

# **Game Regulations**

## **‘LE MOT DE PASSE’**

### **Article 1 – Organisation of the Game**

The company: LA MONTAGNE VERTE SARL, registered in the Trade and Companies Register under number 38125701300064 and whose Registered Office is at 75 rue Saint-Denis, 75001 Paris. (Hereinafter the ‘Organiser’), is organising from 15/09/2021 to 15/10/2021 included, a free game with no obligation to purchase entitled ‘LE MOT DE PASSE’ (hereinafter the ‘Game’).

### **Article 2: Object of the game**

Participation in the Game implies unreserved acceptance of these regulations in their entirety, hereinafter the ‘Regulations’.

### **Article 2-1: Access to the Game**

The Game is accessible at the URL address: <https://www.el-badia.com/en/lemotdepasse>

### **Article 3: Date and duration**

The Game runs from 15/09/2021 to 15/10/2021 included.

The Organiser reserves the right to postpone, modify, cancel or renew this Game if the circumstances so require. In any event, their responsibility cannot be engaged in this regard.

### **Article 4: Conditions of participation & validity of participation**

#### **4-1 Conditions of participation**

The Game is open to any adult natural person (validated by a pop-up window), having access to the Internet at the start date of the Game, a personal electronic address (e-mail) to which they can, if necessary, be contacted for the purposes of managing the Game and/or an account in their name on the Instagram community site (hereinafter the ‘Participant’).

Persons having participated directly or indirectly in the development of the Game as well as members of their families (same name, same postal address), employees of the Organiser and subcontractors of the Organiser are excluded from any participation in the Game.

Only entries which comply with all the provisions of this article will be eligible.

The Organiser therefore reserves the right to carry out any checks it deems useful regarding the identity and address of each Participant. In this regard, any indication in the entry form which is incomplete, erroneous, falsified or which does not identify a Participant or their contact details will result in the cancellation of the entry in question.

## **4-2 Validity of participation**

- To participate in the Game, the Participant must connect between 15/03/2021 and 15/10/2021 on the website <https://www.el-badia.com/en/lemotdepasse> and confirm in the pop-up window that will open that they is over 18 years old (only adults can participate).
- At this moment, the Participant discovers a fresco, and by scratching the frame, they will reveal part of a password.
- To validate their participation, they must enter their personal information in the form that will appear (last name, first name, age and e-mail address) and invite 3 people to join their game by entering their e-mail address. The 3 people invited must connect to the <https://www.el-badia.com/en/lemotdepasse> website and confirm that they are over 18 years old.
- Then the Participant and their guests discover a new fresco, which, by scratching the frame, will reveal the rest of the password.
- To validate the participation, the Participant and their 3 friends must enter their personal information (name, first name, age, e-mail address and country).
- When the players have scratched the fresco, a confirmation e-mail is sent to them with the password they have discovered.
- The result of the winning password will be revealed on Instagram.

Information regarding identity, addresses or quality, or other fields mentioned in the form which would prove to be inaccurate entail the nullity of the participation. The Organising Company will not be able to send the prize, which will invalidate the participation.

The Organiser reserves the right to remove from the Game any entry form that does not comply with the Regulations, in particular any incomplete or illegible entry.

The same sanction will apply in the event of fraudulent multiple participations, i.e. beyond the limits defined in these regulations. The Organising Company has the right to unilaterally terminate the Participant's participation, without notice or justification, and without this being able to justify any claim against it by the Participant, in particular if the information provided is contrary to good morals and/or constituting a denigration of the Organising Company or its products and/or likely to offend consumers.

## **Article 5: Designation of winners**

A random draw will be made every day by a depository agent from 6 p.m. The result of these draws will be filed with a bailiff and revealed on Instagram.

This time/date may be postponed if one of the operation managers designated above could not be available on that day, and a new time/date would then be defined to carry out the draw.

