

Roche Bros “Souper Bowl” Flavor Suggestion Contest

Contest Administrator

The “Roche Bros. Souper Bowl Flavor Suggestion Contest” is hosted and administered by Roche Bros. (the “Sponsor”), 70 Hastings Street, Wellesley Hills MA 02481. Correspondence can be sent to this address, attention Marketing Department, or to helpdesk@rochebros.com.

Entry Period

The entry period will be from 12:00 a.m. Eastern Time, January 25th, 2019 until 11:59 p.m. Eastern Time, January 31st, 2019 (the “Deadline”). All entries must be received by the Deadline to be eligible to win the contest.

Eligibility

This contest is open to legal residents of Massachusetts, 18 years of age or older as of January 1, 2019. No purchase necessary to enter.

All contestants who enter the flavor suggestion contest are agreeing to comply with these rules and regulations. By submitting a flavor suggestion, contestants certify that their ideas are their own original thought. Submission of a flavor suggestion is a warranty that the contestant owns all copyrights and other intellectual property rights to the suggestion and constitutes an assignment of these rights to Sponsor. Sponsor will not be held liable for any copyright infringements or any prior exclusivity rights to any flavor suggestion submitted. The right to submit the flavor suggestion must not be restricted in any way. Winners will also be required to execute a Publicity Release and a Release of Liability.

Each entry must be submitted by an individual, not by a couple or a team.

Employees and their immediate families, vendors, suppliers, contractors and any other individuals who are directly professionally involved with Roche Bros., Sudbury Farms, and Brothers Marketplace (“Sponsor”) are not eligible. Immediate families include spouses, parents, children, or any other household members. In case of a dispute as to the identity of the entrant, the entry will be accepted or rejected at the sole, absolute discretion of Sponsor.

Sponsor can prohibit any individual from participating in the contest or winning a prize if, in its sole discretion, it determines that said individual: (1) attempts to undermine the legitimate operation of the contest by cheating, jacking, deception, or other unfair practices;(2) violates the Official Rules; or (3) acts in an unsportsmanlike or disruptive manner at any time during the Contest, with the intent to annoy, abuse, threaten, or harass any other person.

How to Enter

Contestants may enter online, via postal mail or at selected in store events.

To enter online, visit <https://www.rochebros.com/souper> and comment on the page to submit your flavor suggestion.

Sponsor is not responsible for phone, network, electronic or computer hardware or software failure, or technical failures of any kind, lost or unavailable network connections, fraud, incomplete, garbled or delayed computer transmissions, whether caused by Sponsor, contestants, or by any of the equipment or programming associated with or utilized in the promotion or by a technical or human error which may have occurred in the processing of submissions which may have damaged user’s system or limited an individual’s ability to participate in the promotion.

To enter by mail, send a letter by mail with your flavor suggestion and your full name, full mailing address, current age and birthdate, telephone number, and e-mail address, to Sponsor at 70 Hastings Street, Wellesley Hills MA 0248, Attn: Marketing Department.

Sponsor is not responsible for lost, late, misdirected, mutilated, incomplete, illegible or postage-due entries or mail.

Any attempt by an entrant to deliberately damage the website, defame or libel the Sponsor or any third party or undermine the legitimate operation of the contest may be in violation of criminal and civil laws and result in prosecution.

Submission Requirements

Contest entries must be your own flavor suggestion for a soup. Simply tell us what you think our next soup flavor should be by giving us a title or description of a soup.

The submission must not infringe the copyright, trademark, privacy, publicity, or other personal or proprietary rights of any person or entity. Sponsor reserves the right to remove from the online Contest website any submissions that Sponsor in its sole judgment finds do not meet the submission requirements or are lewd, obscene, disparaging, or otherwise contain inappropriate content.

Contest Award Winners

After the Deadline, a panel of judges selected by Sponsor (the “Judges”) shall evaluate entries based on their assessment of the flavor suggestion in four categories: Creativity, Customer Appeal, Originality, and Ability to Scale to High Volume Production. One winner will be chosen at the discretion of the Judges and the Sponsor will notify the entrant who submitted the winning flavor suggestion.

