

Rolling 90 Day Healthy Living Challenge – All Markets

Contest Entry Start Date: May 15, 2020

Promotion Period: Date of Submission + 90 days

Eligible Countries: All Markets

Each Judging Period:

Finalists (x5): \$1,000 USD, Ticket to future Kyäni event, and Logo Gear package

Honorable Mentions (x10): Ticket to future Kyäni event and Logo Gear package

From Finalists:

Grand Prize (1): \$15,000 USD, Ticket to future Kyäni event, and Logo Gear package

Participants: All Business Partners or Customers, any fitness level, can participate.

How to Qualify:

- Contestants must submit their initial goal and before picture (See Judging Criteria for photo rules) when they start using Kyäni product(s) to kyani90daychallenge.com during the contest entry period.
- Business Partners and/or Personal Consumption Accounts must maintain a minimum monthly product order of at minimum 75QV during the promotion period.
- Customers must purchase at least two nutritional or skin care products each month during the promotion period.
- Contestants must submit their essay and after picture with same photo requirements to kyani90daychallenge.com at the end of 90 days.

Judging Criteria: Kyäni marketing staff will choose contest winners solely at their discretion based on the before and after pictures, the qualification criteria outlined above, and provided that the photo meets the following rules.

- Photo must be untouched and unaltered.
- Lighting should be adequate without whiting out sections of the image.
- Angle of photos should be the same for before and after.
- Photos must be in focus and must be a portrait (not landscape) layout.
- Background should be plain and should be well-lit.
- Before and after photos must be taken under the same conditions.
- Touch ups and photo editing including filters are not allowed.

Additional Information:

- At the end of a contestant's 90 days, there is a 7 day window in which to submit their after picture and essay. If they are not submitted within that window, they will not be considered.

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- Upon completion, entries will be judged at the next judging period (occurring quarterly). The judging periods will take place at the end of March, June, September, and December.
- After each judging period, the 5 Finalists and 10 Honorable mention will be announced.
- At the International Convention, the Grand Prize winner will be selected from the previous year's Finalists.
- Ticket to future Kyäni event to be determined by Kyäni Corporate.
- Airfare and hotel accommodations NOT included for winners.
- Logo Gear package will vary by market.
- Submission form must be completed in full to qualify.
- The interpretation and decision about rules and payouts of this promotion by Kyäni corporate are final, and are not subject to review.
- All contestants are giving Kyäni permission to use all images submitted for marketing purposes.

Rules and Regulations:

By entering this Kyäni, Inc. ("Kyäni") contest (the "Contest"), you agree to abide by these Official Rules and the decisions of Kyäni, which are final and binding in all respects.

Contest Eligibility

The Contest is open to all active Kyäni Customers or Business Partners over 18 years of age, in good standing, who live in a state, country, or region where such contests are not prohibited by law. **If you reside where any aspect of the Contest is prohibited by law, you are not eligible to participate, and you should not submit an entry. By submitting an entry, you certify that no legal prohibition applies to your participation in the Contest and waive any right to later contend otherwise in any legal proceeding, complaint, or other relevant procedure where you live. No purchase is necessary for non-Business Partners to participate. How a Contestant uses Kyäni products to achieve their wellness goals is only one of many criteria.**

Contest Entry

The specific contest entry requirements are set forth above. Your entry must conform to those requirements or it may be rejected and be ineligible for Contest prizes. Any entrant using fraudulent means to participate and/or win the contest will be disqualified. Any attempt by an entrant to undermine the legitimate operation of the Contest may be a violation of criminal and civil laws.

Kyäni reserves the right, in its sole discretion, to cancel, modify, terminate, or suspend the Contest for any reason and without prior notice. In such case, Contest may, as appropriate under the circumstances, select a contest winner via reasonable means consistent with the specific contest.

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Winner Selection

The winning entry will be selected in compliance with the terms of the Contest. Kyäni will judge entries subjectively based on such factors as appearance, the difficulty of goals set, the quality of any photos or videos submitted, the impact of contest participation on the life circumstances of the entrant, the marketing value and legal compliance of the entry, and other circumstances affecting Kyäni's subjective judgment of the entry.

The potential Contest winner will forfeit the prize if he/she (1) does not respond to the initial notification email or return any required information within 10 business days, (2) cannot be contacted at his/her listed email address, (3) rejects the prize or the prize is returned as undeliverable, or (4) is disqualified for any reason. Additionally, participants who are Kyäni Business Partners must be present at the prize presentation ceremony at the Kyäni International Convention in order to win. In the event of prize forfeiture, an alternate winner will be selected.

Winners are solely responsible for all relevant taxes and all unspecified expenses or fees associated with prize acceptance, receipt, and use. Prizes may not be substituted or transferred by any contest winner and a winner may not receive cash redemption equal to the value of the prize in lieu of the prize. Kyäni reserves the right to substitute alternate prizes of equal or comparable value. Prizes are offered "as is" with no written, express, or implied warranty, including but not limited to, quality, condition, merchantability, or fitness for a particular purpose. Kyäni is not responsible for replacing prizes as a result of damage prior to, during, or after shipping or events beyond Kyäni's control.

Publicity

Except where prohibited by law, entry in the Contest and acceptance of a prize constitutes the entrant's consent to Kyäni's use of his/her name, likeness, voice, opinions, hometown, and state of residence and other indicia of persona for all relevant commercial purposes in any media without geographic or time limitation (except as may be required by law), and without additional payment or consideration.

Release

By entering a contest and, if applicable, receipt of any prize, each entrant and, as applicable, winner agrees to release and hold harmless Kyäni and its officers, directors, employees, and agents from and against any claim or cause of action arising out of participation in a contest or any contest-related activity, or from the receipt or use or misuse of any prize, including claims or causes of action related to alleged damage to an entrant's computer or electronic systems from downloading or using any material from Kyäni's website, regardless of whether the material is connected to Kyäni's website by a hyperlink text.

Disputes, Choice of Law, and Venue

Except where prohibited by law, entrants agree: (1) any and all disputes, claims, and causes of action arising out of or connected with a contest or any prize awarded shall be resolved individually, without resort to any form of class action, and exclusively by state courts situated in Bonneville County, Idaho, USA; (2) any and all claims, judgments, and awards shall be limited to actual out-of-pocket costs incurred, but in no event will attorneys' fees be awarded; (3) no punitive, incidental, special, consequential, or other damages, including without limitation lost profits, may be awarded (collectively, "Special Damages"); and (4) entrants hereby waive all rights to claim Special Damages and all rights to have such damages multiplied or increased. Idaho law governs all of Kyäni's contests and all aspects related thereto, including the construction, validity, interpretation, and enforceability of these Official Rules. By entering a contest, entrants agree to submit to the personal and exclusive jurisdiction of the courts located in Bonneville County, Idaho, USA.