Any form containing a false declaration or an erroneous and/or incomplete declaration and/or not respecting the present Regulations, designated winner will be considered as null and will result in the designation of another Participant by a new draw.

## **Article 6: Endowment/Prizes**

### **6.1 - Commercial value of the endowments:**

The prizes are offered by the Organiser and in this sense constitute 'endowments'.

To be won with the drawing:

EL BADIA brand products

15/09/2021	4 EL-BADIA X MIG Hookah	900 euro	
16/09/2021	4 HOOKY STEEL Hookah	1000 euro	
17/09/2021	<b>Restaurant for 4: vintage95 (shisha evening)</b>	200 euro	Conditions: on reservation, excluding weekends, 4 people max, valid for 1 year
18/09/2021	4 EL-BADIA C7 hookahs	356 euro	
19/09/2021	4 KALOUD accessories	236 euro	
20/09/2021	4 hooky classic with cartridges + case	438 euro	
21/09/2021	4 VO7 vouchers <a href="https://vo7.com/">https://vo7.com/</a>	400 euro	valid for 1 year, cannot be combined with other offers
22/09/2021	4 QUASAR RAAS Thermal Bowls	276 euro	
23/09/2021	<b>Restaurant for 4: LA PARISIENNE</b>	200 euro	Conditions: on reservation, excluding weekends, 4 people max, valid for 1 year
24/09/2021	4 PXP vouchers <a href="http://www.projectxparis.com">www.projectxparis.com</a>	400 euro	valid for 1 year, cannot be combined with other offers
25/09/2021	4 EL-BADIA CRAZY hookahs	276 euro	
26/09/2021	<b>4 MIG hookahs</b>	1000 euro	
27/09/2021	4 EL-BADIA C5 hookahs	316 euro	
28/09/2021	4 CARTEL hookahs (Havana S, Pablo Silver, Pablo Gold and Fame models)	636 euro	
29/09/2021	1 year of EL-BADIA products	1000 euro	
30/09/2021	<b>Gym subscription (1 year)</b>	1640 euro	
01/10/2021	4 EL-BADIA P1 portable hookahs	156 euro	
02/10/2021	4 EL-BADIA C7 hookahs	356 euro	
03/10/2021	4 KALOUD accessories	200 euro	
04/10/2021	4 ODUMAN hookahs	316 euro	
05/10/2021	<b>PS 5</b>	1500 euro	
06/10/2021	<b>Parc Astérix entries for 4 people</b>	212 euro	
07/10/2021	<b>4 Steamulation hookahs</b>	1116 euro	
08/10/2021	4 vouchers of 100 EURO, to use on EL-BADIA	400 euro	valid for 1 year
09/10/2021	4 PACKS CELESTE JUNIOR FULL hookahs	396 euro	
10/10/2021	4 QUASAR RAAS Thermal Bowls	276 euro	
11/10/2021	<b>4 FUMO hookahs</b>	860 euro	
12/10/2021	4 RETROFIT hookahs	956 euro	
13/10/2021	4 MAKLAUD hookahs	1200 euro	
14/10/2021	<b>DUBAI TRIP for 4</b>	2500 euro	

The Organiser reserves the right to change the endowment without notice. If this is the case, the value of the prize will be equal to or greater than the product replaced.

This prize cannot be returned, exchanged, or subject to payment of its equivalent in cash or check. Any dispute of the prize, for any reason whatsoever, will be equivalent to a final refusal of the latter.

The organizing company EL-BADIA, reserves the right to send the prizes to the winners until December 31, 2022. No claim of non-receipt of the prizes will be taken into account before this date.

### **Article 7: Delivery or withdrawal of the Prizes**

After checking the regularity of participation and the conditions for awarding the prize in question, the winners will receive their prize:

- by postal delivery, or can come and collect it in the Parisian El Badia store, located at 75 rue Saint-Denis 75001 PARIS, FRANCE.
- Outside the EU: the prizes will have to be picked up on-site from the Parisian El Badia store. Otherwise, they can be sent to them, but the shipping costs will be at their expense.

