

2022 Walthers National Model Railroad Build-Off

OFFICIAL COMPETITION RULES

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 **"Freestyle" (formerly '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.

OVERVIEW:

The Walthers National Model Railroad Build-Off is a competition to create a unique railway scene (diorama) in a fixed, pre-determined size, using common product elements, individualized by the theme and additional elements chosen by the entrant.

COMPETITION CATEGORIES:

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, one winner from all finalists are eligible to receive a People's Choice Award determined by the overall number of votes that entry receives via social media.

- **Freestyle Category:** The Freestyle 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 Freestyle Category. To participate in the Freestyle Category, entrants must select the "Freestyle Category" on their entry form and identify the modeling scale they wish to submit. Entrants build a diorama of their choice

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 "Freestyle" Category.

- **Individual or Team Youth:** Open to non-professional individuals fourteen (14) years old or younger at the time of entry. Must include a signed Minor Consent Form by a parent or legal guardian.
- **Individual or Team Adult:** Open to non-professional individuals fifteen (15) years old or older at the time of entry. Note an adult team could include a youth younger than 15 if part of immediate family. For purposes of this competition, immediate family includes: son, daughter, grandson or granddaughter, step-son, step-daughter, step-grandson or step-granddaughter. Any individual under the age of 18 must include a signed Minor Consent Form by a parent or legal guardian.

Teams do not need to be affiliated with a formal model railroading club.

WHAT IS REQUIRED TO ENTER:

For the purposes of these Rules, each individual or team are deemed an "Entrant."

To enter any category other than the "Freestyle" category, each Entrant must purchase an entry kit from www.walthers.com/NMRBO22 that contains the elements that must be included in the Entry diorama, (the "Entry Kit"). 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. Entrants for any category other than the "Freestyle" category must preorder their kit between March 1, 2022 and May 1, 2022. All orders placed by March 1, 2022 will be shipped within 7-10 days of order receipt. (Note: due to COVID and Shipping constraints, we cannot control the independent carrier's ability to deliver in a timely manner)

Kits will not be available to order after May 1, 2022.

- a. **Youth kit - \$50. Error! Hyperlink reference not valid.**
- b. **Adult kit - \$75**

GENERAL ENTRY REQUIREMENTS:

All entries will consist of a newly created Diorama or scene. Newly created means it must be created between the dates of March 1, 2022 and June 30, 2022, submitted no later than July 1, 2022 and must be an independent diorama meaning it cannot be a 'section' of an existing, larger layout. These are non-functioning, non-electric dioramas so elaborate benchwork is not needed, nor judged.

- a. **Youth HO or N scale – 2'w x 2'd**
- b. **Adult HO scale – 4'w x 2'd**
- c. **Adult N scale – 3'w x 2'd**
- c. **Freestyle Any Scale – 4'w x 2'd**

Themes: Dioramas can be themed as wished by the participant, using product and content of their choosing however, all but the Freestyle category must contain the elements found in the Entry Kit purchased at www.walthers.com/NMRBO22. Entries not using the elements from the Entry Kit will be disqualified. Entrants for any category other than the “Freestyle” category have the option of choosing one of several offered themed kits assigned to their category. Entrants must incorporate the materials and elements contained in the Entry Kit to create a diorama. 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 should include additional elements or materials in their Entry at their own discretion and such additional materials need not be purchased directly from Wm. K. Walther, Inc.

Entrants of the “Freestyle” category may use any materials they wish to create their diorama provided the diorama meets the pre-specified size requirements for the scale they choose to build.

ADDITIONAL CATEGORY DETAILS:

1. Youth dioramas

- a. A TRAIN DOES NOT HAVE TO BE PURCHASED. We are more interested in having our youth explore the creativity and learning that goes into modeling. If a locomotive or car is available to place on the track for your photo it would be nice, but not necessary. 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 a strict 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.
- b. All Youth entries Must include Minor Consent Form found at www.walthers.com/NMRBO22.

2. Adult dioramas HO or N scale

- A. A TRAIN DOES NOT HAVE TO BE PURCHASED HOWEVER; A TRAIN ELEMENT MUST BE INCLUDED IN YOUR FINAL ENTRY PHOTOS.

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/NMRBO22
- (2) Sending photos via USPS, UPS or FedEx to:
Walthers NMRBO Competition
Wm. K. Walther, Inc.
W. Florist Ave
Milwaukee, WI 53218

Video clips are allowed along with the photos as long as they are small files and can be uploaded.

