

# **RULES OF THE “EXCESS CHALLENGE” CONTEST**

## **1. OPERATION NAME**

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The operation governed by these rules is entitled **EXCESS CHALLENGE** (hereinafter the “**Operation**”).

## **2. ORGANISING COMPANY**

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The Operation is organised by CONSTRUCTION NAVALE BORDEAUX, a French public limited company with board of directors, with issued capital of 3,487,500 euros, the registered office of which is at 162 quai de Brazza, 33100 – BORDEAUX, listed with the Bordeaux Trade and Companies Register under the number 342 012 390 (hereinafter referred to as the “**Organiser**”).

## **3. PEOPLE AUTHORISED TO PARTICIPATE**

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Participation in the Operation is open to any natural person over the age of eighteen years, residing in France or abroad.

However, participation in the Operation is not open to personnel members of the companies that participated directly in the organisation and progress of the Operation, i.e. the members of the personnel of the Organiser and of its service providers. This prohibition extends to the members of their families, i.e. persons included in the same taxable household.

Any false information provided by a Participant when registering, regarding the Participant’s identity, age and/or place of residence, will invalidate this person’s participation in the Operation, and result in the loss of any possible prizes.

Web surfers who have validly registered (pursuant to the terms and conditions of these rules) are referred to herein as “**Participants**”.

## **4. ACCEPTANCE OF THE RULES**

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Participation in the Operation implies unconditional acceptance of these rules and the application thereof by the Participants.

Moreover, Participants undertake to participate in the Operation in a fair and lawful manner.

Any failure by a Participant to comply with one or more of the provisions hereof will invalidate the Participant’s participation in the Operation, and as relevant, the withdrawal of any possible prizes.

## **5. AVAILABILITY OF THE OPERATION’S RULES**

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The rules can be sent, at no cost, to any person who requests them. The rules will also be available on the site [www.excess-catamarans.com](http://www.excess-catamarans.com) (hereinafter the “**Site**”), and can be requested by writing to the following e-mail address: [challenge@excess-catamarans.com](mailto:challenge@excess-catamarans.com).

Moreover, these rules have been filed with the bailiff’s office of CALIPPE & ASSOCIES, the contact details of which are provided below:

416, rue Saint Honoré,  
75008 PARIS

Tel.: 01.42.60.36.20. / E-mail: [etude@calippe-corbeaux.com](mailto:etude@calippe-corbeaux.com)

## **6. PROGRESS OF THE OPERATION**

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## a. REGISTRATION & PARTICIPATION COSTS

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### i. REGISTRATION:

To participate in the Operation, web surfers must:

- (i) register on the Site by providing all of the mandatory information required by the form, in the absence of which the Organiser will be unable to validate the registration;
- (ii) pay the participation costs, the amount of which varies according to the registration date (**V-ii. Rates below**).

### ii. REGISTRATION COSTS:

The following prices correspond with one registration per Participant.

- **EARLY BIRD RATE:**

Web surfers registering for the Operation between 1 December 2018 and 31 January 2019, included, will be entitled to a preferential registration fee of five (5) euros.

- **STANDARD RATE:**

Web surfers registering for the Operation between 1 February 2019 and 31 August 2019 will be required to pay nine (9) euros.

## b. DESCRIPTION OF THE OPERATION

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The Operation primarily consists of a virtual race in which the Participants can participate alone and/or as a team, under the conditions contained herein. For further details on the rules of sailing of the virtual race, refer to the document appended to the present. In the event of contradiction between the two documents, the present document shall prevail.

As such, the Operation's Participants can:

- (i) register alone ("**Solo Formula**") in order to compete in the virtual race with one boat (hereinafter referred to as the "**Preliminary Phase**"): the winners of the Preliminary Phase will increase their chances of receiving a prize during the lottery organised at the end thereof; **and/or**
- (ii) register with other Participants in order to compete in the virtual race with one boat (hereinafter referred to as the "**Team Formula**"); **and/or**
- (iii) register alone in order to take part in the random draw without running a boat in the virtual race (hereinafter referred to as the "**Random Draw Formula**").

