



TOPS 50th Anniversary Balloon Pop Gift Card Giveaway

OFFICIAL RULES

February 5, 2012 – March 25, 2012

NO PURCHASE NECESSARY TO ENTER OR WIN. A PURCHASE WILL NOT INCREASE YOUR CHANCES OF WINNING.

- 1. SPONSOR:** TOPS Markets, LLC ("Sponsor") is the official sponsor of the "TOPS 50th Anniversary Balloon Pop Gift Card Giveaway" ("Promotion").
- 2. ELIGIBILITY:** Promotion is open only to legal residents of New York and Pennsylvania, ages 18 and over ("Eligible Customers") that have a registered TOPS BONUSCARD or Wild Card as of the start of January 31, 2012. Business entities such as corporations or companies are not eligible to enter or win. Associates, officers and directors of the Sponsor, its retail stores, distribution centers and division offices, its subsidiaries and affiliates, promotion suppliers, affiliated advertising agencies, third party contractors and spouses of the aforementioned groups (and the I.R.S. listed dependents or members of household including dependents in the military or attending college living away from home) are not eligible to win. This Promotion is void elsewhere and where prohibited by law. Promotion is subject to all applicable federal, state and local laws, rules, and regulations.
- 3. PROMOTION PERIOD:** Promotion begins at 12:00:00 a.m. on February 5, 2012 Eastern Time (ET) and ends at 11:59:59 p.m. ET on March 25, 2012 (the "Promotion Period"). The Sponsor's computer is the official timekeeping device for this Promotion.
- 4. HOW TO PLAY:** NO PURCHASE NECESSARY TO PLAY OR WIN. Customers with a registered TOPS BONUSCARD or Wild Card should visit www.TopsMarkets.com and login in using their www.TopsMarkets.com account or by using their BONUSCARD to play for a chance to win that day's \$50 TOPS Gift Card. Customers will click on a balloon to reveal if they are that day's gift card winner; customers that are not selected as the daily winner will have the opportunity to print a coupon for in-store savings at any TOPS Friendly Market.
- 5. WINNER SELECTION:** One winner will be selected at random on each day of the promotion. A random pre-determined and unannounced time will be selected for each day of the promotion; the next eligible individual to participate in the promotion, by selecting a balloon, will be that day's winner, regardless of the balloon that they select. Winners will be notified on-screen immediately after selecting and clicking a balloon. Chosen winner will be required to complete an online form providing their name, address and email address. The Sponsor will fulfill prize by U.S. mail within three (3) weeks of that day's promotion date. Prize may be forfeited if the U.S. registered mail notification is mailed and returned to the Sponsor as undeliverable mail without a forwarding address, and/or if winner(s) is unable to be contacted by telephone or e-mail. If potential winner is found to be ineligible, the Sponsor will select an alternate winner from all eligible participants for the given day's promotion. Winner(s) must comply with all laws, rules and regulations concerning this Promotion, as well as the Official Rules as published. Sponsor is not responsible for winner limitations that prevent acceptance or use of any prize. In order for prize to be awarded, winner(s) will be required to check off on their acceptance of these Official Rules, and by doing so agree to release of liability and provide consent to TOPS, and its parents and affiliates, for use of their name, likeness and city / state of residence in any and all advertising / promotional materials related to this and future similar promotions which may be offered by TOPS. Winner(s) will be required to complete the online form, acknowledgement of rules and consent to release of liability and publicity during the online session in which they are notified that they have been selected as that day's promotion winner. Failure to comply with this requirement, or the return of prize letter as undeliverable mail without a forwarding address, will result in forfeiture of prize. By accepting a prize, each winner(s) waives and releases Sponsor and any participating companies, and its/their respective parent, subsidiaries, affiliates, and the directors, officers, employees or agencies of any of the above organizations from any and all liability for any injuries, losses and/or damages of any kind or nature caused by the prize or resulting from acceptance, possession, and/or use/misuse of the prize. Entry into the Promotion, and/or acceptance of any prize shall, where lawful, constitute and signify each winner's agreement and consent that Sponsor may use the winner's name, address, likeness, voice, photo(s) and/or prize information for advertising, publicity, and/or

promotional purposes without further payment or consideration. The Sponsor's Marketing Department's decision is final on all matters relating to the Promotion.

6. **PRIZES:** One daily winner of a \$50 TOPS Gift Card to be given away each day from February 5, 2012 – March 25, 2012. Customers participating in the promotion that are not the winner for that day will receive a coupon for in-store savings at any TOPS Friendly Market.

Sponsor reserves the right to substitute any listed prize for one of equal or lesser value if the designated prize should become unavailable. All prizes are non-transferable, and no substitutions will be made except at Sponsor's discretion. All federal, state and local taxes (including any sales or use tax) where applicable are the sole responsibility of the prize recipient. Total retail value of all prizes equals \$2,500.

7. **GENERAL CONDITIONS:** All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules and/or the rights and obligations as between any applicant and the Sponsor and any participating companies in connection with this Promotion shall be governed by and construed in accordance with the internal laws of the State of New York including procedural provisions without giving effect to any choice of law or conflict of law rules or provisions that would cause the application of any other state's or jurisdiction's laws. Each applicant for entry agrees that the Sponsor and any participating companies involved in this Promotion are not responsible for: (1) any illegible, incorrect or inaccurate information, whether caused by the applicant, printing errors or by any of the equipment or programming associated with or utilized in the Promotion; (2) technical failures of any kind, including, but not limited to malfunctions, interruptions, or disconnections in phone lines or network hardware or software; (3) unauthorized human intervention in any part of the entry process or the Promotion; (4) technical or human error which may occur in the administration of the Promotion or the processing of entries; (5) lost, late, damaged, misdirected, incomplete, stolen, altered, mutilated, or illegible entries; (6) incorrect BONUSCARD or Wild Card data on file with the Sponsor's Marketing Department; or (7) any injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from each applicant's participation in the Promotion and/or their receipt or use or misuse of any prize. Disputes: Except where prohibited by law, each applicant for entry agrees that: (1) any and all disputes, claims and causes of action arising out of or connected with this Promotion or any prize awarded shall be resolved individually, without resort to any form of court or class action, and exclusively by binding Arbitration under the American Arbitration Association's Consumer rules and procedures, at which point all arbitration will be conducted in the State of New York; (2) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering this Promotion, but in no event attorneys' fees; and (3) under no circumstances will any applicant be permitted to obtain awards for, and each applicant for entry hereby waives, all rights to claim, indirect, punitive, incidental and consequential damages and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased.
8. **COPY OF OFFICIAL RULES / WINNERS LIST:** To obtain a copy of these Official Rules, please go to www.topsmarkets.com and/or send a self-addressed, stamped reply envelope to: "TOPS 50th Anniversary Balloon Pop Gift Card Giveaway – Copy of Rules", P.O. Box 1027 Buffalo, NY 14240-1027. To obtain a list of winners, send a self-addressed, stamped reply envelope to: "TOPS 50th Anniversary Balloon Pop Gift Card Giveaway - Winners List", P.O. Box 1027 Buffalo, NY 14240-1027. All requests for winners list must be received by the Sponsor's Marketing Department by June 30, 2012.