



DfT Terms & Conditions

Terms and Conditions for the fashion talent award "Designer for Tomorrow" by Peek & Cloppenburg Düsseldorf and Fashion ID as part of the Mercedes-Benz Fashion Week Berlin in July 2017

1. Organizer of the fashion talent award

The Mercedes-Benz Fashion Week Berlin will be organized in July 2017 by International Management Group GmbH (hereinafter "**IMG**"), Burgstraße 27, D-10178 Berlin. As part of the Mercedes-Benz Fashion Week Berlin in July 2017, Peek & Cloppenburg KG, Düsseldorf (hereinafter "**P&C**") and Fashion ID GmbH & Co. KG (hereinafter "**Fashion ID**"), both Berliner Allee 2, D-40212 Düsseldorf, will organize for the tenth time the fashion talent award "Designer for Tomorrow" (hereinafter "**Designer for Tomorrow**" or also "**DfT**").

In relation to the participants P&C shall be organizer of the DfT, i. e. unless determined otherwise any contractual rights and obligations resulting from the participants participation in DfT shall arise only between P&C on the basis of these Terms and Conditions and the Affidavit. However, P&C shall be entitled to transfer any rights resulting from these Terms and Conditions to any other directly or indirectly affiliated company ("**P&C-Group**"). „Affiliated Companies“ means companies according to para. 15 et seqq. of the German Stock Companies Act (AktG) and such companies, in which P&C or its direct or indirect shareholders (individually or jointly) directly or indirectly hold a stake of at least 25 % of the stated share capital or partnership interest or liability interest.

2. Participation

A participation in the fashion talent award "Designer for Tomorrow" shall take place exclusively on the basis of these Terms and Conditions ("**Terms and Conditions**"). The participation is free of costs and independent of any purchase of goods or the use of paid services. An online registration on the DfT-website (www.designer-for-tomorrow.com) is required to register for the competition. The participation is subject to the application criteria set forth in section 3 below, the submission of the required information and application documents described in section 4 below as well as the acceptance of the Terms and Conditions and the Affidavit during the online registration process.

3. Application criteria

Eligible are fashion designers who provide proof that they

- a) have **graduated in 2015 or 2016 in the field of fashion design**, or
- b) **will graduate in the field of fashion design in 2017 as scheduled**, or
- c) have **completed a training program in the field of fashion design** (fashion seamstress or fashion dressmaker)

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in each case at a university/school **within the European Union, UK or Switzerland.**

Participants need to dispose of sound English language capabilities. Design teams may participate and shall be considered a single candidate.

Exclusion criteria:

- The participants are **not permitted to have sold a private collection** until the date of the final fashion show in Berlin in July 2017. However, the exclusively private distribution of their collection up to the present time, i.e. through studio sales, connected showroom or similar, does not preclude them from participation. Participants are excluded from participating in the competition if it is determined that they manage an own sales agency or external sales channel for fashion and clothing. This is also true if the presented collection items have already been listed in retail outlets.
- Finalists of former "Designer for Tomorrow" award may not participate again.
- Excluded from participation are employees of companies of P&C-Group.

Provisions for the collections:

Only women's wear and man's collections or collections mixed of both shall be taken into account in the competition. The collection to be displayed on the show day at the Mercedes-Benz Fashion Week Berlin in July 2017 **must not have been previously shown in other competitions** and the scope of the collection shall include at least eight complete outfits (article/s of clothing that result in a matching overall picture). This does not apply to collections submitted for the application.

4. Application documents

All applicants **must** submit the following data and documents in English using the online application mask on the DfT website (www.designer-for-tomorrow.de):

- Personal data (first and last name, gender, date of birth, nationality, residence, phone number, e-mail address).
- Education details (university/college/school, etc; country where educational institution is based, degree, (estimated) year of completion plus relevant proof of the education).
- Type of collection (women's, men's or mixture of both).
- At least 5 pictures (max 8 pictures) of looks from their application collection (these may be photographs or drawings in the format DIN A4). Please note that the collection does not need to be the show collection for July 2017. These pictures need to be free of any personal information of the participant such as name, address, phone number etc. as they will be presented to the jury anonymously.
- A Lookbook. Lookbooks can be submitted both electronically and by post, quoting the first name, surname, postal address and university/school/college.

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You can send us your lookbook by post to the following address:

Peek & Cloppenburg KG
Attn. Juliane Fix
Berliner Allee 2
D-40212 Düsseldorf
Germany

Further, participants need to confirm the Terms and Conditions, as well as the Affidavit with a mouse click during the registration process.

Please note that under no circumstances may collection items, clothes, lookbooks or similar be sent in their original form because the return of these items is not possible.

5. Order of events

April 15th 2017,

Application deadline (postmark and date of submission of the online application)

End of April 2017

Announcement of the Top 10

Mid May 2017

Announcement of the Top 5

The Patron and a top-class Jury Board nominate the Top 5 on the basis of the application collection. The decision is final and incontestable. Subsequently, these five finalists are invited to finish their show collection, consisting of eight outfits. This can be also the application collection, unless it has already been shown on other competitions.

