

# 2021 Walthers National Model Railroad Build-Off

## OFFICIAL COMPETITION RULES

### 1) ELIGIBILITY:

- To enter the "Walthers National Model Railroad Build-off" (the "Competition"), you must, at the time of entering, be: (a) a citizen of, or a lawful permanent resident of, the United States; and (b) meet the particular requirements for your particular category and state of residency. The Competition is void where prohibited by law or otherwise restricted.
- Note that residents of Colorado, Maryland and North Dakota may only participate in the **New "Open" category**, which is described in greater detail in these rules.
- Competition is for non-professional "hobbyists" builders only. For the purposes of this Competition, a professional builder is someone who earns money or a livelihood from building miniature models.
- Employees of Wm. K. Walthers, Inc. (the "Sponsor") and its affiliated companies, parents, subsidiaries, service partners, and advertising and promotion agencies (collectively, "Sponsor Entities"), and their IRS dependents, immediate families (*i.e.*, parents, children, siblings, spouse) and members of their households (whether related or not) are ineligible to participate in this Competition.
- By participating, all Entrants (as defined below) agree to the rules and conditions of the competition.

### 2) OVERVIEW:

- The Walthers National Model Railroad Build-Off is a competition to create a unique model railway scene in a fixed, pre-determined size, using some common product elements in the Age identified HO classes, or elements of their choice in the OPEN class. Each entry is individualized by the theme and additional elements chosen by the entrant.

### 3) COMPETITION CATEGORIES and REQUIREMENTS:

- Each category has unique rules and requirements in addition to the general rules. Please read these rules completely to ensure that you comply with both the general rules and applicable category rules.
- Three winners from each category will be selected to receive a prize. In addition to three winners in each category, one winner from all finalists is eligible to receive a People's Choice Award determined by the overall number of votes that entry receives via social media.
- **"OPEN" CLASS Category (New for 2021):**

- The Open Category does not require entrants to purchase a kit from Sponsor and is open to entrants in all 50 states. *Residents of Colorado, Maryland and North Dakota may only participate in the Open Category.* All modelers, individuals or teams of any age are eligible. (For example, a father/minor son team is eligible to participate)
- If entering as a team, one person must be designated as the lead and will assume all responsibilities for taxes. (see section 11 TAXES) One prize will be awarded each for first, second and third place. It is up to the team members to determine how they divide up the prizes.
  - 1<sup>st</sup> place - \$1,000 cash
  - 2<sup>nd</sup> place - \$500 cash
  - 3<sup>rd</sup> place - \$100 product bundle
- To participate in the Open Category, entrants must select the “Open Category” on their entry form and identify the modeling scale they are submitting - N, HO or O.
- Entrants build a layout of their choice, in either N, HO or O scale, using any materials they choose to complete a model of a pre-specified size. The model is then submitted and judged against all other entries in the “Open” Category.
- layout size: **4’w’ x 2’d**
- Fascia – None required
- Backdrop – None required
- Base - We are not specifying, nor recommending base requirements or construction. A simple foam insulation base is adequate as is a sheet of plywood cut to size. There is no need for elaborate bench work as this is an area that will not be judged. The entry does not require electrical work or a functioning train however the inclusion of a train element is encouraged.
- Permission for Minors – all minor participants (under 18) must have parent, or guardian signature and contact information. If teams, all minors must submit individual permission forms. Forms can be found at [Walthers.com/NMRBO21](http://Walthers.com/NMRBO21)
- **HO CLASS YOUTH Individual or Team:**
  - Open to non-professional individuals or teams fourteen (14) years old or younger at the time of entry. *Void in Colorado, Maryland and North Dakota due to state regulations regarding contests.*
  - You can enter as an individual or a team. The specifications and requirements do not change. If entering as a team, one person must be designated as the lead and will assume all responsibilities for taxes. (see section 11 TAXES) One prize will be awarded each for first, second and third place. It is up to the team members to determine how they divide up the prizes.
    - 1<sup>st</sup> place - \$1,000 cash
    - 2<sup>nd</sup> place - \$500 cash
    - 3<sup>rd</sup> place - \$100 product bundle