After registering on the Site, each Participant can participate in one or more Formulas.

### i. SOLO FORMULA

#### (i.1.) Solo Formula contest rules

At the end of the Preliminary Phase, a random draw is held for all Participants in the Solo Formula (hereinafter "**Phase 2**").

#### (i.1.1.) Preliminary Phase specific rules

In this phase, Participants take part in the virtual race by themselves. Each registered Participant can take part in the Solo Formula a maximum of three times.

Participants can launch their boats at any time during the period of the virtual race, which runs from **11 AM [TU + 1h] on 19 January 2019** to **31 August 2019**. However, they must ensure that their boat crosses the finishing line before **11:59 PM UT + 1h on 31 August 2019**

Participants must strive to complete the virtual race in the best possible time.

The three Participants with the best times will find themselves on the podium of the Solo Formula.

#### ***(i.1.2.) Rules specific to Phase 2 of the Solo Formula***

Participants registered for the Solo Formula but who fail to participate – i.e. do not launch a boat – and/or who do not cross the finishing line of the virtual race before **11:59 PM UT + 1h on 31 August 2019**, will have their participation in the Phase 2 lottery invalidated. Accordingly, there will be no possibility of receiving any prize in connection with the Solo Formula.

A single entry per Participant will be included in the Phase 2 random draw. As such, only the Participant's best time will be taken into account in Phase 2, which will also serve to determine the conditions of this participation (***see below***).

The three Solo Formula Participants with the best times during the Preliminary Phase will improve their chances of winning the prize during Phase 2 in the following manner:

- (i) The solo Participant with the best score (hereinafter the ***“Winning Participant”***) will have a fifty (50) percent better chance;
- (ii) The solo Participant with the second best score will have a twenty (20) percent better chance;
- (iii) The solo Participant with the third best score will have a ten (10) percent better chance.

For the other Participants, their chance of winning the Solo Formula prize remains unchanged.

#### ***(i.2) Solo Formula prize***

The prize awarded by random draw in connection with the Solo Formula is a catamaran valued at three hundred thousand euros, tax incl. (€300,000).

Should the Winning Participant's entry not be drawn during the lottery held at the end of Phase 2, this person will receive a consolation prize consisting of a cabin cruise valued at three thousand three cents euros, tax incl. (€3,300). The cruise must be taken within a time limit of three hundred and sixty-five days as of the awarding of the prize, otherwise the winner will no longer have access to the prize. Transportation and related expenses other than the cost of the cabin cruise are excluded from the prize, and remain at the winner's expense.

### ***ii. TEAM FORMULA***

#### ***(ii.1) Team Formula contest rules***

As part of the Team Formula for the virtual race, Participants must create a team of four (4) players.

Each Participant has his/her own boat. During the virtual race, the times of the four boats comprising the team will be added together. The winning team will be the one whose four boats post the best cumulative race time.

Participants can launch their boats at any time during the period of the virtual race, which runs from **11 AM UT + 1h on 19 January 2019** to **31 August 2019**. However, they must ensure that their boat crosses the finishing line before **11:59 PM UT + 1h on 31 August 2019**

**(ii.2) Team Formula prize**

The available prize is a cruise on a four-cabin boat (one cabin per Participant in the winning team), valued at eight thousand five hundred, euros tax incl. (€8,500). The provisions of the cruise are determined by the Organiser. The cruise must be taken within a time limit of three hundred and sixty-five days as of the awarding of the prize, otherwise the winner will no longer have access to the prize. Transportation and related expenses other than the cost of the cabin cruise are excluded from the prize, and remain at the winner's expense.

**iii. Random Draw FORMULA**

**(iii.1) Random Draw Formula contest rules**

The Random Draw Formula consists of a random draw amongst all registered Participants, even Participants who do not launch a boat or do not cross the finishing line of the virtual race.