Entry portal will require name, age, email address, mailing address and phone number. Email is our preferred and primary method of contact. If you don't have an email address, you must provide a phone number or some other way for us to contact you. Entries by mail should include this data written legibly on a sheet of paper. Youth individual entries must also have a parent or guardian fill out the Minor Consent Form and backup contact information. The email listed for youth entry must be one that is monitored as it is our primary method of communication. If a youth does not routinely check email then we suggest a parent use their email for the youth entry. Any Youth team entries or Adult teams with an immediate minor family member must include an individual Minor Consent form filled out for each minor member. It is the sole responsibility of the primary entrant to obtain permission from the parent or guardian of each individual team member who is under the age of 18.

FORMAT FOR SUBMITTING ENTRY:

Each entry must consist of color digital photographs depicting the following:

- Photos during process to document activity. (1 or 2 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.

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.

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.

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.

If you have any trouble uploading images, or are unsure how to do it, please contact us at custserve@walthers.com and we will be happy help you.

COPYRIGHT AND USE OF PHOTOS

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. Each entrant shall retain the copyright to the entrant's submitted photos. 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, social media platforms, web site, email marketing, flyers, publications and other marketing materials in accordance with these Official Rules.

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.

JUDGING AND JUDGING CRITERIA:

Entries will be judged by a team of modeling experts. Winners will be decided based on the judging criteria described below for their particular category in addition to how each entrant used the Entry Kit most effectively within their diorama.

Judging will be based on a points system as defined within each category. All decisions of the judges are final. There will be no points awarded for following the rules as in the past, however any entry that fails to follow rules will be disqualified from winning prizes.

Judging Criteria – Youth:

1. Creativity	Possible points	35
2. Skill – use of materials	Possible points	15

Judging Criteria – Adult:

1. Creativity	Possible points	25
2. Skill – use of materials	Possible points	25

Judging Criteria – Freestyle Category:

1. Creativity	Possible points	25
2. Skill – use of materials	Possible points	25

General Judging: Judging will take place over a 45-day period beginning July 1, 2022. It will be divided into two rounds; the first round will identify the top 5 finalists in each category. These finalists will be eligible for the on-line People's Choice Award beginning July 15, 2022. The finalist round will be followed by a round to select the three winners in each category. Multiple entries are allowed however one prize per person.

People's Choice Award: All finalists are eligible for the on-line, People's Choice Award. Entries will be placed on Facebook and Instagram for voting during a specified period TBA on or around July 15, 2022 through August 5, 2022. During that time, the Walthers community will vote on Facebook and Instagram for their favorite layouts by Liking (1 per entry) and commenting on the post of their choosing. Multiple entries will be counted. Those entries receiving the most votes will win.

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 as finalists. Those who make it to the finalist level may be asked to provide some additional background about themselves or their team.

Announcement of final winners: The final three winners in each category along with The People's Choice Award will be announced at a format TBA mid-August.

PRIZES:

Youth HO or N Scale:

- First place - \$1,000
- 2nd Place - \$500
- 3rd Place - \$100 product bundle from Walthers.com

Adult HO:

- First place - \$2,000
- 2nd Place - \$1,000
- 3rd Place - \$250 product bundle from Walthers.com

Adult N:

- First place - \$2,000
- 2nd Place - \$1,000
- 3rd Place - \$250 product bundle from Walthers.com

Freestyle:

- First place - \$2,000
- 2nd Place - \$1,000
- 3rd Place - \$250 product bundle from Walthers.co

People's Choice Award:

- \$250 product bundle from Walthers.com

Awarding of prizes: Upon announcement of winners, a W9 form will be emailed (mailed) to winner. (By law all prizes over \$599 must fill out this form and sponsor must declare/ provide information to IRS.) All money will be paid to contact person listed as entrant at the address identified in the entry form within 30 days of receiving the signed W9 form, after August 15, 2022. In the case of teams, it is the sole responsibility of the official team entrant 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.

All federal, state or other tax liabilities (including income taxes) arising from this Competition will be the sole responsibility of the winner. 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 3rd place prizes and People's Choice Award cannot be redeemed for cash. The Sponsor, its affiliates and agencies are responsible for prize delivery only.

CONDUCT RELATED TO ON-LINE VOTING FOR PEOPLE'S CHOICE AWARD (PCA):

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. 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**

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. Entrants acknowledge and understand that the PCA Competition is in no way sponsored, endorsed or administered by or associated with Facebook.

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.

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.

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, 2020 to

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