For the first selection procedure, the collection designs of the designers are made anonymous; i.e., designs which are presented to the Patron and the Jury Board contain no references to the name or gender of the designer and no further information, such as college and origin.

End May 2017

Preparation Day with the Top 5

Where the collection will be finalized.

Early July 2017

Fitting

The final looks will be agreed between the participant and P&C and the running order determined by P&C.

July 2017

"Designer for Tomorrow" award and winner show

As part of the Mercedes-Benz Fashion Week Berlin, the grand final fashion show will take place, where the Top 5 will present their collections to the public

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for the first time. Directly afterwards, the Patron will choose together with the Jury Board the "**Designer for Tomorrow**" 2017. The decision shall be final and incontestable.

6. Presence and Costs

The Preparation Day, the Fitting and the final fashion show in July 2017 in Berlin including the related dress rehearsals, are binding for all finalists. From April, 15th, 2017, participation may no longer be withdrawn. In addition, each participant agrees in advance to be available for the fashion show in July 2017, so that in case of winning the "Designer for Tomorrow" award, he/she can prepare for the show in July 2017. P&C and Fashion ID reserve the right to assert claims for damages if the event cannot take place as planned due to the unavailability of a participant or collection.

P&C shall pay for arrival and departure to the final fashion show in July 2017 and to all mandatory events in Berlin. Accommodation costs shall be covered only if the participant arrives from outside of Berlin. This also applies to the costs of arrival and departure of the winner to his/her own fashion show in July 2018, and to all the mandatory events, where accommodation costs shall also only be covered in the event of separate arrival from outside of Berlin.

P&C further bears the costs of the final fashion show at the Mercedes-Benz Fashion Week Berlin in July 2017 with all the related components, such as media relations, styling, location, music, technology, models, guest management, etc.

Any additional costs shall not be refunded.

7. Prize

The winner of the fashion talent award "Designer for Tomorrow" ("Winner") shall receive his/her own fashion show at Mercedes-Benz Fashion Week Berlin in July 2018 (if P&C/Fashion ID are still acting as a sponsor of Mercedes-Benz Fashion Week Berlin at that time and if Mercedes-Benz Fashion Week still takes place at that time and otherwise receives an equivalent show event, as well as professional support in creating his/her own show collection. In this connection, P&C shall finance the entire fashion show (slot, technology, production, models, styling, guest management, after-show reception, etc.) as well as the creation of the collection.

P&C also offers the designer the chance to take part in a sustainable and individual sponsorship program, in which the designer may – subject to agreement with P&C - put together his/her own program from certain sponsorship modules. This can be, for example, an inspirational tour, the provision of an own studio, acquisition of sponsors, talks with mentors, etc. The whole program is supported by professional PR and online reporting via the online channels of the DfT-Awards (website/blog, Facebook, YouTube), of P&C. As part of this collaboration, the Winner agrees to design exclusively for P&C and according to any specifications of P&C a capsule collection, completely or partially, possibly in cooperation with a member of the Jury Board or the Patron, which can be produced and distributed (in the P&C sales outlets worldwide and/or online) in mutual agreement (prices, materials, etc.). The Winner however shall not be entitled to claim that his/her collection items are sold by P&C or any other entity of P&C-Group.

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In the event of the commercial use of the collection items, the Winner shall receive a revenue share of 10% of the net margin achieved for a maximum period of 7 months from launch of sales of the special collections items. In case the commercial use is made by other entities of P&C-Group, P&C shall oblige this other entity to pay to the Winner the respective revenue share as well. P&C is entitled to use unlimitedly and free of costs the designs of the collection items created for P&C and to transfer this right to other entities of P&C-Group.

The Winner undertakes, for a period of 12 months after the show in July 2017 to obtain prior approval by P&C before pursuing for third parties activities standing in close and concrete relation to his/her participation as a fashion designer in the "Designer for Tomorrow" award as well as the collection design; apart from that, the participant is not limited with regard to other activities foreign to design. P&C shall be granted the exclusive, unilateral right during the period mentioned to work with the winner of the "Designer for Tomorrow" award against payment of a reasonable fee. The parties shall mutually agree in due course on the details of such collaboration. If P&C does not make use before August 31, 2017, of the right it has been granted to collaborate with the Winner, the Winner shall not be restricted in his/her activities with third parties as a fashion designer. P&C has already made use of this right if it enters into negotiations with the Winner about the setup of the cooperation.

The exact conditions shall be agreed after the award show in July 2017.

Any claims for compensation of the expenses incurred as well as damage claims in the event that P&C and/ or Fashion ID should no longer act as a sponsor of Mercedes-Benz Fashion Week Berlin in July 2018 are excluded. A right of the Winner to a general or specific form of collaboration or to certain promotional measures is not justified hereby.

8. Changes to the Competition

P&C reserves the right to interrupt or terminate the competition at any time, without prior notice and without giving reasons. P&C shall make use of this right especially if the further implementation of the award cannot be guaranteed for technical or legal reasons. In this case, any claims for compensation for the expenses incurred as well as claims for damages are excluded.