**(iii.2) Random Draw Formula prize**

The third available prize is a cabin cruise valued at three thousand three hundred euros, tax incl. (€3,300). The provisions of the cruise are determined by the Organiser. The cruise must be taken within a time limit of three hundred and sixty-five days as of the awarding of the prize, otherwise the winner will no longer have access to the prize. Transportation and related expenses other than the cost of the cabin cruise are excluded from the prize, and remain at the winner's expense.

**c. PRIZE AWARDING CONDITIONS**

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There can only be one winner for each formula, and each Participant can only receive one prize, all formulas taken together. Each Participant can only participate in the Random Draw Formula once.

As such, a Participant who is randomly selected during the lotteries for the Solo Formula and the Random Draw Formula will only receive the prize awarded for the Solo Formula. Accordingly, a new random draw will be held for the Random Draw Formula in order to select a new winner.

Also, if the Solo Formula winner is a member of the winning team of the Team Formula, this person's team will only be entitled to the prize awarded for the Team Formula.

All cruises offered in connection with the Operation (all formulas taken together), will depart from French territory.

The Participant winning the catamaran for the Solo Formula will have to pick it up, at his/her sole expense, at the location designated by the Organiser, within a time limit of six (6) months, failing which the winner will lose any rights to the prize.

**7. OPERATION DURATION**

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The Operation runs from 8 December 2018 to 31 August 2019.

The random draws will be held on within a time limit of two (2) weeks as of the end of the race. The results will be disseminated by e-mail to the prize-winning Participants within a time limit of two (2) weeks as of the final results of all Formulas.

## 8. OBLIGATIONS OF THE WINNERS

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At the end of the Operation, and for a period of one (1) year, the randomly selected Participants undertake to:

- (i) participate in a photo session scheduled by the Organiser, while authorising the latter to use and exploit these images under the conditions of the “Image rights” article herein;
- (ii) respond to possible requests for interviews from local and national newspapers;
- (iii) take part in events that could be organised by the Organiser after the Operation.

## 9. IMAGE RIGHTS

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The Participants – selected as part of the random draws or not – authorise the Organiser to place and reproduce their images on all supports, for commercial and/or advertising purposes, and to include the said reproductions in any future work, in whole or in part and on all supports currently known or unknown, without being entitled to claim any remuneration.

They waive all recourse against the Organiser relative to the use of their images and cannot claim any compensation whatsoever in this regard. They also guarantee the availability of their image to the Organiser and that they are entitled to freely exploit their image without impediment under the conditions contained in these rules, without infringing upon the rights of third parties.

This authorisation is given for the entire world and for the legal duration of the protection granted by the laws applicable to intellectual works.

## 10. PROTECTION OF PERSONAL DATA

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The Personal data (“**PD**”) of the Participants undergo IT processing under the responsibility of the Organiser, acting in its capacity as controller, in connection with managing the registrations and all participations in the Operation. As such, the PD are processed for the purposes of:

- (i) managing registrations, access authorisations and participations in the formulas;
- (ii) random draw in connection with the Solo Formula and the Random Draw Formula;
- (iii) promoting the image of the Organiser and its products;
- (iv) awarding the prizes.

In compliance with the regulations, the Participants have the right to access, rectify and, as relevant, the right to portability and wiping of their data, as well as the right to oppose or limit the processing of their data and, finally, the right to given instructions on the fate of the PD after their death. For any complaint, Participants have the right to file a complaint with the national control authority responsible for data protection. Personal data will be retained during the following durations:

- for purposes (i), (ii) and (iv): for the Operation’s duration;
- for purpose (iii): for the Operation’s duration plus a period of three (3) years as of the data collection or as of the last contact with the Participant.

At the end of these periods, the data can be securely archived for the retention and/or limitation durations resulting from the applicable legislative or regulatory provisions.

The processing does not meet any regulatory requirement, and is based on:

- the execution of the contest’s rules for the other purposes;
- legitimate interests for purpose (ii), namely the management and security of IT tools.

