

**ACTON FOUNDATION FOR ENTREPRENEURIAL EXCELLENCE  
THANK AN ENTREPRENEUR  
“GRATITUDE” CONTEST  
OFFICIAL RULES**

**1. PROGRAM DESCRIPTION:** The “Gratitude” Contest has been established to provide successful entrepreneurs with a way to say thanks to the role models and mentors who helped them succeed on their own entrepreneurial journey. The Contest begins at 12:01 AM Central Time (“CT”) on November 1, 2008 and ends at 11:59 PM CT on November 23, 2008.

**2. ELIGIBILITY: NO PURCHASE NECESSARY TO ENTER OR WIN.** All Entrants (persons submitting entries) and nominees must be principled entrepreneurs who are legal residents of the 50 United States or the District of Columbia (“U.S.”), 18 years of age or older as of the date of entry. Employees, officers and directors of the Acton Foundation For Entrepreneurial Excellence (“Sponsor”) and its parent companies, subsidiaries, affiliates, advertising/promotion agencies, (collectively, “Contest Entities”) and the immediate family members (spouses and parents, children and siblings and their spouses, regardless of where they live) or members of the same households (whether related or not) of such employees, officers and directors are not eligible. All applicable federal, state, and local rules apply. Void where prohibited or restricted by law.

**3. AGREEMENT TO OFFICIAL RULES:** Participation in the Contest constitutes each Entrant’s and Nominee’s full and unconditional agreement to and acceptance of these Official Rules and the decisions of the Contest Entities, which are final and binding.

**4. TO SUBMIT A NOMINATION:** First, write a letter of gratitude to a living entrepreneur (a “Nominee”) whom you may never have fully thanked for the impact they’ve had on your own entrepreneurial career. Your letter should be between 300 and 600 words in length. Next, arrange a brief (approximately 30-minute) face-to-face meeting with that person, and read your letter of thanks to them. Your letter of gratitude should describe why you feel the Nominee deserves your gratitude and should include a brief description of the following (the “Nomination Criteria”):

- How specifically the letter demonstrates the hero’s contribution to the entrepreneur’s success in their personal and business life, and how inspirational that message is.
- The letter should also clearly explain the internal or external challenges that the writer faced, and how the hero helped them overcome those obstacles.
- They should also include particular examples of principled entrepreneurship demonstrated by the hero.
- How they used their gifts to create something, and the challenges they overcame to make their creation work are also important to include.

- Finally, a description of how the hero has given back to others is extremely important.

To submit your entry, log on to [www.actonhero.org](http://www.actonhero.org), click on the “Share Your Story” link, and then click on the “Expressing Your Gratitude” link. Follow the on-screen instructions to complete the online entry form, upload a copy of your letter of gratitude, and submit your entry so that it is received by Sponsor’s server no later than 11:59 PM CT on November 23, 2008. You may enter as often as you wish, but each entry must nominate a different entrepreneur, must meet all entry requirements and must be submitted separately. Entries must be completed in English.

By submitting an entry, you warrant and represent that your entry is your own original work created by you, is true and verifiable, has not been previously published, has not won a previous prize or award, that you own or otherwise control all of the rights to your entry materials and that your entry does not violate any law, regulation or any right of any third-party, including but not limited to rights of copyright, publicity and privacy. Submitting an entry that is copyrighted by another individual will make you responsible for any legal action the legal copyright holder might take against you.

Each Entrant grants the Sponsor all rights of ownership, reproduction, and use of entries for any purpose whatsoever without compensation or further permission, including but not limited to an irrevocable and perpetual, royalty-free, worldwide right, in all media (now known or later developed) to assign, use, publish, edit, adapt, modify, alter, reproduce, distribute, display, copyright, create derivative works or otherwise exploit entries, for commercial or non-commercial use, and without compensation to the Entrant or Nominee. By entering the Contest, each Entrant waives any and all rights he or she may have to the entry materials submitted. To the extent Entrant has any rights in the entry materials submitted, Entrant assigns all such rights to the Sponsor upon entering the Contest.

Entries may not defame or invade the rights of publicity or privacy of any person, living or deceased, or otherwise infringe upon a person's personal or proprietary rights. Submissions that are deemed by Sponsor in their sole discretion to be immoral, obscene, profane or not in keeping with Sponsor's image will be void. Sponsor reserves the right in its sole discretion to disqualify any entry at any time which, in the Sponsor's reasonable opinion, endangers the safety or well being of any person or in the event it is determined that the Entrant has not complied with these Official Rules. Entries will not be acknowledged or returned. Entrants and Nominees must be known not to have violated any state or federal laws in the course of their business activities. All determinations regarding the eligibility/suitability of an Entrant or Nominee will be made by Sponsor in its sole discretion.

