

## VITA COCO & CAPTAIN MORGAN TROPI-KIT TTW SWEEPSTAKES

### OFFICIAL RULES

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NO PURCHASE NECESSARY TO ENTER. A PURCHASE WILL NOT INCREASE YOUR CHANCES OF WINNING. OPEN ONLY TO LEGAL RESIDENTS OF THE 48 CONTIGUOUS UNITED STATES AND WASHINGTON, D.C., WHO ARE 21 YEARS OF AGE OR OLDER. VOID IN ALASKA, HAWAII AND WHERE PROHIBITED OR RESTRICTED BY LAW.

#### 1. Sweepstakes Overview :

- a. **Timing.** The Sweepstakes will be conducted between 12:01 a.m. Eastern Time (ET) and 11:59:59 p.m. (ET) on each of the following three (3) days: Wednesday, June 28, 2023; Friday, August 4, 2023; and Thursday, September 14, 2023 (“Sweepstakes days”). *The Sweepstakes will be dormant and inactive at all times other than Sweepstakes days.*
- b. **Determination of Winners.** On each Sweepstakes day, the first one-hundred (100) persons who submit an eligible entry as determined by the independent, third party judging organization (“Judges”) will win a prize, subject to verification.† After one-hundred (100) entries have been received for a given Sweepstakes day, entries will still be accepted until 11:59:59 p.m. (ET) on a “standby” basis if any of the first one-hundred (100) entrants are disqualified and forfeit the prize. In such case, any forfeited prizes for that Sweepstakes day will be awarded to “standby” entrants for that Sweepstakes day in the order of receipt of “standby” entries. *To the extent that prizes are awarded to the first one-hundred (100) entrants, the corresponding “standby” entries for a given “Sweepstakes day” are NOT potentially winning entries and are void.*

*Sponsor’s acknowledgment of receipt of entry will indicate whether the entry is one of the first one-hundred (100) received and is a potential prize winner for a given Sweepstakes day or instead a “standby” entry for that Sweepstakes day. Such acknowledgement is not otherwise binding upon Sponsor under any legal theory.*

For clarity, unless otherwise stated herein, “entry” includes both one of the first one-hundred (100) entries received/potential prize winner or a “standby” entry for a given Sweepstakes day.

Entries for one Sweepstakes day will not be retained for subsequent Sweepstakes day(s).

Odds of winning a prize depend on the number of eligible entries received and the time that a given person submitted an entry on a given Sweepstakes day.

†The Judges’ decisions will be final in all matters relating to this Sweepstakes.

#### To Enter:

**There are two (2) ways to enter this sweepstakes.**

- a. **Entry Method No. 1** - During the Sweepstakes Period, send a text message with the word “TROPICS” from your handset addressed to 24272. Once you send the text message, you will need to verify your age, provide your valid state, first name, e-mail address, and zip code and you will be entered into the sweepstakes. You will be charged for all text messages sent and received from your handset according to the terms in your individual Calling Plan with your cellular provider. For additional support, text HELP to 24272 or STOP to cancel at any time. All entries made using Entry Method No. 1 must be received no later than 11:59:59 p.m. ET on applicable Sweepstakes day (i.e., June 28, 2023; August 4, 2023; or September

14, 2023, as the case may be), subject to prizes being awarded to the first one-hundred (100) entries on each Sweepstakes day. No alterations or forged entries are permitted. All entrants using Entry Method No. 1 must have a text messaging two-way capable handset and digital service in order to enter the Sweepstakes using the text messaging method. Prize will be awarded to the name corresponding to the phone number from which the text message originated. By texting “**TROPICS**” to 24272, you agree you are of legal age to purchase beverage alcohol in the U.S., a legal U.S. resident, and to receive recurring marketing SMS and MMS messages, including text messages, using an automatic telephone dialing system from Diageo Americas, Inc. You also agree to these official rules. **Message & Data Rates May Apply**. Text STOP in reply to any message to stop receiving our messages. You may also text HELP to 24272 for more information. Consent is not a condition of any purchase.

