



## **/TERMS AND CONDITIONS OF THE ILYNX TRAIL CHALLENGE**

### DESCRIPTION OF THE CAMPAIGN

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BH BIKES EUROPE S.L., with its registered address at Calle Perretagana no. 10 – 01015 Vitoria-Gasteiz, and with TIN B-01003599 (hereinafter BH BIKES), is holding a promotional campaign aimed at users of [www.bhbikes.com](http://www.bhbikes.com), whether they be customers or otherwise of BH BIKES, advertising this promotion to encourage them to register in the Marketing Messages Programme. It consists of offering them the chance to take part in the “Rider Wanted” challenge and obtain a total of 3 experiences/prizes during the promotional period, all in accordance with the requirements detailed in these Terms and Conditions.

Hereinafter, the Promotion.

### GEOGRAPHICAL SCOPE

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The geographical scope of the Promotion will be member countries of the EU.

### PEOPLE FOR WHOM THIS PROMOTION IS INTENDED

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This Promotion is intended solely for users who reside in the EU, who are at least 18 years old, who are registered users, in the terms set out below, of [www.bhbikes.com](http://www.bhbikes.com) where this Promotion is advertised. Only private individuals are considered users, excluding any employees of the companies in the BH BIKES Group, agencies involved in the Promotion, suppliers, direct and indirect employees who have been involved in preparing or printing any part of it, and their immediate family members. Anyone who is in a position to unfairly benefit from privileged and non-public information related to this activity will not be allowed to enter, nor will anyone in a position to unfairly alter its course.

### PROMOTIONAL PERIOD

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The participants in this Promotion will be customers who are registered or who register on the [www.bhbikes.com](http://www.bhbikes.com) website (hereinafter the Website) during the period that falls between 26 January 2022 and 31 March 2022, both inclusive, and meet the requirements of these Terms and Conditions.

## PUBLICISING THE PROMOTION

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By way of example and without limitation, BH BIKES will publicise the Promotion by the following means:

- / BH BIKES products;
- / the website [www.bikes.com](http://www.bikes.com);
- / BH BIKES social media pages;
- / Newsletter.

## DESCRIPTION OF PRIZES

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There are a total of 3 prizes:

- / TRAIN WITH A WORLD CHAMPION | NICE (FRANCE)  
Experience of 3 days - 2 nights, in Nice with Karim Amour sharing training.
- / DISCOVERING TRAILS | RESCHEN (GERMANY)  
3 days – 2 nights experience at the Reschen Bike Park with Annika Jeschke.
- / JOIN THE BH TEAM | VITORIA (SPAIN)  
Experience of 3 days - 2 nights, in Vitoria with Antonio Ortiz. During this period, the central offices of BH Bikes will be visited and a tour of the trails near the headquarters will be made.

The 3 experiences include transfer (1) and accommodation (2) of two hotel nights.

(1) BH Bikes reserves the right to choose the method of transportation and route of the itinerary to the location where the experience-Prize will take place.

BH Bikes will not be responsible for the transfer to the point of origin – station or airport, where the itinerary starts to the destination location of the prize.

(2) BH Bikes reserves the right to choose the hotel, board and type of room.

Likewise, BH Bikes will offer the winner breakfast, lunch and dinner during the days in which the experience takes place.

Prizes cannot be changed at the request of the participants in the Promotion. Enjoyment of the prize will be personal and non-transferable and it is expressly forbidden to sell the prize.

BH BIKES reserves the right to replace the prizes with others of a similar nature or value.

Hereinafter the Prizes.

## PROMOTION PROCESS

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### ACCEPTANCE

Entering the competition implies full acceptance of these rules.

### REGISTRATION

You must enter the competition within the period of time of the Promotion, from 26 January to 31 March 2022 (inclusive), at [https://www.bhbikes.com/rider\\_wanted](https://www.bhbikes.com/rider_wanted)

Access to this website is limited to registered users of [https://www.bhbikes.com/rider\\_wanted](https://www.bhbikes.com/rider_wanted) , so the entrant must use their email address to register on the website [https://www.bhbikes.com/rider\\_wanted](https://www.bhbikes.com/rider_wanted) by entering their information (email address) and clicking to confirm that they have read the Legal Notice and Privacy and Personal Data Protection Policy of BH BIKES.

### PARTICIPATION

To participate, you must complete the form created for this purpose on the website <https://www.bhbikes.com/riderwanted> , including the data:

- /** Name and surname
- /** Valid email
- /** Country
- /** Name/ Profil in chosen Social Network
- /** Video showing why the participant should be the winner of the prize

Each registered user may participate a maximum of 1 time.

