

**REGULATIONS OF THE CONTEST FOR “POLISH HIT SUMMER 2009”
AND “INTERNATIONAL HIT SUMMER 2009” AWARDS
AT “SOPOT HIT FESTIVAL 2009”**

I. PRELIMINARY PROVISIONS

1. The Contest is organized by: Telewizja Polska S.A. [*Polish State Television*] with its registered office at ul. J.P. Woronicza 17, entered in the Register of Economic Operators of the National Court Register maintained by the District Court for the capital city of Warsaw, XIII Commercial Division of the National Court Register under the number KRS 0000100679, and “PROMOTOR UNITED ENTERTAINMENT” Spółka z o.o. with its seat in Warsaw, 04-190 ul. Jubilerska 10, registered with the District Court in Warsaw, XII Division of the National Court Register under the number KRS 0000208015.
2. The contest is aimed to select songs winning the awards for “Polish Hit Summer 2009” and “International Hit Summer 2009” during “Sopot Hit Festival 2009” held on 7–8 August 2009 in Sopot.

II. RULES FOR SUBMISSION OF SONGS /musical compositions containing vocal parts/ FOR THE CONTEST

1. Songs of every music type can be submitted to the Contest. Songs shall be recorded on CDs in WAV and MPG formats. Recorded songs shall be submitted to the following address: Telewizja Polska S.A. Redakcja Audycji Rozrywkowych Programu 2, 00-999 Warszawa, ul. J.P. Woronicza 17, blok B pok. 732, with an annotation “Sopot Hit Festival 2009”. The deadline for submissions is 17 June 2009. Sample submission form is attached to these Regulations.
2. The submission referred to in sec. 1 shall be made either by post (postal stamp date shall be decisive), by courier service or personally, and the submission form shall be accompanied with the recording of the song in two copies on CD /“Demo”/ in WAV and MPG formats, as well as lyrics of the song, photo of the performer and his/her biographic note.

3. Songs written and composed by Polish and foreign authors /in Polish or in another language/, performed by Polish and foreign performers can take part in the Contest.
4. The duration of artistic performance of a song submitted for the Contest must not be shorter than 3 minutes and longer than 3 minutes 15 seconds.
5. Songs may be submitted for the Contest by Polish and foreign: music producers, record producers, performing artists, professional music managers and individual music producers.
6. If a song is submitted by a band, the submission form shall be signed by the individual authorized by all musicians – band members, and in case of a person who has no full capacity for legal action – their statutory representative.
7. A number of songs performed by various performers may be the subject of one submission, which shall mean that no more than one song performed by the same performer can be submitted.
8. Submission of a song shall mean that the submitting party guarantees and declares, under the authorization granted / separate contract, that:
 - a) if the Program Board of the Festival qualifies the submitted song for the Contest, its performer indicated in the submission form shall perform the song during the concert on 7 or 8 August 2009 in Opera Leśna Concert Hall in Sopot;
 - b) they authorize the Organizer to use the image and comments made by the performer, in their entirety or selected fragments thereof, to promote the Contest and the Organizer, in all media, inclusive of TV stations, radio stations, the Internet, billboards, and with the use of other available forms and media;
 - c) the performer of a song qualified to the Contest shall take part in all promotional activities related to the Contest, in particular in conferences, interviews, photo sessions, radio and TV programs promoting the Contest and the Festival;
 - d) he holds the copyrights to the submitted song, required for the song to be used in the way specified herein;
 - e) the performer will enter into an agreement with the Organizer for artistic performance of the song in case it is qualified to the Contest and will

grant a license for unlimited time and territory with the right to grant sublicenses, to use and dispose of the artistic performance in respect of its fixing and reproduction with the use of every available carrier, and each technique, including audio, audiovisual, phonographic, introduction of such fixations and reproductions to trade in Poland and abroad, public playing, screening, wire and wireless broadcasting from ground stations, via satellites, making it available via computer and telecommunication networks, in such a manner that anyone could access it at a place and time selected thereby /Internet/, posting at the Organizer's Internet website, re-broadcasting, using in the form telecommunication services /sms, wap, sound and visual transmission/ and within the scope of artistic use of the song and phonogram with its recording to the extent related to the Contest, its transmission as an audiovisual work and publication of the phonogram/videogram entitled "Sopot Hit Festival 2009" and its use as specified above;

f) authorizes the Organizer to use and process the data provided in the submission form to the extent related to the Contest and promotion thereof;

g) no rights and property of third parties is infringed by their actions.

9. In case the declarations or guarantees referred to herein prove untrue, the submitting party shall be fully liable in law towards the Organizer and third parties, inclusive of liability for compensation and infringement of exclusive rights, and undertakes to rectify all resultant damage on their own.

10. Submission of a song shall be equivalent to the fact of the submitting party becoming familiar with the provisions of these regulations, their acceptance and assuming the obligation to abide by them.

11. Submissions of songs for the Contest shall be made by 17 June 2009.

12. The Organizer is not obliged to reimburse the submitting party for any costs incurred in connection with submitting a song for the Contest or to return the materials submitted, including the demo CD.

