



DIRECTOR'S ORDER NUMBER ONE HUNDRED EIGHTY (2018)

VIRGINIA LOTTERY'S PAC-MAN® PROMOTION FINAL RULES FOR OPERATION.

In accordance with the authority granted by §§ 2.2-4002B(15) and 58.1-4006A of the *Code of Virginia*, I hereby promulgate the Virginia Lottery's "PAC-MAN®" Promotion ("Promotion") Rules to increase sales and add value to the \$2 PAC-MAN® Scratch Game (#1925). The Promotion opens on December 4, 2018, contains four (4) Entry Periods, four (4) Prize Drawings, and thirty (30) interactive online Prizes, and closes on April 30, 2019, with the completion of the final Prize Drawing. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of lottery games.

The rules are available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 600 East Main Street, Richmond, Virginia, and at each of the Virginia Lottery offices. A copy may be requested by mail by writing to: Director's Office, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on December 4, 2018, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

/s/ Amy Dilworth

December 3, 2018

Amy Dilworth, General Counsel

Date

/s/ Kevin Hall

December 4, 2018

Kevin Hall, Executive Director

Date



VIRGINIA LOTTERY'S PAC-MAN® PROMOTION OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to increase sales and add value to the \$2 PAC-MAN® Scratcher. With this Promotion, Virginia Lottery-branded cash cards and PAC-MAN® Arcade games will be awarded.
- B.** This Promotion will begin at noon ET, December 4, 2018, and will end April 30, 2019, ("Promotion Period"), with the final Prize Drawing.
- C. DEFINITIONS** (for purposes of this Promotion):

"Claimant" means a verified Entrant, Participant, or Player who presents an Entry Form that he/she presumes to be a Winning Entry.

"Director" means the Executive Director of the Virginia Lottery as established in Chapter 40 of Title 58.1 (§58.1-4000 *et seq.*) of the *Code of Virginia* or any other employee(s) to whom the Executive Director's authority is lawfully delegated.

"Entry" means a method, whether electronic or paper-based, by which a Player enters a Drawing or Promotion.

"Lottery" means the Virginia Lottery.

"Lottery Board" means the group of five (5) people, appointed by the Governor of Virginia, with the power to adopt regulations governing the establishment and operation of the Virginia Lottery and to perform other functions that are set out in the *Code of Virginia*.

"Lottery Retailer", "Lottery Sales Retailer", or "Retailer" means a person licensed by the Virginia Lottery to sell and dispense Virginia Lottery Tickets, materials and games.

"Mobile Application" means a software application developed specifically for use on small, wireless computing devices, such as smartphones and tablets, rather than desktop or laptop computers.

"Non-winning" or "Non-winning Scratcher" means a Scratcher, purchased at a licensed Virginia Lottery retailer location or directly from the Virginia Lottery, that does not contain a winning Prize combination.

"Participant" or "Player" or "Entrant" means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase or otherwise validly participates in a Promotion according to one of the approved participation methods stated in the Promotion Rules in the hope of winning a Prize.

"Participation Method" means the platform via which a Player participates in this interactive Promotion.

"Participation Period" means the time frame during which a player may participate in this Promotion and be eligible to win a prize.

“Person” means a natural person and may not extend to or be applied to a corporation, company, partnership, association or other entity.

“Prize” or “Prizes” means the winnings as defined in **Section I** (“Prize Descriptions”).

“Prizewinner” means a verified Person who is entitled, via Entry verification, to receive a Prize under the rules of a Promotion.

“Promotion” means the “added value” offer to consumers or licensed retailers named in the title at the top of Page 1 of these Rules.

“Promotion Rules” or “Rules” means these rules.

“Scratcher” or “Ticket” means a ticket with a coating over the Play Areas that, when scratched off, reveals instant game play results.

“Scratch Game” means a game, played via Scratcher, that contains the appropriate Play Areas, Legend(s), Barcodes and other codes that, when played, reveals or informs a Player immediately whether he or she has won a Prize as specified in the Game Rules.

