September 1, 2016 at 11:59:59 PM EST and ends 30 minutes prior to the official kick-off of the NFL Super Bowl LI, currently scheduled to be played on February 5, 2017 (the "Entry Period"). All times and days listed in these Official Rules are references to Eastern Time, and Sponsor's database clock will be the timekeeper for this Contest.