

NESCAFÉ FACEBOOK DISCUSSIONS

Promotion Title: STIMULATING DISCUSSIONS WITH NESCAFÉ

Promotion Period: September 27 – November 1, 2010 (5 weeks)

Submission of Topics:

1st round: 27 September – 11 October 2010

2nd round: 18 October– 01 November 2010

QUALIFICATIONS/DISQUALIFICATIONS OF PARTICIPANTS:

1. Open to Filipino citizens or person residing in the Philippines for at least a year, at least 18 years of age at the time of joining.
2. Nestlé Philippines, Inc. (NPI), OgilvyOne Manila, Proximity Philippines Inc., Deploy-Digital Manila, Publicis-Manila, Inc. and other official media partners and sponsors' employees and their relatives up to the third degree of consanguinity are disqualified from joining.
3. Promotion period is from 27 September 2010 until 01 November 2010, divided as follows:

Submission of Topics:

1st round: 27 September – 11 October 2010

2nd round: 18 October– 01 November 2010

DESCRIPTION OF PROCEDURES:

A. How to Join:

4. Those qualified and interested to join must search and follow the directions for joining in the “NESCAFÉ Stimulating Discussion” tab found on the NESCAFÉ PHILIPPINES Page on Facebook (“NESCAFÉ Fan Page” for brevity) at the time of joining.

B. How to Participate

5. From 27 September 2010 12:01 am server time until 11 October 2010 11:59 pm server time (“first round of submission” for brevity) and from 18 October 2010 12:01 am server time until 01 November 2010 11:59 pm server time (“second round of submission” for brevity) qualified participants may submit topics that he or she would like to be discussed by and among the members of the NESCAFÉ Fan Page.
6. To submit a topic, participants must submit their topics as well as the following information through the “NESCAFÉ Stimulating Discussion” tab on the NESCAFÉ Fan Page:
 - a. Complete name;
 - b. Date of birth;
 - c. Complete residence address, which must be in the Philippines and not be a P.O. Box
 - d. Contact numbers
 - e. Valid e-mail address
7. The ten (10) topics will be selected based on set criteria.
8. The topics to be submitted must comply with **all** of the following guidelines:

- a. Topics should not be offensive, disparaging or discriminatory to any person or entity, whether living or already deceased;
- b. Topics should not threaten or charge with a vice or a crime any person or entity, whether living or already deceased;
- c. Topics should not discredit or dishonor any person or entity, whether living or already deceased;
- d. Topics should not use language that is impolite, malicious or offensive;
- e. Topics should not draw out responses that would result to any of the foregoing;
- f. Topics should not mention or draw out responses mentioning Nestlé as a company;
- g. Topics should not mention or draw out responses about any food or beverage product except NESCAFÉ.

(Note: Some topics that will not be considered for judging include topics about sex, dangerous drugs, violence, crime, discrimination, racism and alcohol; topics related to breast-feeding and pregnancy; topics creating rumors or gossip; or topics making any reference to a specific person/place/brand/product/event)

9. A participant can submit a maximum of five (5) entries per submission round. In case he or she submitted more than five (5) topics, the first five (5) topics submitted will be pre-qualified based on the criteria found in these mechanics, however, only one (1) topic submitted will be included in the Top 10 at the discretion of the judges.
10. Participants whose topics were qualified and selected will be notified through the indicated contact details they indicated during registration.
11. During the duration and at any stage of the promotion, organizers of the promotion may disqualify participants who fail to qualify with the qualifications specified in these mechanics and their decision on the matter is final.
12. For the first round of submission, deadline for submission of entries is on 11 October 2010 11:59 pm server time while for the second round of submission, deadline is on 01 November 2010 11:59 pm server time.
13. By submitting a topic, the participant confirm that he or she has read the full mechanics of this promotion as specified in the NESCAFÉ Fan Page and agrees to abide by the terms and conditions of the same.