Additional information may be obtained by directly contacting the competent service, at the address indicated below. All information required in this regard, and if relevant the means for obtaining a copy or the location where the said information can be made available, will be indicated to the Participants.

Except for the right to complain to the CNIL, the aforesaid rights can be exercised at any time, by providing the Organiser with proof of identity and an accompanying message sent to the following address: [contact.rgdp@beneteau-group.com](mailto:contact.rgdp@beneteau-group.com).

## **11. TRADEMARKS**

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The trademarks and logos used by the Organiser are registered trademarks.

Any total or partial reproduction of these trademarks or logos is prohibited without the Organiser's formal authorisation.

## **12. LIABILITY**

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The Organiser reserves the right to shorten, extend, modify or cancel the Operation if required by circumstances outside of its control. It will incur no liability as a result of this.

The Organiser cannot be held liable, and no recourse can be initiated against it, in case of the occurrence of events that can be characterized as force majeure, thereby partly or totally depriving the winners of their prizes.

The Organiser reserves the right to modify the prizes if required by circumstances beyond its control.

The Participants bear full responsibility for connecting to the Site. Accordingly, the Organiser cannot be held liable in case of any network malfunction that prevents the smooth functioning of the Operation's qualitative phases.

## **13. APPLICABLE LAW & COMPETENT COURTS**

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These rules are governed by French law. Any dispute regarding the interpretation or application thereof will be brought before the competent courts of Bordeaux.

## Regatta: Usage and rules

### Principle

You register a virtual boat, with the characteristics of a real boat, which will race in the real winds in real time. You dispose of a tuning pannel to change your sail and route. If you are not connected to your boat (nor by mobile, nor by pad, nor by PC), your boat will still progress, with the parameter last stated on the tuning pannel, or scheduled with the autopilot facility.

The winds are real winds, in real time, by step of one hour. Each morning, at 05 TU, the forcast of the next week are calculated and installed.

The aim of the game is to spend the least possible time to complete the race.

### Navigation



## Choose a sail

You can choose between 5 sails : from smallest to biggest : main sail with 3 reefs and J3, main sail with 2 reefs and J2, main sail with 1 reefs and J1, full main sail and genoa, full main sail and spi. Just click it to select it.

The active sail appears in blue, while the inactive sails appear in grey



Two situations could then occur :

- The active sail is the one that enables the best speed for the boat, the sail will then appear on a white background.



- The active one is not the one that enables the best speed for the boat, the sail will then appear on a brown background.



## Choose a route

To guide the boat you have two means :

- the route mode : the boat will keep the route whatever the wind change. If selected, the route input appears on a brown background

Route **11**                      Wind

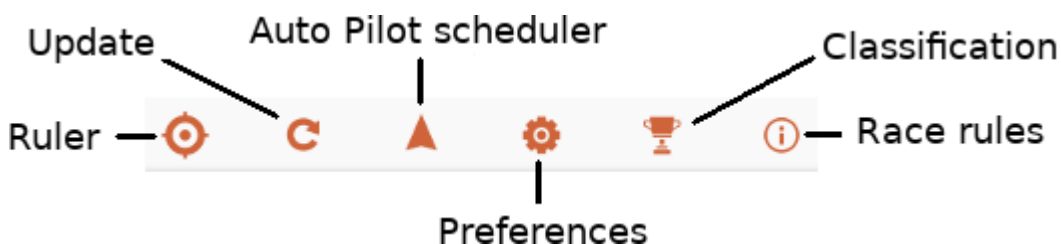
- the windvane mode : the boat will keep a fix angle with respect to the wind. If the wind turns, the boat will follow. If selected, the windvane input appears on a brown background

Route                       Wind **-107**

The possible angles with respect to the wind are :

- from 0 to 180 when the boat is starboard (wind coming from its right)
- from 0 to -180 when the boat is port (wind coming from its left)