### RANKING

Only 1 prize will be awarded per email address/registered user for each category, after the winners' details have been validated.

BH Bikes will select a total of one final winner for each award.

Entrants who are previous winners of BH Bikes competitions will only be eligible to win the prize(s) 3 months after they participated in the competition that they won.



If a winner's entry is not considered valid, according to the terms of these rules, the prize will not be assigned to any other player.

## PRIZE DELIVERY TERMS

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After the entrants and points have been counted and the list of winners has been obtained and checked by BH BIKES, the Customer Services Department will contact the winners to manage receipt of the Prize.

If, after several attempts, it has not been possible to deliver the Prize to the winner before 15 April 2022, for all intents and purposes they will be deemed to have waived the Prize and the Prize will be declared null and void.

Waiving the Prize will not give rise to any right to indemnification or compensation.

Actual delivery of the Prize will be dependent on the winner meeting the conditions set forth in these terms and conditions and on the accuracy of the information provided to BH BIKES.

Without prejudice to any of the rights granted to winners in the applicable provisions, BH BIKES disclaims all liability for any losses or damages that may arise as a result of the restrictions derived from the current Covid-19 health emergency. Notwithstanding the foregoing, BH BIKES will strive to ensure the proper availability and continuity of those services.

## LIABILITY AND GROUNDS FOR THE DISQUALIFICATION OF ENTRANTS

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Should there be irregularities in the participation of any entrant, BH BIKES reserves the right to take any legal action within its powers against fraud or criminal acts. It also reserves the right, on justified grounds, to remove any user who cheats or disrupts or hinders its proper functioning.

In particular, if any fraudulent entries are demonstrably detected, BH BIKES reserves the right to block the entrant's user account, cancel any scores recorded by them and ban them from any future participation in any promotion by BH BIKES EUROPE S.L

## TAX TREATMENT

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The Prizes awarded in this Promotion are not subject to any withholding or payment towards Personal Income Tax (IRPF) pursuant to article 75.3.f) of Royal Decree 439/2007, approving the Income Tax Regulations, as its taxable base is below €301.

## LIABILITY OF THE ORGANISING COMPANY

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BH BIKES accepts no responsibility for any use made of the Prize by the winner, or any use of the services that have to be provided by third-party companies for the purposes of this Promotion.

BH BIKES will not, under any circumstances, be liable for any losses or damages resulting from the awarding, acceptance, enjoyment, use, rejection and/or loss of the Prize awarded by virtue of this game/or any other incident that may occur after it has been awarded and while the Prize is being enjoyed by the entrant.

BH BIKES accepts no liability for any problem or subsequent delivery of the Prize; any defect or damage will be covered by the manufacturer's warranty.

## THIRD-PARTY COMPANIES

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This Promotion can be accessed via different channels, besides the website at [www.bhbikes.com](http://www.bhbikes.com), e.g., by way of example but without limitation, Facebook, Instagram or Twitter, or via emails and Newsletters that are received.

Facebook, Instagram, Twitter and Google do not, in any case, sponsor, endorse or manage this Promotion or have any connection to it; it is developed solely and directly by BH BIKES.

## PERSONAL DATA PROTECTION

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Pursuant to the current data protection legislation and the European Data Protection Regulation, we hereby inform you that your personal data will be processed by BH BIKES EUROPE S.L., with its registered address at Calle Perretagana no. 10 – 01015 Vitoria-Gasteiz.

The processing of the personal data of the entrants and winners of this competition is compulsory according to the provisions of that Regulation.

Pursuant to the foregoing, the mere act of entering this competition implies the Data Subject's express consent for the processing of their personal data as described in that Regulation.

### **Truthfulness and accuracy of the information:**

Entrants must provide accurate, up-to-date information that is consistent with their own identity. Consequently, it is assumed that the information provided by entrants and, where applicable, winners during any stage of the promotion is accurate and up-to-date and it is their responsibility to report any update and/or correction required to the responsible parties.

The data of the entrants and winners of this Promotion (hereinafter "Data Subjects") will be processed as stipulated in this clause.



### **Data controllers:**

In accordance with the General Data Protection Regulation (hereinafter "GDPR"), we hereby inform all entrants and winners that the personal data that they provide to participate in this Promotion will be managed by the following Data Controller: BH BIKES EUROPE S.L., with its headquarters at Calle Perretagana no. 10 – 01015 Vitoria-Gasteiz (hereinafter "BH BIKES").