C. How to Win:

14. All topics submitted will be screened based on their compliance with all the guidelines specified in item no. 9 of these mechanics.
15. The top ten (10) topics for each round shall be chosen in the presence of a representative from FDA based on the following criteria:

Criteria	Percentage
<u>Creativity</u> - innovative, imaginative and out-of-the box topic	40%
<u>“Discussability”</u> - people can easily relate with and respond to the topic	40%
<u>NESCAFÉ essence</u> - able to bring out inspiring and positive responses	20%

16. The participants who submitted the top ten (10) topics chosen based on the foregoing criteria for each round will each receive gift packs containing NESTLÉ-branded products worth P500. Among the top 10 topics chosen for each round, the participant who submitted the topic which garnered the highest number of score will entitle him or her to win one (1) 64GB iPod Touch worth eighteen thousand pesos (Php 18,000.00).
17. The winners shall be subjected to verification. By verification, organizers of the promotion will contact each winner via the contact details they provided to verify whether he or she joined the contest. If he or she cannot be reached or he or she replied in the negative within 24 hours from first attempt to contact him or her, organizers shall move on to the next participant with the highest score obtained. Organizers shall proceed with the verification until such time that it chooses ten (10) winners for each round.
18. The Facebook Fan Page of NESCAFÉ Philippines is provided on an "As Is" and "As Available" basis and NPI gives no warranties of any kind, whether express, implied, statutory or otherwise including warranties or representations that materials found on the links therein, including those provided by the participants will be complete, accurate, reliable, timely, non-infringing to third parties; that access to the links found therein, including those provided by the participants will be uninterrupted or error-free; that the links found therein, including those provided by the participants will be secure; that any advice or opinion obtained from links found therein, including those provided by the participants, is accurate or to be relied upon and any representations or warranties thereto are expressly disclaimed.

D. DEADLINE OF ENTRIES:

22. **Deadline for submission of entries:**
1st round: 11 October 2010
2nd round: 01 November 2010
23. **Announcement of Winners:** To be announced via “NESCAFÉ Stimulating Discussion” tab on the NESCAFÉ Fan Page:

1st round: 13 October 2010
2nd round: 04 November 2010

E. PRIZES TO BE WON:

24. **Prizes at Stake**

20 pieces	Nestlé Gift Packs @ P500	P10,000
2 pieces	64GB iPod Touch @ P18,000	P36,000

25. The description of the prizes is based solely on information provided by third party manufacturers/suppliers. Likewise, with regard to the reliability of the quality of the prizes, organizers rely on the representations made by manufacturers and/or suppliers. Photographs of prizes appearing in the materials for this promotion may slightly differ from the actual items. The prizes are also covered by the manufacturer's warranty and the winner should direct his/her inquiries to the manufacturer/supplier in accordance with the warranty information.
26. The award of the prizes is/are subject to availability of the item/s and while supply lasts as well as the manufacturer's/supplier's restrictions on the same.

F. PERIOD OF REDEMPTION

27. The prizes will be delivered to the winners at the address they indicated in their emails.
28. During the delivery, the winner must present at least two valid identification cards and a print out of the email notification. If he/she has authorized a representative to receive his or her prize on his/her behalf, the authorized representative must present the two valid ID, the winner's valid ID and a print out of the email notification before the item is released to the authorized representative.
29. During the delivery, if both the winner and the authorized representative are not present to receive the prize, the courier will attempt to deliver the prize again. If neither one of them are present to receive the prize again, no attempt will be made to deliver the prize for the third time. In this case, the prize can only be claimed personally by the winner or his duly authorized representative at 1/F Consumer Services, Nestlé Philippines Office, # 31 Plaza Drive Rockwell Center, Makati City on a date scheduled and agreed upon. NPI is not responsible for accommodations, travel expenses or other expenses of winners when claiming prizes.
30. In relation to the abovementioned paragraph, if the winners for the first round do not personally claim their prizes within sixty (60) days from 13 October 2010, the unclaimed prize(s) shall be forfeited in favor of NPI, upon approval of DOH-FDA. Likewise, if the winners for the second round do not personally claim their prizes within sixty (60) days from 04 November 2010, the unclaimed prize(s) shall be forfeited in favor of NPI, upon approval of DOH-FDA. The decision of NPI on this regard is final.