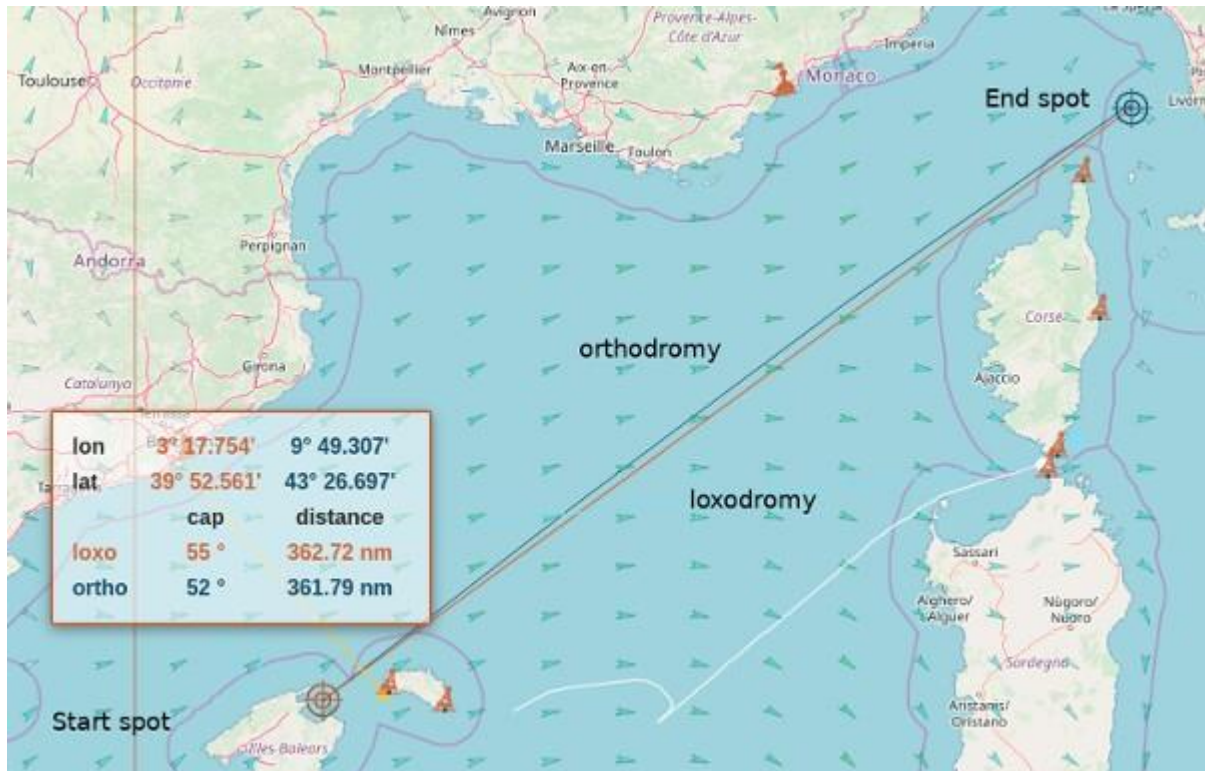
## Advanced navigation



Ruler



It provides the route and distances of both loxodromic and orthodromic path between two geographic spots.



By clicking on the icon, the start spot comes on the boat position, and the arrival spot is placed on the position that the boat should have in one hour, if the wind stands so (that is not always true).