“Self-Service Vending Machine” or “Vending Machine” means an interactive device by which a Player may select a game, purchase a Ticket, and/or receive a Promotion Entry Form, without the help of a clerk at a Virginia Lottery Retailer or an employee at a Virginia Lottery office or other approved location.

“Web Code” means a series of numbers and letters that, when submitted according to any of the applicable participation methods described herein, and when used in conjunction with all other required entry data, allows a Player an opportunity to win a prize via an interactive game feature.

D. ELIGIBILITY:

1. This Promotion is open to Players eighteen (18) years of age or older. A Player will be required to provide proof of his/her date of birth.
2. No officer, employee or Board member of the Lottery, or any officer or employee or board member of any vendor to the Lottery of computer-generated or scratch game goods or services working directly on a contract with the Lottery for such goods or services, or any person residing in the same household of any such board member, officer or employee, or any person under the age of eighteen (18) years, shall be eligible to participate in this Promotion. The Lottery will not award a Prize on an Entry submitted by, for, or gifted to or transferred to anyone under eighteen (18) years of age, or to the transferee of such Person.

E. PROMOTION ENTRY: To participate, a Player must submit an eligible Virginia Lottery Non-winning \$2 PAC-MAN® Scratcher (Game #1925) via the established Entry method for this Promotion. Entries for this Promotion will be accepted via the Internet.

All Entries submitted according to **Section H** (“Internet Entries”) **and** received during a designated Promotion Entry Period as specified in **Section I** (“Entry Deadlines”) **will be included** in the applicable Prize Drawings.

Additionally, a Player may participate in an online interactive game feature by clicking “Play for Fun”. This feature does not require a Non-winning Ticket Entry and there is no limit to how often a Player may use this feature. Participation in the “Play for Fun” interactive game **does not** include a chance to win a Prize.

F. LEADERBOARD FEATURE:

After a Player has successfully submitted a Promotion Entry, he/she will be given an additional opportunity to win a Prize by playing an interactive online PAC-MAN® game with a leaderboard ("Leaderboard") feature (the "Leaderboard Game").

A Participant must use a different Non-winning \$2 PAC-MAN® Scratcher each time he/she plays the Leaderboard Game. A Participant may enter the Leaderboard Game no more than twenty-five (25) times per day over the course of the Promotion. A Player will not be allowed to "Play for Prizes" on a given day once this limit is reached.

- Scores displayed are those earned during a single interactive game; they are not cumulative over the number of games played per day or over the course of the Promotion.
- Interactive online games played using the Leaderboard Feature do not correlate to, and have no bearing on, the Promotion Drawings.
- The Leaderboard will display scores in real time and will list the top ten (10) scores only.
- The Leaderboard Game will be reset on a bi-weekly basis over the course of the Promotion.
- A first-, second- and third-place Prize (collectively, the "Leaderboard Prizes") will be awarded at the conclusion of each bi-weekly period.
- The Leaderboard Prizes will be awarded in the order of the Participants whose names appear first, second and third on the Leaderboard.
- Over the course of the Promotion, no Participant will be eligible to win more than one (1) first-place Leaderboard Prize, one (1) second-place Leaderboard Prize and one (1) third-place Leaderboard Prize.

G. ENTRY REQUIREMENTS:

1. Only Non-winning \$2 PAC-MAN® Scratchers (game #1925) can be used for this Promotion.
2. Each applicable Scratcher used for this Promotion must have been issued by the Lottery in an authorized manner during the period referenced in **Section B** ("Promotion Period"), must be intact and must not be mutilated, altered, reconstituted or tampered with in any manner.
3. A Player may enter this Promotion and may "Play for Fun" as many times per day as desired; **however, a Player may participate in the Leaderboard Game no more than twenty-five (25) times per day over the course of the Promotion.** This requirement does not limit a Player from entering other eligible Non-winning Scratchers into other Lottery Promotions being offered simultaneously.
4. Only Web numbers and Promotion Entry numbers found on a Non-winning \$2 PAC-MAN® Scratcher used in the manner described in **Section H** ("Internet Entries") of these Promotion Rules during the designated Entry Periods will be eligible for Entry in this Promotion. Hand-delivered Entries will not be accepted for this Promotion and will be deemed invalid.
5. The Lottery will not be responsible for Entries submitted incorrectly or received outside of the established Entry deadlines for the Prize Drawings as specified in **Section I** ("Entry Deadlines"). Such Entries shall be deemed invalid.

