

## Coco's Name Our Chocolate Chip Cookie Pie Contest

### OFFICIAL RULES

**NO PURCHASE OR PAYMENT OF ANY KIND NECESSARY TO ENTER OR WIN.**

**To Enter:** Contest begins at 12:00:01 a.m. PT on 1/23/10 and ends at 11:59:59 p.m. PT on 3/31/10 (the "Contest Period"). Enter online at [www.cocosbakery.com](http://www.cocosbakery.com) or by clicking on the "Enter the Contest" link and following the directions to enter and propose a name for Coco's Chocolate Chip Cookie Pie. By entering, you are signing up for Coco's eClub if not already a member. You may opt-out of the eClub at any time. Limit one (1) entry per person/e-mail address. Entries cannot be revised or altered once submitted. A valid e-mail address is required to enter. Automated entries are prohibited, and any use of such automated devices will cause disqualification. In case of dispute as to identity of the winner, entry will be declared made by the primary registered user (meeting eligibility criteria) of the e-mail address provided at the time of registration. By entering the Contest, entrants accept and agree to these Official Rules and the decisions of the administrator, which shall be final and binding.

The proposed name must be original and may not infringe any third party's rights, including but not limited to intellectual property rights determined by Sponsor in its sole discretion. The proposed name may not contain or be confusingly similar to any third party brand or trademark, as determined by Sponsor in its sole discretion. The proposed name may not be inappropriate, indecent, obscene or otherwise inconsistent with the image and goodwill of Coco's, as determined by Sponsor in its sole discretion.

**ASSIGNMENT OF RIGHTS TO NAME:** By entering the Contest (and winners, by accepting prize), entrants/winners agree to irrevocably assign and transfer to Sponsor all right, title and interest in the proposed name throughout the world, including, without limitation, all trademark rights, and agree to execute any additional documents Sponsor may deem necessary to evidence or effectuate such assignment. Sponsor's rights with respect to the name submitted include, but are not limited to: (a) the exclusive right to use, publish, display or reproduce the name for purposes of trade and advertising and/or any other lawful purpose; (b) the exclusive right to alter, revise or change the name in any way; (c) the exclusive right to secure trademark and copyright registrations for the name and other rights in the entry anywhere throughout the world; (d) the exclusive right to license, exploit, sell, assign, or otherwise dispose of the name or any of the said rights included therein for any purpose which Sponsor may see fit; and (e) any and all subsidiary rights in the name.

**Prizes:** One (1) Grand Prize: Entrant who submits winning name for Coco's Chocolate Chip Cookie Pie will win One Year of Free Pies. Winner will receive one (1) pie of their choice per week, for fifty two (52) weeks, awarded as 52 Coco's or Carrows pie gift cards valued at \$12.00 each. Approximate Retail Value (ARV): \$624.00. Ten (10) First Prizes: a Coco's pie gift card. ARV: \$12.00. No cash substitutions for prizes will be permitted and prizes may not be transferred, except at sole discretion of Sponsor. Sponsor reserves the right to substitute prize of equal or greater value in the event that any prize becomes unavailable. Gift card subject to terms set by issuer. Limit one prize per person/e-mail address. Federal, state and local taxes on prize are solely the responsibility of the winner. Total ARV of all prizes: \$744.00.

**Winner Selection/Judging Criteria:** Entries will be judged by Sponsor in its sole discretion to determine the winning name for the Chocolate Chip Cookie Pie. Names will be judged based on the following equally applied criteria: creativity, accuracy of description and communication of Coco's brand. In the event that the exact same winning name was submitted by more than one entrant, a random drawing will be conducted from among each individual who submitted the winning name to award one Grand Prize, and the other entrant(s) will receive a First Prize (up to ten First Prize winners). The potential winning name must also be legally cleared through a comprehensive trademark clearance process; if the potential winning name cannot be legally cleared through this clearance process, an alternate winner will be selected.

Judging will take place on or about 4/15/10. Winners will be notified by phone, mail and/or e-mail. Return of any prize or prize notification as undeliverable will result in disqualification and prize will be forfeited. Grand Prize winner will be required to complete, sign and return an Affidavit of Eligibility, Liability/Publicity and Assignment of Rights within fourteen (14) days of attempted notification or prize may be forfeited.

**Eligibility:** Contest open to legal residents of CA, NV, AZ and CO, 18 years of age or older. Employees of Catalina Restaurant Group Inc., its affiliates, subsidiaries (including employees of Coco's restaurants), and promotion and advertising companies (collectively, the "Promotional Parties"), and the immediate family members of such employees (spouse and siblings, children, parents and their spouses) and persons living in the same household as such employees are not eligible.

**Terms and Conditions:** Sponsor assumes no responsibility for computer system, phone line, hardware, software or program malfunctions or other errors, failures of any kinds, delayed computer transmissions or network connections that are human or technical in nature. Sponsor reserves the right in its sole discretion to cancel or suspend this contest, in its entirety or in part, should a virus, bug, tampering, unauthorized intervention, fraud, technical failure, or other cause beyond Sponsor's control affect the administration, security, fairness, integrity or proper play of the Contest. In the event Sponsor cancels the promotion, prizes will be awarded based on judging the eligible entries received as of the time of such action. Sponsor reserves the right at its sole discretion to disqualify any individual it finds to be tampering with the entry process or the operation of the Contest or website or to be acting in violation of these Rules. Sponsor is not responsible for incomplete or illegible entries, or for incorrect or inaccurate entry information, whether caused by entrant or by any of the equipment or programming utilized in the Contest. By entering, entrants (or entrant's parent or legal guardian if entrant is an eligible minor) agree to release the Promotional Parties and each of their respective officers, directors, employees and agents, from any and all liability, loss or damage incurred with respect to the awarding, receipt, possession, and/or use/misuse of any prize. Entrants waive all rights to claim, punitive, incidental, consequential, or any other damages, other than for actual out-of-pocket expenses. By accepting a prize, winner agrees to allow use of his or her name, likeness and/or biographical information for advertising and promotional purposes in any and all media (including online) without limitation as to time or territory and without additional compensation, except where prohibited. Entrants further agree that all causes of action arising out of or connected with this Contest, or any prize awarded, shall be resolved individually, without resort to any form of class action. By entering, entrants agree that all issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, participant's rights and obligations, or the rights and obligations of the Sponsor in connection with the Contest, shall be governed by, and construed in

accordance with, the laws of State of California, without giving effect to any choice of law or conflict of law rules. By entering, entrants consent to the jurisdiction and venue of the federal, state and local courts located in San Diego County, California. Please see the applicable website privacy policy for details regarding the use of personal information collected in connection with this Contest.

**Winners List:** For a copy of the winners list, send a self-addressed stamped envelope to: Coco's Name Our Chocolate Chip Cookie Pie Contest, c/o ADM Marketing LLC, 908 North Hollywood Way, Burbank, CA 91505. Requests must be received by 3/31/10. Winners list will be sent after all prizes have been awarded.

**Sponsor:** Catalina Restaurant Group Inc., 2200 Faraday Avenue, Suite 250, Carlsbad, CA 92008