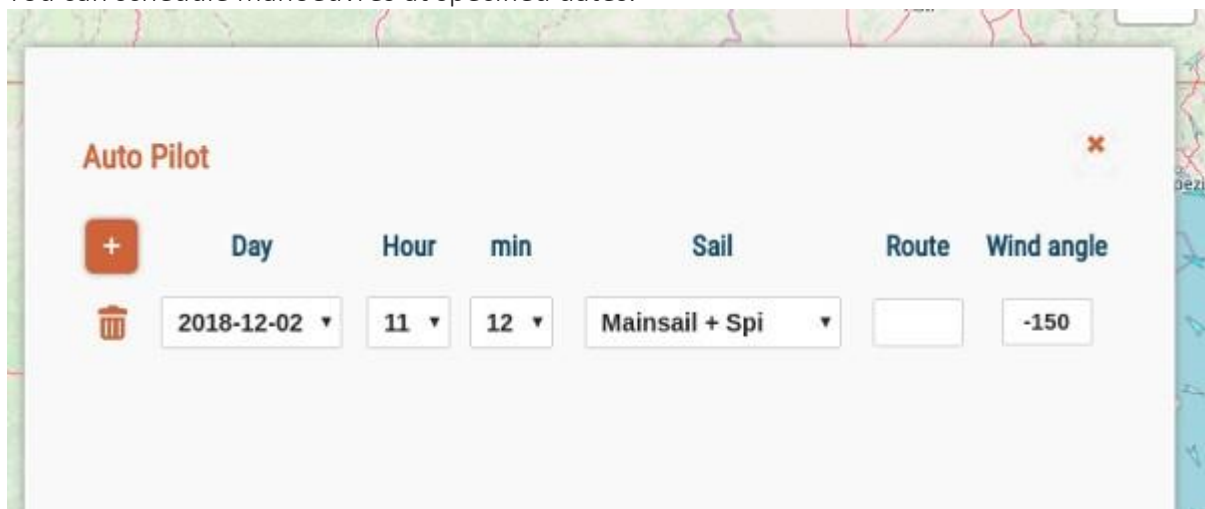
### Update

Each hour a calculation is performed over all the boats to make them progress, and the to issue the classification. By clicking on the icon, the lastest calculated positions of the boats that you follow are reloaded.

This update also re-displays the winds, in case they would not be displayed correctly.

### Scheduled Pilot

You can schedule manoeuvres at specified dates.




In the above example the boat will set the spi at 140° f the wind, on december 2nd 2018 at 11h 12' TU. This is very usefull if you want to manoeuvres while sleeping.

### Preferences


You can set preferences in your preferences :

**Profile**

**Boat name** a

**Country** France 

**Team**

**Color** 

**Map** Base map

**Zoom** 8

**Other boats** From  To

**Names (one per line)**

Fomalhaut  
Galop1

**Abandon**

### Date start

When registering you are scheduled to start the race on the next hour. Until this start, the profile panel will enable you to change the default start date for an other one. For instance you could decide of a group start at the same date with friends of yours.

### Team

You can chose a team name, or not. If two boats at least have the same team name, the performance of the whole team will appear in the Team Classification. The rate of a team is the addition of all individual ranks, divided by the number of boats in the team.

## Abandon

You can abandon by clicking on the button "Abandon". A double confirmation will be necessary.

## Classification

It is calculated each hour at XXh 00:00:00, and is available a few minutes later.

## Race rules

Besides the present rules, each regatta has its own characteristics : start position, way points (WP), speed polars, ... You can display them by clicking on the icon.

## Way points

Between the start and the finish it could exist some imposed way points (WP). Hovering the mouse over a WP on the map will display its number and its constraint, for instance "Cross by north". The WP shall be crossed as indicated, in the right ascendant order, otherwise the boat will not be able to validate the finish.

## Race Committee

Each skipper can call to the Race Committee (RC) in case he thinks he has been disadvantaged, either by the behavior of his boat, or by another skipper on another boat. This is the classical reclamation of any regatta. The RC has then to answer to this reclamation and possibly to act in some way (penalty, advantage, ...)

The Race Committee can decide of the exclusion of a boat if it does not respect the usual use of the system, and notably if it displays religious or political advertisements.

## Virtual sea fortune

Like in the real world a damage could happen to the real boat, it could also happen in the virtual world of the regatta. As far as it is possible, the race committee makes its best to solve the unexpected problems. However it could happen that the repair of the damage can't be performed, for technical reasons for instance. In this case the committee will declare the "sea fortune" state, and will not have to repair.

## Skipper acceptance

Each skipper registering is considered as accepting the present rules.