6. Each Entry must contain current and valid information in order to be eligible. The Lottery will not change or update Entry information for an Entry that has already been submitted. The Lottery will not be responsible for numbers that are transposed or for information that is entered incorrectly.
7. Any Prizewinner whose *Winner Notification Letter* is returned undeliverable due to blocked emails, incorrect address information, or expired forwarding address notifications will forfeit his/her opportunity to win a Prize. Neither the Lottery nor its designee will be required to attempt delivery of a *Winner Notification Letter* more than once.

H. INTERNET ENTRIES:

1. To enter via the Internet, a Player must go to the Lottery's website web site at www.valottery.com/pacman and successfully complete registration or login.

Registration will require entry of a Player's full name [consisting of his/her first name and last name (no initials), **date of birth, street address, city, state, ZIP code and telephone number].*

2. As part of the Lottery's registration process for this Promotion, third-party identity authentication will confirm that the Player is eighteen (18) years of age or older. If a Player's identity cannot be confirmed, additional steps for manual confirmation of identity will be provided.
3. Players must correctly enter **BOTH** the Promotion Entry Number, found on the back of, and the BONUS Code, found on the front of, each eligible Non-winning \$2 PAC-MAN® Scratcher.
4. Players are not required to retain their Scratchers once they have successfully entered them via the Internet. Scratchers submitted as Promotion Entries via the Internet are not required to be presented in order to claim a Prize.

I. ENTRY DEADLINES:

Prize Drawings

Drawing	Entry Period
1	December 4, 2018 (midnight, ET), through January 7, 2019 (11:59:59 PM ET)
2	January 8, 2019 (midnight, ET), through February 4, 2019 (11:59:59 PM ET)
3	February 5, 2019 (midnight, ET), through March 4, 2019 (11:59:59 PM ET)
4	December 4, 2018 (midnight, ET), through April 29, 2019 (11:59:59 PM ET)

Leaderboard Game

Play Period	Entry Dates
1	December 4, 2018 (midnight AM, ET), through December 10, 2018 (11:59:59 PM ET)
2	December 11, 2018 (midnight, ET), through December 25, 2018 (11:59:59 PM ET)
3	December 26, 2018 (midnight, ET), through January 7, 2019 (11:59:59 PM ET)
4	January 8, 2019 (midnight, ET), through January 21, 2019 (11:59:59 PM ET)
5	January 22, 2019 (midnight, ET), through February 11, 2019 (11:59:59 PM ET)
6	February 12, 2019 (midnight, ET), through February 25, 2019 (11:59:59 PM ET)
7	February 26, 2019 (midnight, ET), through March 11, 2019 (11:59:59 PM ET)
8	March 12, 2019 (midnight, ET), through March 25, 2019 (11:59:59 PM ET)
9	March 26, 2019 (midnight, ET), through April 8, 2019 (11:59:59 PM ET)
10	April 9, 2019 (midnight, ET), through April 22, 2019 (11:59:59 PM ET)

J. PRIZE DESCRIPTIONS: The following Prizes will be awarded as part of this Promotion:

Drawing Prizes

Drawing	Prize	# of Prizewinners
1	PAC-MAN® Arcade (approximate value; \$3,400.00)	One (1)
	\$100 Lottery-Branded Debit Card	One Hundred (100)
2	PAC-MAN® Arcade (approximate value; \$3,400.00)	One (1)
	\$100 Lottery-Branded Debit Card	One Hundred (100)
3	PAC-MAN® Arcade (approximate value; \$3,400.00)	One (1)
	\$100 Lottery-Branded Debit Card	One Hundred (100)
4	\$5,000 Virginia Lottery-Branded Debit Card, One (1) PAC-MAN® Arcade, One (1) PAC-MAN® rug and two (2) PAC-MAN® Bar Stools (approximate value; \$9,500.00)	One (1)
	\$100 Lottery-Branded Debit Card	Two Hundred (200)