III. COURSE OF THE CONTEST

1. On 18–19 June 2009, the Program Board of the Festival shall select 12–15 songs for each type of award, depending on the scenario, from among the submitted songs meeting the requirements of these Regulations.
2. The following persons are members of the Program Board of the Festival:
 - Wojciech Pawlak – Chairman;
 - Mariusz Woźniczka – Vice Chairman;
 - Bogusław Potoniec – Member;
 - Karolina Przygoda – Member;
 - Olgierd Wojtkowiak – Member;
 - Edyta Zakrzewska – Member.
3. The Program Board of the Festival selects songs, qualifying them for the Contest, independently and at their own discretion. The Board's decisions shall be final and no appeals can be lodged against them; no reasons are required to justify the Board's decisions.
4. The Program Board of the Festival shall notify the submitting parties about qualifying their songs to the Contest electronically by 22 June 2009. The songs qualified to the Contest shall be officially announced on 29 June 2009 at a press conference.
5. The parties submitting songs that qualified to the Contest shall supply professional audiovisual materials being a musical illustration of the submitted song in the form of HD music video to the offices of TVP S.A. by 26 June 2009 at the latest. The submitting party expresses its consent for processing by the Organizer of the music video, in particular by its fragmentation, combining it with other videos, and to the use of the same in the manner specified in sec. II 8e hereof. The video shall be disseminated in every possible way, in particular in the manner specified in sec. II 8e hereof, starting from 29 June 2009 until the date stipulated in sec. III 9 for the purpose of promoting the Contest and to enable the viewers and listeners to cast their votes in favour of any particular song. Together with the video, the submitting party shall supply complete data about persons authorized in terms of copyrights and related rights to the music video. The submitting party declares that they hold all copyrights and related rights to the music video in respect of its use in the manner specified herein, in the fields stipulated

in sec. II 7e, as well as to use fragments thereof, as selected by Telewizja Polska, and to combine it with other audiovisual works.

6. The party submitting a song that was qualified to the Contest shall supply a sound record of the song in the arrangement to be performed at the Festival to the office of TVP S.A. by 29 July 2009 at the latest.
7. Performers of songs qualified to the Contest shall perform them during concerts and in accordance with the concert scenario. The Organizer is entitled to replace a song qualified for the Contest with another song if, for reasons not attributable to the Organizer, the performer of the song cannot take part in the concert. Decisions in this respect shall be taken independently by the Festival Program Board.
8. Songs qualified by the Program Board shall be presented/performed during concerts ("Polish Hit Summer 2009" on 7 August 2009 and "International Hit Summer 2009" on 8 August 2009) by performers singing with semi-playback or full playback with their own bands. Sampler or pre-recorded drums backing tracks on DAT or CD is permissible after prior technical verification. The Organizer reserves the right to adjust the image of the performer.
9. The winning song in each category of awards shall be selected by viewers and listeners who shall submit votes sending short text messages until 30 June 2009 to the number indicated by the Organizer.
10. The voting for a song in the category of "Polish Hit Summer 2009" shall be closed on 7 August 2009 at the end of the Concert. The voting for a song in the category of "International Hit Summer 2009" shall be closed on 8 August 2009 at the end of the Concert.
11. The awards in each category shall be granted to the song which has scored the greatest number of votes.
12. In case of failure of tele-information systems used for the purpose of the Contests, the winner shall be indicated by the Program Board of the Festival.
13. The results of the Contest shall be announced on 7 August 2009 in case of "Polish Hit of Summer 2009" and on 8 August 2009 in case of "International Hit of Summer 2009".
14. Telewizja Polska and Promotor assume the obligation to cover part of the costs related to the participation of performers in the Festival

to the extent specified in a separate contract. In case of performers participating in the contest "Polish Hit of Summer": the documented costs of transport to the maximum amount of PLN 8,000, accommodation of band members, managers and other accompanying persons up to 12 people in total. In case of performers participating in the contest "International Hit of Summer": the documented costs of transport to the maximum amount of PLN 10,000, accommodation of band members, managers and other accompanying persons up to 6 people in total.

15. The Performers winning the contest for Polish Summer Hit and International Summer Hit shall perform as special guests at the next edition of the Festival.

IV. AWARDS

1. The award for "Polish Hit Summer 2009" is: the statuette, cash award of PLN 40,000 gross and participation of the performer of awarded song in the final concert of the concert tour "Hity na czasie 2009".
2. The award for "International Hit of Summer 2009" is: the statuette, cash award of PLN 40,000 gross and participation of the performer of awarded song in the final concert of the concert tour "Hity na czasie 2009".
3. The cash awards shall be charged with the applicable tax.

V. FINAL PROVISIONS

1. Contest Regulations are available at the registered office of TVP S.A. in Warsaw, ul. J.P. Woronicza 17, and at: www.tvp.pl and www.eska.pl.
2. The Organizer reserves the right to change the Regulations during the Contest and undertakes to publish the changed regulations promptly as specified in point 1. The Organizer reserves the right to cancel the Contest.
3. Disputes relating to of or resulting from the Contest shall be resolved by the Organizer. All decisions made by the Organizer shall be final and binding.
4. The submitting party shall lodge a complaint in respect of the Contest to: TVP S.A., Warszawa 00-999, ul. J.P. Woronicza 17, within 7 days from the end of the Contest at the latest. The Organizer shall consider the complaint within 7 days from its receipt.

5. The submitting party shall be notified in writing of the Organizer's decision relating to the complaint. The Organizer's decision shall be final and shall not be subject to any appeal.
6. The contest is not a game of chance within the meaning of the Act of 29 July 1992 on Games and Mutual Wagering (consolidated text in the Journal of Laws of 2004 no. 4 item 27).
7. The Organizer shall not be liable for any potential inappropriate operation of tele-information systems used to administer the Contest. Such inappropriate operation shall not be the basis for any claims of parties participating in the Contest.
8. The regulations of the Civil Code shall apply to the extent not provided for herein.