G. OTHER GUIDELINES:

31. By joining and participating in this promotion, participant confirm, agree to and acknowledge that:

- a. NPI is permitted to receive his/her registration data and that all personal information supplied by him/her will be used by NPI in accordance with its privacy policy;
 - b. He/she has the right to submit the topics for the promotion and holds organizers of the promotion free and harmless from any claim by third parties for violation of privacy, violation of intellectual property rights and/or damage to reputation and other instances similar to the foregoing;
 - c. Organizers of the promotion have the right to identify him or her as a winner in the promotion and communicate the same at any time in any territory through any medium of release (mass media, digital media, etc.)
 - d. He/she shall hold organizers of the promotion free and harmless from any and all claims, suits and actions for damages or liabilities that may be brought by other persons, natural or juridical, in connection with his/her participation in this promotion as well as the statements and declarations made by him/her or the "likers" who participated in the discussion thread he or she moderated in relation to the promotion;
 - e. Organizers of the promotion may, without further compensation to him/her to: (a) to reproduce, distribute, adapt, modify, make available and/or communicate to the public, exhibit, or broadcast the topic(s) he/she submitted by any means or media without restriction of any kind as to quantity, purpose or time, whether commercial or otherwise, or to any country or territory in the world; and (b) to authorize any of the above activities;
 - f. Organizers of the promotion shall not be liable for any unauthorized use, reproduction and adaptations by third parties of any topic under this promotion which are not caused by them;
- and
- g. He/she shall make no reproduction of any part of the websites herein for purposes of selling or distributing the same for commercial gain nor shall he/she modify or incorporate any part of the websites herein in any other work, publication or website.

32. Organizers of the promotion assume no responsibility for:
- a. Any incorrect, inaccurate or incomplete information on the websites herein caused by any third party, *i.e.*, website users, hackers, among others, or caused by any of the equipment or programming associated with or utilized in the promotion.
 - b. Any statement, comments or declarations made or submitted by the participants or members of the NESCAFÉ Philippines Facebook Fan Page who will participate in the discussion about the topics from this promotion. Said statements, comments or declarations are those of the participants or members of the NESCAFÉ Philippines Facebook Fan Page and not of the organizers.

- c. Any technical, hardware or software failure of any kind, for lost network connections, garbled computer transmissions, and other problems or technical malfunctions in the conduct of this promotion.
 - d. Any error, omission, corruption, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction, or unauthorized access to or alteration of the email addresses, and Facebook accounts used in this promotion.
 - e. Any error, omission, corruption, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction, unauthorized access to or alteration of submissions of the contestants under this promotion or other similar instances that may occur in connection with or in relation to this promotion.
33. NPI, its parents, affiliates, subsidiaries and related companies or its officers, directors, employees, shareholders, representatives or agents shall not be responsible or liable for any damages or losses of any kind, including direct, indirect, incidental, consequential, special or punitive damages arising out of any access to and use of the Facebook Page of NESCAFÉ Philippines. Without limiting the generality of the foregoing, everything on the foregoing websites herein are provided “as is”, without warranty of any kind, either express or implied, including but not limited to, the implied warranties of merchantability, fitness for purpose or use or non-infringement.
34. Organizers of the promotion shall be entitled to cancel, discontinue or suspend this promotion on the basis of the occurrence of force majeure or any event beyond the control of the organizers of the promotion that will not make it possible for them to continue with the conduct of the promotion without affecting the fairness and integrity of the same, including but not limited to the following:
- a. programs are not capable of running as planned, including infection by computer virus, bugs, tampering;
 - b. unauthorized intervention;
 - c. technical failures;
 - d. technical malfunction of any telephone network or lines, computer on-line systems, servers, computer equipment and software;
 - e. failure of any e-mail account to transmit message to the organizers on account of technical problems, human error or traffic congestion on the internet or any website;
 - f. injury or damage to the participant’s or any other person’s computer due to or resulting from participating in the promotion or downloading any materials from the Facebook website; or
 - g. any other causes which corrupt or affect administration, security, fairness, and integrity of selecting the participants in this promotion.

The decision of the organizers to cancel, discontinue or suspend this promotion on the basis of the foregoing is final and they will not engage into any dialogue with any person regarding such decision.