Leaderboard Game Prizes

Play Period	Prize	# of Prizewinners
1	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
2	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
3	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
4	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
5	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
6	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
7	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
8	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
9	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)
10	First Place - \$500.00 Second Place - \$250.00 Third Place - \$100.00	One (1) One (1) One (1)

K. PRIZE DRAWINGS: The following are the four (4) established Prize Drawing dates for this Promotion:

Drawing #	Date
1	January 8, 2019
2	February 5, 2019
3	March 5, 2019
4	April 30, 2019

Drawings will be conducted from all eligible Entries submitted via the established Entry methods and by the established Entry deadline dates. The following is an overview of how the Entries will be randomly selected for this Promotion.

1. After the established Entry deadline dates, but prior to the Drawing, all eligible Entries submitted for that Drawing will be accounted for and the information loaded into a randomizer program.
2. A Drawing Manager, Drawing Operators and a Drawing Auditor will oversee the use of the randomizer program to select the Winning Entries for this Promotion.
3. Prizewinners will be randomly selected. The order in which the Winning Entries are drawn shall be recorded..
4. Immediately after the Prizewinners are selected, **ten (10)** alternate Entries will also be selected using the same randomizer program. All alternate Prizewinners will be recorded in the order in which they were selected and will be used should any Prizewinner be determined ineligible.
5. In the event that a selected Entry is deemed invalid (see **Section G** "Entry Requirements"), the first alternate with a valid Entry will be selected as a Prizewinner. This process shall continue until all valid Winning Entries have been selected for the particular Drawing. The Lottery's decision regarding the validity of all Entries selected as Prizewinners shall be final and controlling.

L. Leaderboard Game

Award #	Date
1	December 11, 2018
2	December 27, 2018
3	January 8, 2019
4	January 22, 2019
5	February 12, 2019
6	February 26, 2019
7	March 12, 2019
8	March 26, 2019
9	April 9, 2019
10	April 23, 2019

1. At the conclusion of each bi-weekly period, the Participants with the top three (3) highest scores on the Leaderboard will be eligible to receive a Prize.
2. In the case of a tie, the Prizewinners will share the Prize amount. In the event a Prizewinner is disqualified due to the eligibility requirements, the Participant with the next highest score on the Leaderboard who satisfies the eligibility requirements will be awarded the Prize.
3. Following the entry deadline date/time listed in in **Section I** ("Entry Deadlines"), the Leaderboard will automatically reset.

M. PRIZEWINNER PROCEDURES:

Each Prizewinner selected in association with this Promotion will be notified via an official letter from the Lottery sent by United Parcel Service (UPS) or United States Postal Service (USPS). The Prizewinner will receive a *Winner Claim Form* and an *Affidavit of Eligibility Form*. The Prizewinner will be required to complete and return both forms by the deadline date indicated in the *Winner Notification Letter*. Any Prizewinner who fails to return his/her *Winner Claim Form* and *Affidavit of Eligibility Form* **within ten (10) calendar days** from the date the *Winner Notification Letter* is delivered, will forfeit his/her Prize.

N. PRIZEWINNER VERIFICATION:

1. Methods used by the Lottery to establish and confirm a Prizewinner's identity include, but are not limited to:
 - viewing and/or copying the Prizewinner's valid government-issued photo identification
 - viewing and/or copying proof of taxpayer identification number (e.g., Social Security number)
 - asking identity-verifying questions in the absence of the aforementioned document proof
 - viewing and/or retaining the information provided on a Lottery *Winner Claim Form*.
2. **In all cases involving a Promotion cash Prize greater than \$100**, the Lottery must be provided with the Prizewinner's valid government-issued photo identification and taxpayer identification number (e.g., Social Security number). Payment will be delayed until such a number is provided and the Prizewinner shall not be entitled to interest on the Prize funds attributable to such delay.

