

BMC Software
“Control-M Scooter Raffle”
Official Rules (“Rules”)

DATES OF RAFFLE: The **“Control-M Scooter Raffle”** (“Raffle”) begins at 12:00 a.m. Pacific Time (“PT”) on Monday, February 28, 2022, and ends at 11:59 p.m. PT on Thursday, March 31, 2022 (the “Program Period”). Winner will be contacted by BMC the week of April 3, 2022.

ELIGIBILITY: To be eligible to win a Raffle prize, you must complete the trial registration form, and perform the trial during the Program Period, and you must be (i) a legal permanent resident of: (a) the 50 United States or the District of Columbia or (b) Canada, but excluding residents of Quebec, and (ii) be 18 years of age or older by the beginning of the Program Period. Not eligible to participate are employees and their immediate family members (parents, children, siblings or spouse, regardless of where they live, or persons living in same household, whether related or not) of BMC Software, Inc. (the “Sponsor” or “BMC”), its subsidiaries, and each of their respective parent companies, franchisees, affiliates, contractors, consultants, legal counsel, public relations, subsidiaries, distributors, sales representatives, retailers, website providers, webmasters, advertising, and promotional, fulfillment, and marketing agencies, and any others engaged in the development, production, execution, or distribution of this Raffle (“Raffle Entities”). Raffle is void outside of the U.S. (except for Canada, but not including Quebec), and in Puerto Rico, U.S. territories, and possessions outside of the 50 United States, and where restricted or prohibited by law.

QUALIFICATION ENTRY PERIODS: The **Qualification Entry Period** begins at 12:00 a.m. PT on Monday, February 28, 2022, and ends at 11:59 p.m. PT on Thursday, March 31, 2022.

HOW TO QUALIFY: To qualify to win a prize, you must complete the trial registration form, and perform the trial during the Program Period. Your submission of your contact information constitutes your full and unconditional agreement and acceptance of these Rules and your assertion that you are (i) a legal permanent (a) United States resident residing in one of the 50 United States or in the District of Columbia, or (ii) resident of Canada (but not of Quebec) and (ii) 18 years of age or older by the beginning of the Program Period. **In order to qualify, you must provide contact information by 11:59 p.m. PT on Thursday March 31, 2022 (“Deadline”).**

Within ten (10) business days, a BMC representative will randomly draw one (1) winning trial registration from those submitted by the Deadline. A BMC representative will contact the winner to go over details of the prize.

PRIZE: The prize is a **Segway Ninebot S Self-Balancing Scooter** recreational personal transporter product. The approximate value of the prize is five-hundred and ninety-nine-dollars USD (\$599.99). Prizes must be accepted by Thursday, April 28, 2022, at midnight.

NOTIFICATION OF WINNERS: The winner will be notified via email from a BMC representative the week of April 3, 2022.

PRIZE RESTRICTIONS: Sponsor will not replace any lost or stolen prize. The winner is solely responsible for any personal taxes on the prize he/she has received, including, but not limited to all federal, state, and local taxes. No more than the stated number of prizes set forth in these Rules will be awarded.

PRIZE CLAIM: Prize winners will be given their prize by April 28, 2022. If you are a U.S. Government employee or otherwise restricted by your employer to receive prizes of the value listed in these Rules, BMC understands that you are not able to accept the prize, and another winner will be selected. By participating in this Raffle, you are representing to BMC that you can accept the prize should it be awarded to you.

GENERAL RULES OF PARTICIPATION: By participating in this Raffle, you agree to be bound by these Rules and the decision of the Sponsor, which is final in all respects and not subject to appeal.

At Sponsor's discretion, neither Sponsor nor anyone acting on its behalf will respond to any communications regarding this Raffle, except as expressly set forth in these Rules. By participating in this Raffle, you release the Sponsor and all of the Raffle Entities, from any and all liability, damages, or causes of action (however named or described) with respect to or arising out of participation in the Raffle, and/or the receipt or use/misuse of the prizes awarded, including, without limitation, liability for personal injury, death, or property damage.

Failure to comply with these Rules may result in disqualification from the Raffle. All Raffle materials are subject to verification and are void if:

- (a) not obtained in accordance with these Rules, or
- (b) are prohibited by winner's state or country of residence.

You assume all risk of loss, damage, destruction, delay, or misdirection of your entry. Sponsor reserves the right at its sole discretion to cancel, terminate, modify, or suspend the Raffle.

Sponsor may prohibit anyone from participating in the Raffle or winning a prize if, in its sole discretion, it determines that said person attempted to undermine the legitimate operation of the Raffle by misrepresentation, deception, or other unfair playing practices or intending to annoy, abuse, threaten or harass any other persons participating in the Raffle, the Sponsor, or the Raffle Entities.

VOID WHERE PROHIBITED.

CAUTION: ANY ATTEMPT BY ANYONE TO UNDERMINE THE LEGITIMATE OPERATION OF THE RAFFLE MAY BE IN VIOLATION OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK REMEDIES AND DAMAGES (INCLUDING ATTORNEY'S FEES) FROM ANY SUCH PERSON TO THE FULLEST EXTENT OF THE LAW, INCLUDING CRIMINAL PROSECUTION.

NO LIABILITY: By participating, you agree to release, discharge, indemnify, and hold harmless the Sponsor and all of the Raffle Entities from and against any claims made by third parties, related in any way to the prize, the winning of the prize, or the operation of this Raffle as well as any other claims, damages, or liability due to any injuries, damages, or losses to any person (including death) or to property of any kind, resulting in whole or in part, directly or indirectly, from acceptance, possession, misuse, or use of the prize or participation in the Raffle or in any Raffle-related activity, or any claims based on publicity rights, defamation or invasion of privacy.

WINNER'S LIST REQUEST: To receive a winner's list, send a self-addressed stamped envelope to: "**Control-M Scooter Raffle**" Attention: Melissa Vega, BMC Software, Inc., 2103 CityWest Blvd., Houston, TX 77042. All requests must be received by April 28, 2022.

SPONSOR: BMC Software, Inc., 2103 CityWest Blvd., Houston, TX 77042.

This Raffle is in no way sponsored, endorsed, or administered by, or associated with Segway. Any questions, comments, or complaints regarding this Raffle should be sent to Sponsor.