- Model Scale HO only.
  - Purchased starter kit: **\$50. Found at Walthers.com/NMRBO21**
  - Module size: **2' x 2'**
  - Fascia – None required
  - Backdrop – None required
  - Base - We are not specifying, nor recommending base requirements or construction. A simple foam insulation base is adequate as is a sheet of plywood cut to size. There is no need for elaborate bench work as this is an area that will not be judged.
  - The entry does not require electrical work or a functioning train however the inclusion of a train element is encouraged. Your entry will not be discounted if a train element is not present. We also do not want to encourage expensive investments. In order to keep this competition as fair as possible we will enforce cap of spending no more than **\$200 in addition to the kit purchase**. You will not be asked to provide a detailed list of your expenses unless there is any question of investment as determined by our expert modeler judges.
  - Permission for Minors – all minor participants (under 18) must have parent, or guardian signature and contact information. If submitting as a youth team, all participants must submit individual permission forms. Forms can be found at Walthers.com/NMRBO21
- **HO CLASS ADULT Individual:**
    - Open to non-professional individuals fifteen (15) years old or older at the time of entry. *Void in Colorado, Maryland and North Dakota due to state regulations regarding contests.*
    - One prize will be awarded each for first, second and third place (see section 11 TAXES)
      - 1<sup>st</sup> place - \$1,500 cash
      - 2<sup>nd</sup> place - \$750 cash
      - 3<sup>rd</sup> place - \$150 product bundle
    - Model Scale HO only.
    - Individuals only – teams must enter under team category.
    - Purchased starter kit: **\$100. Found at Walthers.com/NMRBO21**
    - Module size: **4'w x 2'd**
    - Fascia – None required
    - Backdrop – None required
    - Base - We are not specifying, nor recommending base requirements or construction. A simple foam insulation base is adequate as is a sheet of plywood cut to size. There is no need for elaborate bench work as this is an area that will not be judged. The

entry does not require electrical work or a functioning train however the inclusion of a train element is encouraged.

- **HO CLASS ADULT Team:**

- Open to non-professional individuals fifteen (15) years old or older at the time of entry. *Void in Colorado, Maryland and North Dakota due to state regulations regarding contests.*
- If entering as a team, one person must be designated as the lead and will assume all responsibilities for taxes. (see section 11 TAXES) One prize will be awarded each for first, second and third place. It is up to the team members to determine how they divide up the prizes.
  - 1<sup>st</sup> place - \$3,000 cash
  - 2<sup>nd</sup> place - \$1,500 cash
  - 3<sup>rd</sup> place - \$250 product bundle
- Model Scale HO only.
- Teams only – individuals must enter under individual category.
- Purchased starter kit: **\$200. Found at [Walthers.com/NMRBO21](http://Walthers.com/NMRBO21)**
- Module size **6'w x 2'd**
- Fascia – None required
- Backdrop – None required
- Base - We are not specifying, nor recommending base requirements or construction. A simple foam insulation base is adequate as is a sheet of plywood cut to size. There is no need for elaborate bench work as this is an area that will not be judged. The entry does not require electrical work or a functioning train however the inclusion of a train element is encouraged.

#### 4) **HOW TO ENTER:**

- For the purposes of these Rules, each individual in the individual categories and each team in the team categories are deemed an "Entrant."
- To enter any category other than the "Open" category, each Entrant must purchase an entry kit from [www.walthers.com/NMRBO2021](http://www.walthers.com/NMRBO2021) that contains the elements that must be included in the Entry (the "Entry Kit"). There are three themed kits available for each category. Once sold out there will not be additional kits made available. Sponsor has the right to make product substitutions to fill inventory if necessary. Entrants must incorporate the materials and elements contained in the Entry Kit to create a "scene". Note: we understand that in the case of scenery items that come pre-packaged in bulk not all bushes, or tufts of grass may want to be included – this is acceptable but we would like to see some inclusion of all elements. Entrants may include additional elements or materials in their Entry at their own discretion and such additional materials need not be purchased directly from Wm. K. Walthers, Inc.