O. PRIZE AWARD/PAYMENT

1. Lottery Prizes awarded during this Promotion are not transferable or assignable. The PAC-MAN® arcade games awarded are not redeemable for cash.
2. If the Prize won is a Virginia Lottery-Branded Cash Card, the card will be mailed to the address associated with the Player's My Game Room account.
3. If the Prize won is a PAC-MAN® arcade game, the arcade game will be shipped to the address associated with your My Game Room account.
4. Each Prizewinner is legally required to include the value of the Prize, as well as any taxes paid by the Lottery on his/her behalf, in his/her taxable income for tax reporting purposes. As a result of accepting a Prize and taking into account a Prizewinner's total taxable income for the year in which the Prize is accepted, a Prizewinner may fall into a higher tax bracket for his/her federal and state tax liabilities for the year in which the Prize is accepted.

5. A Prizewinner agrees to participate in a press conference and agrees to the use of his/her name and/or photo for publicity at the Lottery's discretion. Examples of publicity include, but are not limited to, news releases, Internet, news media and signs at Lottery Retailer locations. In addition, a Prizewinner agrees to participate in Lottery promotional efforts which may include his/her name, hometown, the amount of the Prize won, and the Promotion won, through "social media," which may include, but will not be limited to, YouTube®, Twitter®, Facebook®, or similar efforts, without additional consent from or compensation to the Prizewinner.

P. CANCELLATION POLICY:

Cancelled Drawing(s) or Prize award(s): The Director may, in the Director's sole discretion, cancel Drawings and/or the awarding of Prizes, on holidays, days of special importance or on days when conditions make conducting the Drawings or awarding Prizes impractical or inappropriate, and may elect to conduct Drawings and/or make-up Drawings and/or the awarding of Prizes at such times and dates, and pursuant to such methods, as the Director may determine, all with the Director's sole discretion. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such re-schedule/cancellation.

Termination of Promotion: The Director may, at any time, announce a suspension or termination of this Promotion, without advance notice and in the Director's sole discretion, at which point no further Entries will be accepted and no additional Prizes shall be awarded. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such suspension/termination.

Q. DISPUTES: The Director may refrain from awarding/paying a Prize pending final determination under any of the following circumstances:

- a. if a dispute related to any Prize occurred or if it appears that a dispute may occur;
- b. if there is any question regarding the identity of the Claimant; or
- c. if there is any question regarding the validity of any Entry submitted.

No liability for interest arising because of any such delay, or any delay beyond the Lottery's control, shall accrue to the benefit of the Prizewinner pending award/payment of the Prize. The Lottery is neither liable for, nor has it any responsibility to resolve, disputes between or among competing Claimants.

In the event of a dispute or other instance of doubt, the decision of the Director shall be final and binding.

R. GOVERNING LAW: By participating in this Promotion, each person agrees to comply with and abide by the Lottery statutes, Lottery regulations, all final decisions of the Director of the Lottery, and these, and any other applicable, Rules established by the Lottery Board and/or Director of the Lottery for the conduct of this Promotion. Any dispute arising that relates to any aspect of this Promotion shall be governed by the laws of the Commonwealth of Virginia and the venue for the determination of any such dispute shall be in the city of Richmond, Virginia.

S. WAIVER OF CLAIMS: By entering this Promotion, each Prizewinner agrees to indemnify, hold harmless, and waive any claims against the Lottery and any of the affiliates, employees, directors, officers, agents, representatives and assigns of any of said entities, arising, directly or indirectly, out of, or in any way connected with, this Promotion or the Prizes awarded in connection therewith.

T. AMERICANS WITH DISABILITIES ("ADA"): The Lottery is not responsible for any third party's compliance with ADA Rules and Regulations where applicable in connection with a Prize.