

THE “BE AN ARISTOCRAT CONTEST” – ENTRANT RELEASE FORM

Name of Entrant: _____ (“I”, “me” or “Entrant”)

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. I hereby irrevocably grant to ThinkFilm LLC, its parent, subsidiaries and affiliated companies, and their respective successors, licensees, distributors, and assigns (“Think”), without payment or limitation of any kind, on an exclusive basis under copyright and otherwise, all rights of whatsoever nature (the “Rights”) in and to material submitted by me (or on my behalf) to Think in connection with the “Be An Aristocrat Contest” (the “Submission”). Such grant of Right is not contingent or conditional upon any occurrence, event or action.
2. For the sake of clarity, the Rights shall include all rights of whatsoever nature in and to the Submission, in perpetuity, throughout the world, in all media and by all means and methods now or hereafter known or hereafter devised including, without limitation, all forms of theatrical, home video, television, video-on-demand, near video-on-demand, non-theatrical, on-line, and interactive, and all customary allied and ancillary rights. The Rights shall also include the right to produce, manufacture, distribute, exploit, advertise and publicize the Submission (as it may be edited by Think in its sole discretion) and to use the Submission as Think deems fit in its absolute and sole discretion. The Rights shall also include the right to use or authorize others to use Entrant’s name and likenesses in connection with all of the publicity, promotion, marketing, distribution and syndication related to the Submission.
3. Think shall be entitled to use or exploit and authorize others to use or the Submission or any part or parts thereof in such manner as Think shall in its sole discretion think fit, including, without limitation, the right to make changes, edits, alterations, substitutions, and additions thereto, and deletions therefrom, and adaptations and rearrangements and, in respect of the Submission, I irrevocably waive the benefits of and agree not to assert any provisions of law known as “moral rights” or any similar law of any jurisdiction. Think shall have complete charge and control of the manner and terms upon which the Submission is reviewed, used, distributed, exploited, marketed, advertised and/or licensed and nothing herein shall be construed as a representation of Think as to its review, use, distribution, exploitation, marketing, advertising or licensing of the Submission.
4. I represent and warrant to Think that: (i) I have all the rights, capacity and authority necessary to enter into this Release, to perform all of my obligations hereunder and to exclusively grant, sell, assign, transfer and convey to Think all the Rights; (ii) nothing in the Submission (whether by way or inflection, gesture or otherwise) will infringe the any rights of any third party (whether proprietary or personal), breach any contract or duty of confidence, constitute contempt of court, be defamatory or be calculated to bring Think or any other third party into disrepute; and (iii) I have read and understand the “Be An Aristocrat Contest” rules which are posted at www.theartistsocrats.com and agree to be bound by all the terms and conditions contained therein.
5. I expressly release Think from any claims or actions arising out of the creation of the Submission, the use of the Submission in the promotion, production, broadcast, exhibition and/or exploitation of the Submission and/or the Rights granted to Think therein. I understand that Think is proceeding with the distribution and exploitation of the Rights in reliance upon and induced by the foregoing permission.
6. I agree to at all times defend, indemnify and hold harmless Think and its respective officers, directors, shareholders, employees, attorneys, agents and other representatives from and against any and all claims, actions, suits, judgments, obligations, damages, losses, penalties, liabilities, costs and expenses (including, without limitation, fees and disbursements of counsel) of whatsoever kind and nature imposed on, incurred by, or asserted against Think in any action, claim or proceeding between me and Think or between Think and any third party or otherwise, arising out of or in connection with the use of the Submission and/or the exercise of any of the Rights granted herein or out of any breach by me of any representation, warranty, covenant contained in this Release.
7. I acknowledge that I may not terminate or rescind the permission granted to Think hereunder to use the Submission and exercise the Rights. In the event of any claim, I shall be limited to remedies at law for damages, if any, and I agree not to enjoin, restrain or interfere with Think’s exploitation of the Submission as provided in this Release or the exploitation of the Rights granted to Think hereunder.
8. I acknowledge that I have not entered this Release in reliance upon any representation (written, oral, express or implied) by Think that is not expressly contained herein. This agreement shall inure to the benefit of and be binding upon Think’s respective successors, assigns and licensees.
9. This agreement shall be governed and construed in accordance with the laws of the State of California.

The terms of this Release are non-negotiable, final and binding. By signing this Release in the space provided below, I acknowledge my acceptance and agreement to the foregoing.

Name of Entrant: _____

Address of Entrant: _____

Phone Number: _____

Date: _____

I am over 18 years of age: Yes _____ No _____

Signature of Entrant: _____

SHIPPING ADDRESS:

Submissions of Tapes, DVDs and DV Cams must be shipped to the following address:

BE AN ARISTOCRAT CONTEST
PO BOX 663
PRINCE STREET STATION
NEW YORK, NY 10012