- Entrants for any category other than the “Open” category must preorder their kit between February 1, 2021 and April 15, 2021. Kits will not be available to order after April 15, 2021. Sponsor will mail each Entrant the Entry Kit within 7-10 days of order receipt. (Note: due to COVID we cannot control the independent carrier’s ability to deliver in a timely manner)
- Entrants in the “Open” category may use any materials they wish to create their entry provided the entry meets the pre-specified size requirement.
- Entrants in all categories must: (a) comply with the general rules and applicable category rules and (b) submit a qualifying entry by the Entry Deadline of May 31, 2021.
- **PROCESS FOR SUBMITTING ENTRY:**
  - There are two methods of submitting your entry:
    - (1) **PREFERRED METHOD:** Uploading photos utilizing our contest portal at [www.walthers.com/NMRBO21](http://www.walthers.com/NMRBO21)
    - (2) Sending photos via USPS, UPS or FedEx to:
 

Walthers NMRBO Competition  
Wm. K. Walthers, Inc.  
W. Florist Ave  
Milwaukee, WI 53218
- Submitting entries via our portal will request name, age, email address, mailing address and phone number. Entries by mail should include this data written legibly on a sheet of paper. Youth individual entries must have parent, or guardian signature and contact information on permission form. Youth team entries must submit a signed permission form for each team member and it is the sole responsibility of the youth team advisor to obtain permission from the parent or guardian of each individual team member who is under the age of 18.
- Any individual adult entry that is submitted by an individual under the age of 18 must be signed by a parent or guardian. Any adult team that includes team members under the age of eighteen must be submitted by an advisor who is over the age of eighteen and who has obtained permission from all the parent or guardian of any team members who are under the age of eighteen.
- Minor Permission forms are found at [www.Walthers.com/NMRBO21](http://www.Walthers.com/NMRBO21)

5) **FORMAT FOR SUBMITTING ENTRY:**

- **Entering on line:** Each entry must consist of color digital photographs depicting the following:
  - Photos during process to document activity. (2 or 3 will be sufficient)
  - Photos with inclusion of tape measure alongside width and length to indicate size.
  - Photos of final entry from several angles; top down, front, each side.
  - Individual or team photo with final entry.

- Optional but very helpful: detail shots of interesting features or techniques.
- Photo entries must: (a) be uploaded in .jpg format with a maximum file size of 2 MB; (b) not contain any copyrighted or trademarked content (other than as owned by the Entrant or Sponsor); (c) not show any recognizable individual other than the Entrant (and each team member) unless the entrant has obtained permission from such individuals appearing recognizably in the photo (or the parent/guardian of any minors appearing in the photo); (d) not contain vulgar, obscene, reckless, illegal or indecent behavior; (e) not defame or libel any third party; or (f) invade the reasonable privacy of any third party.
- *Note: photos may be taken with a smartphone. Professional photography is not necessary. However, we encourage all entrants to make sure their photos use good lighting and reveal as much detail as possible.*
- Entering via mail: Although not preferred, if you are unable to enter on line, you may submit your entry and photos through mail. Each entry must include the same number and types of images as mentioned for on line entries. Color photographs printed using a printer is acceptable as long as images are clear.
- By submitting a photo, the entrant represents and warrants that he or she owns the photo submitted, or has obtained permission from the owner of the photo to enter the photo in this Competition and entrant has obtained permission from all living individuals appearing in the photo (or the parent/guardian of any individuals appearing in the photo who are under 18 years old) to submit the photo as part of this Competition and allow Sponsor Entities the right to post the photo on the Sponsor's Facebook page in accordance with these Official Rules.

## 6) **TIMING AND COMPETITION DEADLINES:**

- Entry kits will be available for preorder beginning February 1, 2021 and all orders for kits must be placed by April 15, 2021 Sponsor will mail each Entrant the Entry Kit within 7-10 days of order receipt. (Note: due to COVID we cannot control the independent carrier's ability to deliver in a timely manner). Late entries will be disqualified.
- Each entrant shall retain the copyright to the entrant's submitted photo. By submitting a photo to the Competition, entrant hereby grants to Sponsor and its affiliates and advertising partners a non-exclusive, perpetual, worldwide, royalty-free license to use the Photo in connection with Sponsor's social media and marketing and advertising of Sponsor's products via the internet and social media platforms.
- Entries that do not comply with these Official Rules or that otherwise contain prohibited or inappropriate content as determined by the Sponsor, in its sole discretion, will be disqualified and will not be submitted for public voting or considered for prizes. Sponsor further reserves the right, in its sole discretion, to remove, block or restrict any entry that Sponsor believes does not comply with these rules or edit any entry to blur out third party trademarks, names or logos.

7) **JUDGING AND JUDGING CRITERIA:**

- Entries will be judged by a team of modeling experts chosen from the industry and/or Sponsor's associates. Winners will be decided based on the judging criteria described below for their particular category in addition how each entrant used the Entry Kit most effectively within their layout.
- Judging will be based on a points system as defined within each category. All decisions of the jury are final.