### **Data Protection Officer (hereinafter "DPO"):**

The contact email of BH BIKES' DPO is [rgpd@bhbikes.com](mailto:rgpd@bhbikes.com).

Without prejudice to the foregoing provisions, any personal data provided to enter this competition will be stored in a file under the responsibility of BH BIKES, subject to the following terms and conditions:

### **Purposes for which BH BIKES processes your personal data:**

BH BIKES EUROPE S.L. will process your personal data to:

- Manage your participation in the Promotion and any related activity, e.g. to inform you of any changes or issues, that you are a winner, etc.
- Manage delivery of the Prize. For this purpose, we will contact you by whatever means are available at that time (email) to request any additional information that we may need to manage delivery of the Prize (e.g. ID no., postal address, etc.).
- Reveal, publicise and publish your registered name online, as the winner, for the purpose of informing all other entrants and the general public of the identity of the winning entrants and also for the commercial or information purposes of BH BIKES.
- Send marketing messages through the conventional and electronic means of communication available, regarding products, services and the sporting, cultural and charity activities involving BH BIKES, offering benefits to our customers, according to their commercial profile.
- Provide the Data Subject with the necessary information to ensure that their entry complies with the Rules.
- Ensure that there are no fraudulent or rule-breaking activities.
- Fulfil the legal obligations inherent in the Promotion.
- Identify the winner.
- Check that the Prize was obtained fairly and that your entry complies with the Rules. To wit, to verify that the requirement has been met to only award one prize of each type per registered user/address/email for the duration of the game, and the requirement has been met regarding the period of time between promotions of which the entrant is a winner.

## **What is the lawful basis for BH BIKES processing your personal data?**

The lawful basis for processing your personal data is:

- a) The conduct and performance of the promotional relationship that you entered into by participating in this Promotion;
- b) The fulfilment of the legal obligations applicable to BH BIKES

Our legitimate interest in the aforesaid processing is based on your consent.

## **Disclosure of data to third parties by BH BIKES:**

The personal data processed by BH BIKES to fulfil the aforementioned purposes may be disclosed to the following recipients, with the lawful basis being disclosure:

- Processing personal data to announce, publicise and publish your registered name online (...) necessarily implies disclosing data to any third party with access to the means and channels of communication where the Data Subjects' data is reproduced, published or publicly disclosed.

When the Data Subjects' data is reproduced, published or publicly disclosed in media that are accessible from any country in the world, e.g. the internet, the data processing will allow third parties who are outside the territory of the European Union to gain knowledge of that personal data.

- To judges, courts, consumer rights organisations or any other third party to which BH BIKES is obliged to disclose the information in the event of a challenge being filed by the Data Subject or a claim being filed by BH BIKES or the Data Subject.
- To third parties who provide logistical support, administrative assistance or any other providers that provide a service related to this Promotion (e.g. providers of delivery and IT services). These third parties may access the personal data to the extent necessary to provide these services.

## **International transfers:**

With the lawful basis being the fulfilment of the conditions set forth in these Rules for the successful conclusion of the Promotion and prizes, as appropriate, the Data Subject is hereby informed that when the data recipients described above are outside the territory of the European Economic Area, the disclosure of said data by BH BIKES will require the international transfer of data for the purpose of fulfilling the conditions stipulated in these Rules, although said transfer will be completed in accordance with the requirements set forth in the applicable law.

You may request a copy of these security measures by contacting us at the email address [rgpd@bhbikes.com](mailto:rgpd@bhbikes.com).

## **BH BIKES data retention period:**

The data will be processed for the duration of the Promotion and, after the Prizes have been delivered, for the legally prescribed time necessary to comply with the current regulations.

**Image rights:**

The winning entrant authorises BH BIKES to use their name and image within the scope of their participation in the Competition, to be reproduced by any means, be they electronic (internet and similar) or conventional (paper, photographs and similar), on any medium or technical/technological system that currently exists or is in the research and development phase (including, but not limited to, internet browsing; any form of television browsing; browsing on mobile telephones; being screened or shown in a cinema or elsewhere, or any other public screening for the benefit of BH BIKES), for the maximum legally permitted period and for all worldwide territories, to be used for marketing, commercial or similar purposes legitimately associated with the public profile of BH BIKES, and to be displayed at public events or in places that are open to the public. In view of the foregoing, the winning entrant's acceptance of the Prize implies express authorisation to use the personal rights described above.