- b. **Entry Method No. 2** – TO ENTER WITHOUT TEXT, send an e-mail to [promotionalsweepstakes@avidinc.com](mailto:promotionalsweepstakes@avidinc.com), with “DIA5402201W VITA COCO/CAPTAIN MORGAN TROPI-KIT TTW” in the subject line, along with your first name, date of birth, state and zip code. E-mail submissions must be received no later than 11:59:59 p.m. ET on applicable Sweepstakes date (i.e., June 28, 2023; August 4, 2023; or September 14, 2023, as the case may be), subject to prizes being awarded to the first one-hundred (100) entries on each Sweepstakes day. Internet access and a valid email address are required to enter the Sweepstakes.

If entering the Sweepstakes by using a mobile device (regardless of entry method), wireless Internet access and/or other fees may apply, in addition to charges for sending/receiving text messages (if entering via Entry Method No. 1). Please consult your wireless service provider regarding your pricing plan. Not all cellular phone providers carry necessary service to participate. Check your phone capabilities for specific instructions for sending text messages or e-mails.

One entry per person per Sweepstakes day regardless of method of entry; a person may enter by sending a text message OR by e-mail but NOT by using both methods. For clarity, a person may either be one of the first one-hundred (100) entrants/potential prize winner OR a “standby” entrant on a given Sweepstakes day. Multiple entries in violation of this limitation will automatically result in disqualification.

Sponsor is not responsible for technical difficulties, telephone or cell phone service disruptions or other equipment or service issues which might affect the ability of a person to text in and qualify (either as one of the first one-hundred (100) entries received/potential prize winner or a “standby” entry), the ability of a person to send an e-mail communication and qualify (either as one of the first one-hundred (100) entries received/potential prize winner or a “standby” entry) or the ability of the Sponsor to notify the winners. Sponsor assumes no responsibility for lost, late, damaged, delayed, interrupted, misdirected, illegible, corrupted, jumbled, inaccessible, incomplete, incorrect entries or other Sweepstakes materials, all of which are void. Facsimiles or mechanical reproductions will not be accepted. All entries become the property of the Sponsor and will not be returned.

Entrants’ personal information will only be used for purposes of Sweepstakes administration unless an entrant expressly consents beforehand in writing to such other use by Sponsor. For more information, please review Diageo’s Privacy & Cookie Notice at [https://footer.diageohorizon.com/dfs/assets/www.captainmorgan.com/PrivacyPolicy\\_en.html?locale=en-row](https://footer.diageohorizon.com/dfs/assets/www.captainmorgan.com/PrivacyPolicy_en.html?locale=en-row) and Diageo’s Conditions of Use at [https://footer.diageohorizon.com/dfs/assets/www.captainmorgan.com/TnC\\_en.html?locale=en-row](https://footer.diageohorizon.com/dfs/assets/www.captainmorgan.com/TnC_en.html?locale=en-row). In the event of any discrepancy between the privacy and cookie notice and these Official Rules, the privacy and

cookie notice shall control and govern; in the event of any discrepancy between the conditions of use and these Official Rules, the conditions of use shall control and govern.

**2. Prizes/Value:**

ONE HUNDRED (100) Prizes will be awarded per Sweepstakes day. Prize is a Tropi-Kit, consisting of a CAPTAIN MORGAN/VITA COCO branded bucket hat, frozen beverage maker, tumbler, cooler, wireless speaker with power bank, beach chair, pool floatie/inflatable and \$20 gift card (issuer of Sponsor’s sole choosing; issuer’s terms and conditions apply). Total Approximate Retail Value of each Prize: \$550. Total Approximate Retail Value of Prizes per Sweepstakes day: \$55,000.

**ALCOHOL IS NOT PART OF THE PRIZE.**

To the extent not defined above, Sponsor shall determine in its sole discretion the specific type, model number and/or features of elements comprising the Tropi-Kit.

In accordance with applicable law, Sponsor will substitute a prize of comparable value for the Tropi-Kit if a winner is a resident of the State of Virginia.

**3. Winner Notification:**

Winners will be notified by e-mail. The first one-hundred (100) entrants for a given Sweepstakes day will be notified according to the following schedule:

Sweepstakes day	Approximate date of notification
June 28, 2023	July 3, 2023
August 4, 2023	August 9, 2023
September 14, 2023	September 19, 2023

Potential winners will be required to sign an affidavit of eligibility, a liability release and a publicity release (where lawful) within **five (5) days** of notification or prize will be forfeited. If potential winner cannot be located or does not respond to attempt to be notified within **three (3) days**, prize will automatically be forfeited.

