

The Houston Symphony invites you to enter its 2010 *Summer Symphony Nights* Photo Contest. You must read the following rules, terms, and conditions before submitting any photos.

The *Houston Symphony Summer Symphony Nights 2010 Photo Contest* (the "contest") is open to ALL participants (the "participant") at least 18 years of age, excluding employees of the Houston Symphony and the immediate families of such employees. The contest is open to all participants regardless of residence or citizenship, so long as the laws of their jurisdiction allow participation.

YOUR RIGHTS

You will retain all rights to any photograph you submit – including ownership, if applicable – other than those rights licensed as follows: by entering the contest, you hereby grant to the Houston Symphony (i) a nonexclusive, worldwide, irrevocable, royalty-free license to reproduce, distribute, publicly display, and publicly perform the photographs you submit to the Houston Symphony, and (ii) the right to use your name, city, state, and country of residence in promotions and other publications.

WHAT TO ENTER

All photographs will be credited with the caption "© Participant's Name." The Houston Symphony has final approval of any language that appears on its Website in connection to any of the photos and will not promote or endorse third-party products or services. Entrant warrants that the submitted photograph is owned by the entrant, and is an original, non-published work that does not infringe upon the rights of any third parties.

HOW TO ENTER

Login to Flickr and upload the photo you would like to submit. (Make sure the privacy setting is set to public). Join the Houston Symphony Flickr Group. Once you are a group member, click the 'Add Something' link. Select the photo you would like to add and click 'Add to Group' button. Click on your photo once it is in the group pool bin. Click the link 'Add a tag' on the right and enter SummerSymphonyNights2010. If you have trouble using Flickr, please consult their online help files. The Houston Symphony is not responsible for any issues or problems you encounter while trying to upload a photo onto Flickr.

ELIGIBILITY AND JUDGING

Entries may originate in any format – including but not limited to digital files, digital prints, color transparencies, color prints, or black-and-white prints – so long as they are submitted electronically in JPG/JPEG format.

Judging will be based on which picture best represents the experience of attending the *Houston Symphony Summer Symphony Nights*, as well as creativity, artistic merit,

composition, and overall impact. Images will be judged by a panel of Houston Symphony staff members who are familiar with photography, and who are responsible for selecting images for various Houston Symphony print and electronic marketing and public relations materials.

The Houston Symphony shall determine winner eligibility in its sole and absolute discretion. All decisions made by the judges are final.

DEADLINES

The deadline for submitting photo entries is **11:59 pm Central Standard Time on July 11, 2010**.

Winners will be announced on Wednesday, July 14, 2010.

The Houston Symphony reserves the right to adjust any deadline(s) as the result of causes beyond its immediate control.

WINNING PHOTOS

The winner of each photo category will receive a pair of ticket vouchers to a future Houston Symphony concert, and their photo will be featured on our website, e-news, and blog! Winners will be notified via Flickr Mail.

LEGAL CONDITIONS

By entering this contest, you agree to certain legal conditions. Please see below for the legal conditions.

QUESTIONS

Questions and inquiries about contest rules can be emailed to photocontest@houstonsymphony.org.

LEGAL CONDITIONS

By entering the *Houston Symphony's Summer Symphony Nights 2010* Photo Contest (the "Contest"), participants agree to indemnify, defend, and hold harmless the Houston Symphony, its respective subsidiaries, affiliates, directors, officers, employees, attorneys, agents, and representatives from any and all third-party liability for any injury, loss, claim, action, demand, or damage of any kind arising from or in connection with the competition (collectively, "Losses"), including without limitation any third-party claim for copyright infringement or a violation of an individual's right to privacy and/or publicity right. The Contest is void where prohibited by law.

Each participant in the Contest (referred to as the "participant") is responsible for ensuring that he or she has the right to submit the photographs in question to the Contest per these rules.

You agree that any and all disputes that cannot be resolved with the Houston Symphony, and causes of action arising out of or connected with this Contest, shall be resolved individually, without resort to any form of class action, before a court of competent jurisdiction located in Houston, TX, which court shall apply the laws of the the State of Texas without regard for rules of conflicts of law. IN ANY SUCH DISPUTE, PARTICIPANT SHALL NOT BE ENTITLED TO ANY PUNITIVE, SPECIAL, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION ATTORNEYS' FEES, OR ANY DAMAGES OTHER THAN PARTICIPANT'S ACTUAL OUT-OF-POCKET EXPENSES (IF ANY) ASSOCIATED WITH PARTICIPATING IN THE CONTEST. YOU HEREBY WAIVE ANY RIGHTS TO HAVE DAMAGES MULTIPLIED OR INCREASED. The Contest and the Houston Symphony's Website are provided "as is" without warranty of any kind, either express or implied.

The Houston Symphony is not responsible for any incorrect or inaccurate information, whether caused by Website users or by any equipment or programming associated with or utilized in the Contest, or by any technical or human error that may occur in the processing of submissions to the Contest, including but not limited to any misprints or typographical errors. The Houston Symphony assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft, or destruction or unauthorized access to, or alteration of, entries. The Houston Symphony is not responsible for any problems or technical malfunction of any telephone network or lines, computer equipment, servers, providers, computer on-line systems, software, or failure of email on account of technical problems or traffic congestion on the Internet or at any Website, including injury or damage to participant's or to any other person's computer related to or resulting from participating or uploading images or information in the Contest.

If, for any reason, the Contest is not capable of completion as planned, including but not limited to any reason of infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of the Houston Symphony that corrupt or affect the administration, security, fairness, integrity, or proper conduct of the Contest, the Houston Symphony reserves the right at its sole discretion to cancel, terminate, modify, or suspend the Contest.