The list of winners will be announced on the El Badia brand's social networks and by a confirmation e-mail, sent by the brand.

At the end of a period of 7 days, without a response to the e-mail inviting the winner to come forward, the prize will be lost. It may be allocated to another Participant drawn at random, or will remain the property of the Organising Company.

**Incorrect e-mail address, incorrect postal address:** (information by e-mail) If the e-mail address is incorrect or does not correspond to that of the winner, or if for any other reason related to technical problems not allowing the correct delivery of the e-mail to the winner, the Organiser can in no way be held responsible. Likewise, it is not up to the Organiser to research the contact details of winners who cannot be reached due to an invalid or illegible e-mail address, or an incorrect postal address.

#### **Not withdrawn prizes:**

The winners who cannot be reached, or who do not respond within 7 days to provide their address, will not be able to claim any prize, compensation, or indemnity of any kind.

The awarded prizes are personal and non-transferable. In addition, the prizes may under no circumstances be the subject of any dispute by the winners, nor of an exchange or any other consideration of any kind.

### **Article 8: Collection of information - Data Protection Act**

The personal data collected within the framework of the participation in the Game are recorded and used by the Organiser for the necessities of their participation and the allocation of their winnings.

Participants may request not to appear or be removed from the file at any time: they will have the right to access, rectify and delete data concerning them, upon request, sent to the address of the Game in accordance with the Data Protection Act of January 6, 1978, amended by Law n° 2004-801 of August 6, 2004 relating and the General Data Protection Regulation (GDPR) to the protection of individuals with regard to the processing of personal data and of decree n° 2005-1309 of October 20, 2005.

Those who exercise the right to delete their data before the end of the Game will be deemed to have waived their participation.

All requests must be sent by post to the address of the Organiser (El Badia), mentioned in article 1.

The personal data collected by the Organising Company (surname, first name, age, and e-mail address of Participants) when participating in the Game, are only collected and processed for the purpose of ensuring the organisation and smooth running of the Game, and in particular the attribution of prizes. They will only be stored and kept to ensure the smooth running of the Game and for a maximum period of 6 months from the closing of the operation. Your personal data will be destroyed at the end of this period.

For the organisation of the Game and for the sole purpose of contacting the Winner, the Organising Company will have access to the personal details of the Participants, the Winner and the Beneficiary. In accordance with its privacy policy <https://www.el-badia.com/fr/content/71-informations-personnelles>, the Organising Company may communicate the personal data of each Participant to the judicial authorities in order to respond to an injunction or other requests made by such authorities.

### **Article 9: Liability**

The Participant acknowledges and accepts that the only obligation of the Organiser under the Game is to submit the collected entry forms to a drawing, provided that their participation complies with the terms and conditions of the Regulations, and to deliver the prizes to the winners, according to the criteria and modalities defined in these Regulations.

The Organiser cannot be held responsible, without this list being exhaustive, for any malfunction of the 'Internet' network preventing the smooth running of the Game, in particular due to external malicious acts. The Organising Company can no longer be held responsible in the event that one or more Participants are unable to connect to the Game site due to any technical defect or any problem linked in particular to network congestion. The Organising Company makes every effort to provide users with information and/or tools that are available and verified, but cannot be held responsible for errors (in particular display on the Game's sites, sending erroneous e-mails to Participants), the lack of availability of information and/or the presence of viruses on their site, any malfunction of the Internet network preventing the smooth running of the Game; interruptions, delays in data transmission, failures of the computer, telephone, modem, Participant's telephone line, servers, Internet service providers, telephone operators, IT equipment, software; the loss of any electronic mail and more generally, the loss of any data, the consequences of any virus, computer bug, anomaly, technical failure, any damage caused to a Participant's computer, any technical failure, hardware and software of any kind, having prevented or limited the possibility of participating in the Game or having damaged a Participant's system. It is for the Participant to take all appropriate measures to protect their own data and/or software stored on their computer and phone equipment against any breach. The connection of any person to the site and their participation in the Game is under their full responsibility.