Once winner has been verified by Judges as being eligible and in compliance with these Official Rules, the prize will be shipped to him/her via mail. If shipment is not received by winner at street address provided by winner for any reason, Judges will advise winner of failed delivery and attempt to re-send prize to the confirmed/corrected street address one (1) additional time. If such additional attempted delivery also is unsuccessful, notwithstanding the content of the winner notification e-mail and/or any subsequent communication from Judges, the prize will be forfeited without compensation or further notice of any kind.

Prizes will be awarded via the pool of “standby” entries for a given Sweepstakes day to the extent that potential winners are disqualified and forfeit the prize whether due to (a) failure to timely return affidavit of eligibility, a liability release and a publicity release (where lawful); (b) if they cannot be notified within the indicated time period; or (c) if prize shipment is returned as undeliverable.

Except where prohibited, acceptance of prize constitutes winner’s consent to use of his/her name, likeness and biographical data for advertising and promotional purposes without additional compensation.

**WINNER AGREES THAT AN ELECTRONIC SIGNATURE/AFFIRMATION OR FACSIMILE VERSION OF THE AFFIDAVIT OF ELIGIBILITY AND LIABILITY/PUBLICITY RELEASE**

(WHERE LAWFUL) SHALL HAVE THE SAME LEGAL FORCE AND EFFECT AS A HAND-SIGNED DOCUMENT. NOTWITHSTANDING THE FOREGOING, SHOULD SPONSOR/JUDGES DETERMINE IN THEIR SOLE DISCRETION THAT THE ELECTRONICALLY SIGNED/AFFIRMED/ FACSIMILE VERSION OF THE AFFIDAVIT IS NOT ACCEPTABLE, SPONSOR MAY CONDITION AWARD OF PRIZE ON RETURN OF THE ACTUAL HAND-SIGNED DOCUMENT.

Winner must furnish valid proof of age (for example, a driver's license, birth certificate or passport). An Affidavit of Eligibility, Liability Release and Publicity Release (where lawful) must be provided to Judges before prize can be received. No prize will be awarded unless the Affidavit has been received by Judges.

4. **Eligibility:** This Sweepstakes is open only to legal residents of (48) contiguous United States and Washington, D.C., who are 21 years of age or older at the time of entry. Void in Alaska, Hawaii and where prohibited or restricted by law. Employees of the following entities and members of their families or households are not eligible for participation under any circumstances: Diageo Americas, Inc., The Vita Coco Company, Inc., and as applicable their respective affiliates, printers, advertising, and promotion agencies (including Judges), alcohol beverage suppliers, importers, wholesalers, distributors or retailers. All federal, state and local laws apply.

5. **General Conditions:** Entry in the Sweepstakes constitutes an entrant's full and unconditional agreement to abide by and accept the terms and conditions of these Official Rules. No substitution of prize or cash equivalent except at Sponsor's sole discretion. Prizes will only be shipped to a street address in (48) contiguous United States or Washington, D.C. Sponsor reserves the right to ship elements of Tropi-Kit to winner via multiple shipments. Limit of one (1) prize per person. Prize is non-transferable except at the sole discretion of the Sponsor. All federal, state and local taxes on prize are winner's sole responsibility. By accepting the prize, winner waives the right to assert as a cost of winning said prize any and all costs of redemption or travel to redeem said prize and any and all liability that might arise from redeeming or seeking to redeem said prize. Winner also accepts sole responsibility for any miscellaneous costs relating to acceptance of prize.

Entrants hereby agree to indemnify and hold Sponsor, The Vita Coco Company, Inc. and Meta Platforms, Inc. harmless from and against any third party claims, actions or proceedings of any kind and from any and all damages, liabilities, costs and expenses, including attorney fees and court costs, arising out of any breach or alleged breach of any of the warranties and representations set forth above and/or participation in this Sweepstakes (regardless of the cause of such injury, damage or loss) and/or the delivery and/or subsequent use or misuse of the prize awarded (including any travel or activity related thereto). SPONSOR MAKES NO REPRESENTATION, WARRANTY OR GUARANTEE OF ANY KIND REGARDING PRIZE (I.E., THE ELEMENTS COMPRISING THE TROPI-KIT) INCLUDING THE WARRANTY OF MERCHANTABILITY OR FITNESS FOR THE INTENDED PURPOSE. THE ONLY WARRANTIES – IF ANY – ARE THOSE OF THE MANUFACTURER OF A GIVEN ELEMENT WHICH IS PART OF THE TROPI-KIT.