**Judging Criteria – Youth individuals and teams:**

1. Creativity	Possible points	30
2. Skill – use of materials	Possible points	15
3. Followed rules	Possible points	5

**Judging Criteria – Adult individuals and teams:**

1. Creativity	Possible points	25
2. Skill – use of materials	Possible points	20
3. Adherence to standards	Possible points	5

**Judging Criteria – Open Category:**

1. Skill	Possible points	20
2. Scale interpretation	Possible points	15
3. Creativity	Possible points	15

- **Judging:** Judging will take place between June 1, 2021 and July 10, 2021. It will be divided into a qualifying round to identify the top 5 entries\* in each category followed by a final selection of three winners in each category – First, Second and Third place. In addition, a special “People’s Choice” finalist will be selected from all finalists based on on-line voting. *\*If less than 5 entries submitted in any category, the number finalists will be proportional to the number of entries.*
- **Judging – People’s Choice Award:** All finalists are eligible for the People’s Choice Award. Entries will be placed on Facebook and Instagram for voting during a specified period TBA. During that time, entries can receive 1 vote per person, per day. Those entries receiving the most votes will win.

8) **INDIVIDUAL AND TEAM CATEGORY WINNER SELECTION:**

- **Announcement of finalists:** During the judging period, announcements will be made via social media and directly contacting winners to notify of those who have qualified to the next round. Those who make it to the finalist level may be asked to provide some additional background about themselves or their team.
- **Announcement of winners:** The winners will be announced at a live event in mid-July. This event may be virtual via social media. Winners will be notified by email as well.

9) **PEOPLE'S CHOICE WINNER SELECTION & NOTIFICATION:**

- Voting for the People's Choice Award will begin on June 15, 2021 and end on July 10, 2021. (the "Voting Period"). During the Voting Period, [visitors to Sponsor's Facebook page may vote for their favorite entry.] Only one vote per person (based on IP Address) is allowed. Multiple votes received from the same IP Address will not be counted.
- The use of any automated process or software to generate multiple votes is strictly prohibited and Sponsor reserves the right to adjust vote totals, disqualify votes or entries if Sponsor believes an entry has received votes in violation of these Competition rules in Sponsor's sole and absolute discretion and authority.
- The People's Choice Award winner will be notified as part of the announcement of all winners mid-July.

10) **PRIZES:**

- Prizes to be paid:
  - **Open Class:**
    - 1<sup>st</sup> place - \$1,000 cash
    - 2<sup>nd</sup> place - \$500 cash
    - 3<sup>rd</sup> place - \$100 product bundle
  - **HO YOUTH Individual or Team:**
    - 1<sup>st</sup> place - \$1,000 cash
    - 2<sup>nd</sup> place - \$500 cash
    - 3<sup>rd</sup> place - \$100 product bundle
  - **HO ADULT Individual:**
    - 1<sup>st</sup> place - \$1,500 cash
    - 2<sup>nd</sup> place - \$750 cash
    - 3<sup>rd</sup> place - \$150 product bundle
  - **HO ADULT Team:**
    - 1<sup>st</sup> place - \$3,000 cash
    - 2<sup>nd</sup> place - \$1,500 cash
    - 3<sup>rd</sup> place - \$250 product bundle
  - **PEOPLE'S CHOICE AWARD**
    - \$250 Walther's Gift Certificate
- **Awarding of prizes:** All money will be paid to contact person and address identified in the entry form within 30 days after July 20, 2021. For Team entrants, it is the sole responsibility of the team captain to allocate winnings among the team members or otherwise allocate winnings for purposes decided by the team. Sponsor shall not resolve any dispute among team members.



- **Promotion of winners:** Winners will be featured in the 2022 Walthers Reference Book as well as various advertising and social media platforms. Entering provides Sponsor with right to use your photo and/or name in promotions.,

#### 11) **TAXES:**

- Taxes are the responsibility of the winner. By law, prizes over \$599 must be reported to the IRS. All winners of prizes that meet these criteria will be required to fill out a 2021 1099 form to report income and provide this to Sponsor. The form will be supplied to the winning entrant at the close of the contest. For Team entrants, one designated person will be the recipient of the prize money and therefore responsible for any taxes. Sponsor will not be involved in any tax disputes among team members.