The Organising Company may cancel or suspend all or part of the Competition if it appears that fraud has occurred in any form whatsoever, including by computer as part of entry to Competition or the selection of the Winner. It reserves, in this case, the right not to award prizes to fraudsters and/or to take legal proceedings in the competent courts against the perpetrators of such frauds.

In all cases, if the smooth administrative and/or technical running of the Game is disrupted by a virus, computer bug, unauthorised human intervention or any other cause beyond the Organising Company, the latter reserves the right to interrupt the Game.

Likewise, participation in this Game implies knowledge and acceptance of the characteristics and limitations of the Internet, both with regard to technical performance, response times for consulting, as well as for querying or transferring information, the lack of protection of certain data against possible misappropriation or piracy and the risk of contamination by possible viruses circulating on the network.

#### **Article 10: Force majeure / reservations**

The Organiser cannot be held liable if, for a case of force majeure or beyond its control, the Game should be modified, shortened or cancelled.

The Organiser reserves the right to carry out any verification it deems useful, relating to compliance with the regulations, in particular to exclude any Participant who has made an inaccurate or false or fraudulent declaration.

#### **Article 11: Nullity - Dispute resolution**

If one or more provisions of these Regulations were declared null or inapplicable, the other clauses would retain all their force and scope and could in no way affect the validity of the Regulations themselves.

The Regulations are governed by French law without prejudice to any conflict of law rules that may exist. Therefore, Participants are subject to French regulations applicable to games and contests. Any difficulty in applying or interpreting the Regulations will be resolved exclusively by the Organiser.

No telephone request or complaint concerning the application or interpretation of these Regulations will be answered. Any dispute or claim relating to the Game and/or the drawing must be made by registered letter with acknowledgment of receipt to the address of the Organiser. And no later than ninety (90) days after the deadline for participation in the Game as indicated in these Regulations. In the event of persistent disagreement as to the application or the interpretation of these Regulations, and in the absence of an amicable agreement, any dispute will be submitted to the court entitled, to which exclusive jurisdiction is attributed.

In order to safeguard the same chances for all Participants in this Game, the Organising Company reserves the right not to award the prize to fraudsters and, or to prosecute the authors of these frauds before the competent courts: in particular Article 323-2 of the Penal Code (amended by Law n° 2004-275 of June 21, Art 45 II Official Journal of June 22, 2004): 'the fact of hindering or distorting the operation of an automated data processing system is punishable by 5 years of imprisonment and a €75,000.00 fine'.

#### **ARTICLE 12 - Deposit and consultation of the Regulations**

The present Regulations are deposited via [depotjeux](http://www.depotjeux.com/) with the office of Maitre Doniol, located 8 Rue Souilly - 77410 Claye Souilly, bailiff.

The Regulations will be available for free for the duration of the Game at the following address: <http://www.depotjeux.com/>. The participation in the Game implies the pure and simple acceptance of this regulation in all its provisions, as well as the laws and regulations applicable to the contests and games in force in France.

The Regulations can be modified at any time in the form of an amendment by the Organiser, in compliance with the conditions set out, and published by online advertisement on the site. The amendment is filed via [depotjeux](#) with the office of Maitre Doniol, located 8 Rue Souilly - 77410 Claye Souilly, bailiff, depositaries of the regulation before its publication.

It will come into effect as soon as it is put online, and any Participant will be deemed to have accepted it by the mere fact of their participation in the Game, from the date the amendment enters into force. Any Participant not accepting the modification(s) must stop participating in the Game.

### **Article 13: Industrial and intellectual property**

The reproduction, representation or use of all or part of the elements making up the Game offered therein is strictly prohibited. All brands or product names mentioned are trademarks or registered product names of their respective owners.