The value of the prize won by a participant under the sweepstakes may be taxable as income to its winner. Upon receipt of a prize, the winner shall be required to comply with any and all applicable federal, state and local laws, rules and regulations.

In consideration of his/her receipt of any prize, prize winner for himself or herself and his or her guest, heirs, personal representatives and assigns shall voluntarily and knowingly completely and forever release, waive and discharge Sponsor and all related parties; The Vita Coco Company, Inc. and Meta

Platforms, Inc. against any and every kind of claim, demand, injury, costs, attorney fees, right, liability or cause of action or other liabilities of whatever kind or nature, known or unknown, absolute or contingent, and whether or not fixed, which the prize winner ever had, now has or might in the future have arising in any way or related to this Sweepstakes, including, but not limited to, prize winner's participation in the Sweepstakes; prize winner's Sweepstakes entry; use of prize winner's name, biographical information, signature, image or likeness; prize winner's receipt, use or inability to use any prize or part thereof, including but not limited to injury or loss sustained in any travel related to the prize; financial claims; physical and/or emotional injury; and/or any other legal claim that may arise, whether under contract, tort, warranty or any other theory or claim.

Sponsor shall have the right, in its sole discretion, to abbreviate, modify, suspend, cancel or terminate this promotion, or any part thereof, at any time, for any reason, without notice or further obligation.

6. **Text Message Entry Conditions:** Sweepstakes is intended for participation in the (48) contiguous United States and Washington, D.C. and shall be construed only according to United States law. In case of dispute as to identity of entrant, entry will be declared made by the authorized account holder of the cellular provider. "Authorized Account Holder" is defined as the natural person who is assigned a number by the cellular provider or as shown on the cellular provider's records. Sponsor and its agencies are not responsible for SMS entries not received due to lost, failed, delayed or interrupted connections or miscommunications, or to other electronic malfunctions, delays, or errors of any kind in the transmission or receipt of entries. Sponsor is not responsible for incorrect or inaccurate entry information, whether caused by any human or technological error that may occur in the processing of entries in this Sweepstakes. Any other attempted form of entry not specified herein is prohibited; no automatic, programmed, robotic or similar means of entry are permitted.

7. **Electronic Entries:** In the event of a dispute, e-mail entries will be deemed made by the authorized account holder of the e-mail address used to submit the entry. The authorized account holder is the natural person who is assigned to the e-mail address by an Internet access provider, on-line service, or other organization that is responsible for assigning e-mail addresses. Sponsor and its agencies are not responsible for lost, late, damaged, illegible, misdirected, or incomplete entries, or for e-mail entries not received due to lost, failed, delayed or interrupted connections or miscommunications, or to other electronic malfunctions, delays, or errors of any kind in the transmission or receipt of e-mail entries (including e-mail entries being classified as a "junk" or "SPAM" by an individual's email service provider). Sponsor is not responsible for incorrect or inaccurate entry information, whether caused by any human or technological error that may occur in the processing of entries in this Sweepstakes. Sponsor reserves the right, in its sole discretion, to cancel or suspend all or a portion of the Sweepstakes, should viruses, bugs or other causes beyond control of the Sponsor corrupt the administration, security or proper operation of the Sweepstakes. **CAUTION: ANY ATTEMPT BY A PERSON TO UNDERMINE THE LEGITIMATE OPERATION OF THIS SWEEPSTAKES IS A VIOLATION OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH PERSON TO THE FULLEST EXTENT PERMITTED BY LAW.**

8. **Winners' List:** For winners' list, please send a self-addressed stamped envelope to DIA5402201W VITA COCO/CAPTAIN MORGAN TROPI-KIT TTW, P.O. Box 1008, Rocky Hill, CT 06067-1008. All requests for the winners' list must be postmarked by October 16, 2023 and received by October 30, 2023.

Sponsor: Diageo Americas, Inc., New York, NY

DRINK RESPONSIBLY. CAPTAIN'S ORDERS!

Caribbean Rum With Coconut Water From Concentrate & Natural Flavors. 5% Alc/Vol. Captain Morgan Rum Co., Plainfield, IL.