#### 12) **CONDUCT:**

- Entrants or voters who attempt to bypass software or security measures, whether directly or indirectly, will be disqualified.
- Comments posted on the Sponsor's Facebook page that it deems offensive, prejudicial, violent, harassing, threatening, profane, misleading, or otherwise objectionable or contrary to the interests of Sponsor Entities or other entrants will be deleted as determined in the sole discretion of the Sponsor. Sponsor reserves the right to report such instances to Facebook and block access to the Sponsor Facebook page.
- If any entrant believes that another entrant is cheating or attempting to cheat, such voter should not post accusations of cheating on the Sponsor's Facebook page, but should instead send a message to Sponsor to: [custserv@walthers.com](mailto:custserv@walthers.com)

#### 13) **CONDITIONS:**

- Entrants acknowledge and understand that the Competition is in no way sponsored, endorsed or administered by or associated with Facebook/Instagram.
- All federal, state or other tax liabilities (including income taxes) arising from this Competition will be the sole responsibility of the winner. Except where prohibited by law, the winner's entry and acceptance of the prize constitutes permission for the Sponsor to use said winner's name and photograph in all forms of media, in perpetuity, without further compensation. Winning entries and prizes are not transferable; no prize substitutions are allowed except by the Sponsor who reserves the right to substitute prizes with prizes of equal or greater value. The product bundles or gift certificate prize cannot be redeemed for cash. The Sponsor, its affiliates and agencies are responsible for prize delivery only.
- Incomplete, inappropriate, unintelligible or otherwise non-compliant entries will be disqualified. Entrants who supply negative or inappropriate photos/comments will be disqualified. Entrant must be the rightful owner of the email account used for entry. In the event of a dispute as to the identity of an entrant, the authorized Facebook account holder

or owner of the email address associated with entry will be deemed to be the entrant. HIGH VOLUME OF ENTRIES OR TECHNICAL DIFFICULTIES WITH THE SYSTEM MAY RESULT IN TEMPORARY INABILITY TO ENTER THE COMPETITION SUCH THAT AN ENTRANT'S ENTRY IS NOT RECEIVED IN TIME TO PARTICIPATE. SPONSOR IS NOT RESPONSIBLE OR LIABLE SHOULD ANY ENTRIES OR COMMENTS NOT BE RECEIVED DUE TO SUCH DELAYS OR TECHNICAL DIFFICULTIES.

14) **WAIVER:**

- Sponsor Entities and Facebook are not responsible for any technical, mechanical, printing, typographical, human or other error of any kind relating to or in connection with the Competition, including, without limitation, errors which may occur in the administration of the Competition, the processing of entries, the announcement of the prize or any Competition-related materials; or for any liability for damage to any computer system resulting from participating in, or accessing or downloading information in connection with this Competition; for incomplete, lost, late, stolen, damaged, inaccurate, illegible, misdirected, garbled, delayed or undelivered entries; or for technical hardware or software malfunctions or failures of any kind, lost, unavailable network connections or failed, incomplete, garbled or delayed computer transmission, which may limit an individual's ability to participate. Sponsor reserves the right in its sole discretion, to disqualify any entrant or entry that is in violation of the Official Rules or to cancel, suspend or modify the Competition and disqualify any implicated entrant(s), (and their entries) if any fraud, virus, actions by entrants, technical or other error or problem of any kind, or any other occurrence corrupts or affects the administration, integrity, security or proper play of the Competition, as determined by Sponsor in its sole discretion. In the event of cancellation, Sponsor reserves the right, at its sole discretion, to award any prize in a random drawing from among all eligible, non-suspect entries received up to the time of the event or action warranting such cancellation or to take any other action it deems equitable to fairly award any prize.

15) **NO LIABILITY:**

- By entering, entrants and the winners agree to comply with all Official Rules as stated and agree to release, discharge, indemnify and hold harmless the Sponsor Entities and Facebook, and each of their respective officers, directors, employees, representatives and agents from and against any claims made by the winner, entrants, or any other third parties, related in any way to the operation of this Competition as well as any other claims, damages or liability resulting in whole or in part, directly or indirectly, from acceptance, possession, misuse or use of any prize or participation in any Competition-related activity or participation in this Competition.

16) **WINNER INFORMATION/OFFICIAL RULES REQUEST:**

- To receive prize, winner information or an additional copy of these Official Rules, send a self-addressed, stamped business-size (#10) envelope by August 31, 2021 to

Walthers NMRBO Competition/Winner list  
Wm. K. Walthers, Inc.  
5601 W. Florist Ave  
Milwaukee, WI 53218