**5. SELECTION OF FINALISTS:** On or about December 15, 2008, all eligible entries will be judged and scored by Sponsor, based on the Entrant’s overall skill in detailing each of the Nomination Criteria as outlined above in Section 4. Equal weight will be applied to each criterion. The five Entrants whose entries receive the highest scores will

be declared the Finalists, subject to their continued compliance with these Official Rules and Sponsor's instruction. In the event of a tie, the Entrants' creativity in detailing the Nomination Criteria will be used to determine the Semi-Finalists. Sponsor reserves the right in its sole discretion to designate fewer than five Finalists if it determines there are fewer than five entries of sufficient quality to designate as Finalists. Nominees will be contacted to verify the meeting was held and to verify the accuracy of the contents of the letter of gratitude.

**6. GRATITUDE VIDEOS:** The Acton Foundation will create a video profiling the life and business of each of the five Nominees associated with in the Finalist entries. To be eligible to be the subject of a Gratitude Video, Nominees must provide to Sponsor upon request the background information, images, and other information necessary to create such a video. Sponsor will provide each Nominee with a copy of the video, but will retain all rights of ownership, reproduction, and use of video for any purpose whatsoever without compensation or further permission, including but not limited to an irrevocable and perpetual, royalty-free, worldwide right, in all media (now known or later developed) to assign, use, publish, edit, adapt, modify, alter, reproduce, distribute, display, copyright, create derivative works or otherwise exploit the video, for commercial or non-commercial use, and without compensation to the Entrant or Nominee.

**7. ADDITIONAL AWARD TERMS:** At Sponsor's sole discretion, Finalists and/or the Nominees associated with the Finalist entries may be required to complete a notarized affidavit of eligibility, assignment of rights, a liability release and (where legal) a publicity release, which must be returned within time period specified in potential winner's notification letter. If notification documents are returned as non-deliverable, if any Entrant or Nominee is found to be ineligible or not in compliance with these Official Rules, does not respond within the time period specified, or cannot accept the terms and conditions the award, the next highest scoring entrant will be notified and the same process will be followed. Limit one Finalist Award per Entrant and per Nominee.

**8. GENERAL:** By participating, each Entrant and each Nominee agrees to release, discharge and hold harmless Contest Entities from any and all injuries, liability, losses and damages of any kind resulting from participation in the Contest or the acceptance, use or misuse of an award including, without limitation, personal injury, death and property damage, and claims based on publicity rights, copyright, trademark, defamation or invasion of privacy. Entrants and Nominees agree to grant Sponsor: [a] all rights of ownership, reproduction and use of entry materials for any purpose whatsoever without compensation or further permission, including but not limited to an irrevocable and perpetual, royalty-fee, worldwide right, in all media (now known or later developed) to use, publish, alter or otherwise exploit entry materials submitted; and if the entry associated with such Entrant and Nominee is chosen for an award, [b] to permit Contest Entities to use his or her name, photograph, likeness, statements, biographical information, voice, voice likeness, and city and state address for advertising, publicity and promotional purposes in all media, including but not limited to within Sponsor's website [www.actonhero.org](http://www.actonhero.org), in perpetuity, without compensation (unless prohibited by law) and agree to execute specific consent to such use upon request. Neither winner nor

other party shall have any right or action against the Sponsor or any other party arising out of any use of materials submitted for the Contest. Contest Entities are not responsible for and shall not be liable for: [a] electronic, hardware or software program, network, Internet or computer malfunctions, failures, or difficulties of any kind, including without limitation, server malfunction or by any human error which may occur in the processing of entries; [b] failed, incomplete, garbled or delayed computer transmissions; [c] late, lost, misdirected or incomplete entries; or [d] any condition caused by events beyond the control of the Sponsor that may cause the promotion to be disrupted or corrupted.

Sponsor reserves the right in its sole discretion to cancel, terminate, modify or suspend the Contest or any portion thereof should viruses, bugs or other causes beyond the control of Sponsor corrupt the administration, security or proper play of the Contest, and limit entries to those eligible, non-suspect entries submitted prior to the action taken, or to proceed in such a manner as may be deemed fair and equitable by Sponsor in its sole discretion and to designate Finalists from among all eligible, non-suspect entries received prior to such action taking place. No award substitution, in whole or in part, except by Sponsor due to award unavailability, safety or security considerations, or any other reason as solely determined by Sponsor in which case an award of comparable or greater value will be presented. **CAUTION: ANY ATTEMPT BY AN ENTRANT TO DELIBERATELY DAMAGE ANY WEB SITE OR UNDERMINE THE LEGITIMATE OPERATION OF THE PROMOTION MAY BE A VIOLATION OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH PERSON TO THE FULLEST EXTENT PERMITTED BY LAW.** Use of any device to automate entry is prohibited. Sponsor reserves the right in its sole discretion to disqualify any entry at any time in the event it is determined that the Entrant or Nominee has not complied with these Official Rules. This Contest is governed by the laws of the State of Texas, with jurisdiction and venue in Travis County, Texas, and all claims must be resolved in the courts of Travis County, Texas.

**9. WINNERS:** Finalist and Finalist Nominee names for the “Gratitude” Contest will be posted at [www.actonhero.org](http://www.actonhero.org) on or about January 5, 2009, through March 2, 2009 or later.

**Sponsor:** Acton Foundation for Entrepreneurial Excellence, 515 Congress Avenue, Suite 1875, Austin, TX 78701

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