Notwithstanding the foregoing, by way of example but without limitation, some of the activities that will be carried out by BH BIKES are detailed below:

- /** The winning entrant authorises the worldwide, unrestricted use, publication and reproduction by BH BIKES of their image and name, in any form of publicity, promotion, publication, including on the internet or any other medium of its kind, for the purpose of informing the other entrants and the general public of the identity of the winning entrant and also for the commercial or information purposes of BH BIKES. Among these uses, for marketing or promotional purposes, it may use and broadcast the winning entrant's images and name on the internet, the television or any other medium chosen by BH BIKES. The use and publication of the Data Subject's images in their capacity as the winning entrant, as set forth in these Rules, does not give rise to or entitle the winning entrant to any payment, compensation or financial benefits of any kind.
- /** The winning entrant must not have transferred, and must not transfer in the future, all or some of the rights referred to herein to any individual or legal entity, in any way that impedes or interferes with the previously granted rights.
- /** The winning entrant agrees not to withdraw this authorisation without good reason, in the knowledge that said withdrawal would lead to losses and damages for BH BIKES, given the amounts expended, to wit, to include their name, image and voice in the advertisement, in addition to the cost of removing them, if possible. The Data Subject agrees to hold BH BIKES harmless for any liabilities that may arise from the exercise of the right granted herein and to compensate it for any losses and damages resulting from a failure to fulfil the obligations assumed herein or from the inaccuracy of any declarations made. BH BIKES informs you that the processing of the aforementioned personal data necessarily implies disclosing the data to any third party with access to the means and channels of communication where the Data Subject's data is reproduced, published or publicly disclosed. When the Data Subjects' data is reproduced, published or publicly disclosed in media that are accessible from any country in



the world, e.g. the internet, the data processing will allow third parties who are outside the territory of the European Union to gain knowledge of that personal information.

### **Rights:**

We remind you that you may exercise your rights of access, rectification, cancellation, erasure, to be forgotten, to restrict processing, to portability and to object to the processing of your data by writing to BH BIKES EUROPE S.L., with its registered address at Calle Perretagana no. 10 – 01015 Vitoria-Gasteiz, and with TIN B-01003599 (Ref.: “iLYNX TRAIL CHALLENGE” promotion) or by emailing [rgpd@bhbikes.com](mailto:rgpd@bhbikes.com), attaching a photocopy of your ID card or passport and stating the right that you want to exercise, in addition to withdrawing the consent you have given for this processing.

You have the right to file a complaint with the Spanish Data Protection Agency (AEPD), the competent authority on data protection, via its virtual office (<https://sedeagpd.gob.es/sede-electronica-web/>) or by writing to the headquarters of that organisation..

### **UNFORESEEN AND EXCEPTIONAL EVENTS**

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BH BIKES reserves the right to cancel, extend, shorten or change the Promotion if the circumstances so require, without having to justify the decision and without entitling you to claim any type of liability as a result of it, always in a manner that avoids prejudicing the rights acquired by the entrants.

With justified grounds, the organising companies reserve the right to remove any customer who cheats, disrupts or renders impossible the proper functioning of the Promotion and the normal, lawful course thereof.

To ensure and verify the truthfulness of the Promotion's entrants, if BH BIKES detects any anomaly in the winner's participation or the way the winner is determined; it will have the right to request further information and documents, with the entrant being responsible for keeping these for such an eventuality, even after the Promotion has ended.

BH BIKES accepts no responsibility for any technological faults in communications services resulting from unforeseen causes, i.e. in the automatic reception service.

### **QUERIES AND INFORMATION**

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The conditions for participating in this Promotion will be posted on the website [https://www.bhbikes.com/rider\\_wanted](https://www.bhbikes.com/rider_wanted) throughout the period of participation. For any further queries about the Promotion, the customer may call the telephone line provided for that purpose, 945 13 52 02

### **APPLICATION OF THE TERMS AND CONDITIONS**

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The mere act of participating in this Promotion implies acceptance of these Terms and Conditions. In the event of any doubts about the interpretation of these Terms and Conditions, the opinion of BH BIKES will prevail.

Any material change to these Terms and Conditions will be reported on the website for entrants [https://www.bhbikes.com/rider\\_wanted](https://www.bhbikes.com/rider_wanted) and via the registered email addresses of the respective entrants, with notice being given 10 days before the changes come into force. If the entrant chooses to continue taking part in this competition, it means that they accept those changes.

The Promotion is free to enter.

#### DISPUTES AND APPLICABLE LAW

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These Terms and Conditions are governed by Spanish law.

Any breach of the Terms and Conditions by the entrant will result in their immediate elimination.

All entrants and the organising company agree that any dispute that may arise regarding the interpretation or enforcement of these Terms and Conditions will be subject to the jurisdiction of the courts of Vitoria-Gasteiz.