To be eligible to win a prize, the winner must respond within five (5) business days of the first attempted notification following the instructions contained in the notification. In the event a Potential Winner fails to timely respond to Sponsor’s attempted notifications, the winner will be disqualified from the Contest and Sponsor will notify the runner up entrant as the winner for his or her flavor suggestion. After the Winner has been selected, their name can be used by the Sponsor through Internet social media websites, newspaper advertisements, and other methods of distribution, and used for promotional or marketing purposes, including without limitation a public vote on Sponsor’s Internet website to determine the public’s favorite Finalist flavor. However, the results of any such voting and other promotions shall not affect any eligibility to win the Grand Prize or any Finalist to any prize or special recognition. Finalist submissions may be edited for content, clarity, length and/or consistency at Sponsor’s sole discretion.

Sponsor Ownership of Entries

All entries and materials submitted to Sponsor in connection with the Contest (collectively, “Entry Materials”), along with all copyright, trademark and other proprietary rights associated therewith, become the property of Sponsor upon submission, and Entry Materials will not be returned to any entrant. Without limiting the generality of the foregoing, you acknowledge that Sponsor will own all rights to use, modify, reproduce, publish, perform, display, distribute, make derivative works of and otherwise commercially and non-commercially exploit the Entry Materials in perpetuity and throughout the universe, in any manner or medium now existing or hereafter developed, without separate compensation to you or any other person or entity. This includes the right and intent of the Sponsor to produce soup consistent with the Flavor Suggestion and sell the resulting product to customers in its retail locations with no further compensation due to the Winner beyond the prize stated below.

Contest Prizes

One (1) Grand Prize winner will receive one (1) \$300 Roche Bros Gift Card.

All prizes returned as undeliverable or otherwise not claimed within five (5) days after first attempted delivery will be forfeited and awarded to an alternate winner. The prizes are not transferable. No substitutions or exchanges (including for cash) of any prizes will be permitted, except that Sponsor reserves the right to substitute a prize of equal or greater value. Limit one prize per entry. The prizes are awarded "AS IS" and WITHOUT WARRANTY OF ANY KIND, express or implied, (including, without limitation, any implied warranty of merchantability or fitness for a particular purpose).

General Release

By entering the Contest, Contestants release the Sponsor and the Participating Entities from any liability whatsoever, and waive any and all causes of action, related to any claims, costs, injuries, losses, or damages of any kind arising out of or in connection with the Contest or delivery, misdelivery, acceptance, possession, use of or inability to use any prize (including, without limitation, claims, costs, injuries, losses and damages related to personal injuries, death, damage to or destruction of property, rights of publicity or privacy, defamation or portrayal in a false light, whether intentional or unintentional), whether under a theory of contract, tort (including negligence), warranty or other theory.

Use of Winner's Name, Likeness, etc.

Except where prohibited by law, entry into the Contest constitutes permission to use winners' name, address, likeness and/or prize information, without limitation, for promotional purposes without further permission or compensation. As a condition of being awarded any prize, except where prohibited by law, winners may be required to execute and deliver to Sponsor a consent to the use of their name, address, likeness, Original Recipe, Original Photograph, and/or prize information, without limitation, for promotional purposes without further permission or compensation.

Miscellaneous

The Contest and these Official Rules will be governed, construed and interpreted under the laws of the Commonwealth of Massachusetts. Contestants agree to be bound by these Official Rules and by the decisions of Sponsor, which are final and binding in all respects. Sponsor reserves the right to change these Official Rules at any time, in its sole discretion, and to suspend or cancel the Contest or any entrant's participation in the Contest should viruses, bugs, unauthorized human intervention or other causes beyond Sponsor's control affect the administration, security or proper play of the Contest or Sponsor otherwise becomes (as determined in its sole discretion) incapable of running the Contest as planned.

Contestants who violate these Official Rules, tamper with the operation of the Contest or engage in any conduct that is detrimental or unfair to Sponsor, the Contest or any other entrant (in each case as determined in Sponsor's sole discretion) are subject to disqualification from entry into the Contest. Sponsor reserves the right to lock out persons whose eligibility is in question or who have been disqualified or are otherwise ineligible to enter the Contest. If you have any questions about these Official Rules or the Contest, please e-mail them to helpdesk@rochebros.com or send written questions to the address listed above.