P&C reserves the right to make changes in the sequence, program and event dates of the award.

9. Use of participants' data, data protection

The participant consents to have his/her name published, by P&C, Fashion ID as well as by the organizer of Mercedes-Benz Fashion Week Berlin 2017/2018, IMG and their respective legal successors. To handle the award, the personal data of the participant will be processed and stored electronically. The data collected as part of the award shall be used exclusively for the award "Designer for Tomorrow". All data recorded in connection with the award may be collected and stored only by P&C/Fashion ID, whereas the transfer to third parties only for the purpose of commissioned data processing shall be admissible. The participant may at any time, within the scope of statutory

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provisions, request information about the personal data stored by P&C and Fashion ID. The participant is entitled to withdraw at any time, with effect for the future, his/her consent to the storage and processing of his/her personal data, which will lead to exclusion from participation in the award. In case of any questions or requests concerning data protection, the participants should apply in writing or via e-mail to the Data Protection Officer of P&C:

Peek & Cloppenburg KG, Data Protection Officer, Berliner Allee 2, D-40212 Düsseldorf, e-mail: datenschutz@peek-cloppenburg.de

10. Transfer of rights to image and/or video usage as well as their citation

By participating in the award "Designer for Tomorrow" the participant grants P&C and Fashion ID as well as the organizer of the Mercedes-Benz Fashion Week Berlin 2017, IMG GmbH / International Management Group GmbH, both independently, and to their legal successors, use of the name and pictures and videos of his/her person made in connection with the award (in particular, but not limited to, picture and video material related to the fitting and shootings, the preparation day, the award show and all other events associated with the award) and to citations of the same. This includes the right to use the name and the above mentioned images and videos of the participant for all activities connected to the award, in particular the related reports, documentaries, public relations and advertising in any form whatsoever. The above right of use shall be unrestricted with regard to time and location. They include the right to archive and edit any such pictures and videos. P&C and Fashion ID are entitled to grant their partners and sponsors the use of the aforementioned picture and video material for PR purposes in connection with the award "Designer for Tomorrow".

The participants of the award show grant P&C and Fashion ID the exclusive right to use the submitted collection designs and images of the application documents (lookbook and dissertations) for commercial and non-commercial purposes and to transfer this right to third parties. In the case of commercial use, the participant receives a 10% share of P&C and Fashion ID's net profit, but is not entitled to any possible third-party profit. Profit sharing does not apply to a use for the purpose of reports about DfT, i.e., in case of a backstage book.

P&C, Fashion ID and the organizer of Mercedes-Benz Fashion Week Berlin 2017/2018, IMG GmbH / International Management Group GmbH and their legal successors are entitled, but not obligated, to publication as well as cooperation with the participants.

P&C is entitled to transfer the rights conferred on it by the participant to the companies of P&C Group.

11. Own public relations / marketing activities

The participant agrees to submit to P&C for prior written approval own activities related to the award "Designer for Tomorrow", especially related reporting, documentation, public relations and advertising, also after completion of the competition, and to disseminate them only after approval has been granted.

In all activities connected with the award "Designer for Tomorrow", the participant undertakes to use the following names as listed below:

- Mercedes-Benz Fashion Week Berlin
- Peek & Cloppenburg KG, Düsseldorf

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- Fashion ID GmbH & Co. KG
- Fashion talent award "Designer for Tomorrow" by Peek & Cloppenburg, Düsseldorf and Fashion ID

The designer agrees that all marketing activities and promotional activities that are associated with the fashion talent award and/or P&C or Fashion ID need P&C's prior written consent, even after conclusion of the competition. This includes, but is not limited to, the use of the logos of DfT, P&C or Fashion ID and any textual reference or use of "Designer for Tomorrow" and/or "Peek & Cloppenburg" or "Fashion ID" for commercial and non-commercial purposes.

12. Liability

P&C, Fashion ID and the organizer of the Mercedes-Benz Fashion Week Berlin 2017, International Management Group GmbH and their respective legal successors shall not accept liability for the submitted drawings and collections. Submissions that violate the law, in particular breaches of criminal law, copyright, trademark and other proprietary rights, privacy rights or other rights of third parties, may not be displayed.

The participant thus confirms that (i) he/she has all the rights to the submitted collection within the application process, the show collection and the corresponding drawings, sketches and drafts, (ii) such materials are not restricted and that (iii) the collections (application and show collection) and the corresponding drawings, sketches and drafts are free of rights of third parties. In this respect, the participants shall hold the P&C, Fashion ID and IMG harmless of any third party claims. **In addition, the participant assures that the presented collection has not been shown in any other competition.** The participant confirms this additionally in accepting an affidavit within the application process.

13. Contact person

Contact person for the designer in all questions regarding this agreement and in particular with regard to approvals is:

Peek & Cloppenburg KG, Düsseldorf
Juliane Fix
Tel.: +49 211 3662 5920
juliane.fix@peek-cloppenburg.de

14. Others

The event and all of its related agreements are subject exclusively to the law of the Federal Republic of Germany. Exclusive place of jurisdiction shall be Düsseldorf, Germany.

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