

TERMS AND CONDITIONS OF THE "Viudas, jóvenes y ricas" PROMOTION

BY AUDIBLE

AUDIBLE GMBH (hereinafter referred to as the "**ORGANIZER**" or "**AUDIBLE**"), with **tax identification number DE238390110**, and registered address at Schumannstr. 6, 10117 Berlin, Germany, is organizing a nationwide free promotion named "**Viudas, jóvenes y ricas SWEEPSTAKE**" (hereinafter referred to as the "**PROMOTION**") for customers in Spain, with the purpose of promoting its brand products.

SECTION ONE - Duration:

The PROMOTION will commence on July 18th, 2024, 00:00 CET with the announcement thereof, and will conclude on July 24th, 2024, 23:19 CET with the final draw to select the Winner.

SECTION TWO - Applicable Law and Jurisdiction:

This PROMOTION is subject to German law, and the German courts and tribunals will have exclusive jurisdiction over any disputes arising from it. This shall not result in a participant losing the right to be protected by provisions which may not be deviated from by contract under the law of the participant's country of habitual residence. Should individual provisions of these terms be invalid, this shall not affect the validity of the remaining provisions.

SECTION THREE - Scope:

3.1 Territorial Scope: The PROMOTION is valid throughout the territory of Spain.

3.2 Personal Scope: Only individuals aged 18 or above, residing in the territory of Spain, and complying with the requirements set forth in these terms and conditions, are eligible to participate. Employees of the ORGANIZER or their spouses, as well as employees of companies or establishments affiliated with or involved in the PROMOTION are not eligible to participate.

SECTION FOUR - Promotional Mechanics, Winner Selection, and Prizes:

The PROMOTION will be communicated through the ORGANIZER's social media channels such as Instagram / Twitter / Facebook but participation will be carried out through the ORGANIZER's Instagram channel, only.

Once the PROMOTION commences, in order to participate, users must follow Audible Spain's Instagram Account [[@audible_es](#)] like the Instagram post announcing the PROMOTION and leave a comment on it. The comment must include a flower bouquet emoji. Comments without this emoji will not qualify the user to participate in the PROMOTION.

There will be one draw at the end of the PROMOTION, selecting one winner from all participants who have fulfilled the requirements during the week. The ORGANIZER

will post the winner's user name on a story on Audible's Instagram channel on July 22nd 2024 and will tag the user name of the winner on that post.

The winner will be chosen using the automated tool at www.cool-tabs.com (which uses a random selection algorithm). The draw will be held on July 24th 2024. Also one (1) substitute winner will be chosen.

The prize consists of one (1) pair of AirPods Max from Apple in color Space Gray. The Prize shall in no case be substitutable for its monetary value and may not be assigned to third parties.

SECTION one - Communication and Requirements to Claim Prizes:

The winner will be contacted by ORGANIZER through a comment responding to the comment that the winner left under the original post on Instagram (@audible_es) announcing the PROMOTION. The ORGANIZER will respond to the winner's comment with the following phrase: *"Congratulations! You are the winner. Please contact us via DM to allow us to give you the details to redeem your prize"*

The winner will have a period of 2 calendar days from the draw resolution to confirm acceptance of the prize by contacting the ORGANIZER via DM responding to the ORGANIZER'S comment. If any winner fails to confirm acceptance within the specified period or does not wish to provide the requested information necessary for prize delivery, they will forfeit the right to receive the prize, which will be considered rejected, and it will be awarded to the respective substitute winner, who will have the same period to accept it and provide delivery information. If the substitute winner does not accept it, the prize will be deemed unclaimed.

SECTION SIX - Data Protection:

Participants' (personal) data will be processed by **AUDIBLE GMBH**, with registered address at Schumannstr, 6, 10117, Berlin, Germany, only for the purpose of managing the PROMOTION, selecting 1 winner, and delivering the corresponding prize and for this purpose forwarded to the advertising agency The Summer Agency (INSPIRING MOVES S.L., C/ Sánchez Pacheco, 82, 28002 Madrid, Spain).

The ORGANIZER will only use the winner's username on Instagram to complete the draw and to announce the selected winner's username. No access will be made to any information available on the user's profile.

The ORGANIZER is authorized to disclose user name of the winner on the brand's Instagram channel as well as to use the published material for historical purposes to promote its brand and give exposure to this PROMOTION.

The data requested from the winner will be used exclusively for prize delivery and will not be permanently stored by the ORGANIZER. All information collected through participation in the PROMOTION relating to the PROMOTION winner will be deleted within six months from the prize delivery.

Participants can exercise their rights of access, rectification, erasure, restriction, and objection to the processing, as well as other rights recognized by the applicable data protection regulations, by contacting audiblesocial@amazon.es

Participants can obtain additional information about the processing of their data by consulting the full text of the Privacy Policy of **AUDIBLE GMBH** through the following link: <https://www.audible.es/legal/privacy-policy/>.

SECTION SEVEN - Intellectual and Industrial Property Rights:

The intellectual and industrial property rights over the contest and all materials included therein belong to the ORGANIZER and are protected by copyright laws in accordance with German laws and applicable international agreements.

The winner consent to the ORGANIZER publishing their user names on Internet to announce the winner.

SECTION EIGHT - Tax Regulations:

All contest prizes are subject to current tax regulations, so the prize amount will be treated as a non-cash prize for the winner and may be subject to Personal Income Tax payable by the winner.

SECTION NINE - Rights:

The ORGANIZER reserves the right to prevent speculation or business systems related to this PROMOTION, in which case appropriate legal actions may be taken.

Likewise, the ORGANIZER reserves the right to modify, suspend or cancel this PROMOTION, if due to technical or any other reasons beyond its control, it is unable to proceed with the normal development of the PROMOTION, or otherwise justified. The ORGANIZER commits to communicate with sufficient notice any new rules, conditions, or, if applicable, the definitive cancellation, after notifying the competent authority for the authorization of the contest.

SECTION TEN - Responsibilities and Disputes:

Participation in this PROMOTION implies acceptance of its rules. These rules also include the Audible Conditions of Use and the Audible Terms and Conditions for Gift and Promotional Codes and Vouchers, both available at <https://www.audible.es/legal/conditions-of-use> Expressing non-acceptance of the rules will result in the exclusion of the participant, and as a consequence, the ORGANIZER will be released from fulfilling the obligations towards that participant.

The ORGANIZER will not accept acts of piracy or manipulation of the PROMOTION to the detriment of other participants. In the event that the ORGANIZER suspects that a participant has manipulated or fraudulently attempted to manipulate the PROMOTION for their own benefit, they will be automatically disqualified without further requirement, other than explaining the reasons for their disqualification.

The ORGANIZER will not be responsible for incomplete, confusing, or undelivered submissions due to any technical or human error, including, among others, electronic malfunction of any instrument.

The ORGANIZER, its parent, associated, affiliated, or subsidiary companies, and their agents and employees will not be liable for personal injuries, losses, or any other type of damage arising from the participation of the winner in the PROMOTION or the acceptance or use of the awarded prize.

These Terms and Conditions of the “Viudas, jóvenes y ricas” PROMOTION are hosted on The Summer Agency's internal server and are available to anyone who wishes to consult them through the link in the biography of Audible Spain's Instagram profile [[@audible_es](#)].

This PROMOTION is in no way sponsored, endorsed, administered by or associated with Instagram. Instagram is indemnified against any liability that may arise from matters relating to the PROMOTION and cannot be held liable for any claims arising from participation.