

## **"LASIK SURGERY" PROMOTION TERMS AND CONDITIONS**

### **ELIGIBILITY**

NO PURCHASE NECESSARY TO ENTER OR WIN. This promotion (the "Promotion") is open to anyone who is at least 18 years old and a legal resident of the U.S. residing in Washington, Oregon, or Idaho who is medically qualified for LASIK surgery. Persons entering the Promotion must receive a full free pre-operative exam to determine candidacy for the Laser Vision Correction procedure prior to entry. Only qualified candidates for Laser Vision Correction procedure will be eligible for promotion as determined by a Clearly Lasik, Inc. licensed physician. Eligibility for promotion will be valid only during the promotional period for which the pre-operative exam is completed. Employees, officers and directors of Clearly Lasik, Inc., and its affiliates, subsidiaries, prize suppliers, advertising and promotion agencies, and the immediate family members (defined as current spouse as well as siblings, children and parents and their respective spouses; regardless of where they live) or members of the same households (whether related or not) of such employees/officers/directors are not eligible. VOID WHERE PROHIBITED BY LAW.

### **TO ENTER**

Limit one entry per person. You may enter yourself online by visiting [www.clearlylasik.com](http://www.clearlylasik.com) or [www.1033kissfm.com](http://www.1033kissfm.com) or by calling 1-877-551-2020. To enter online, simply complete the registration form at [www.clearlylasik.com](http://www.clearlylasik.com). Links to registration can also be found on participating radio station web sites in Vancouver, Boise, and Medford.

One prize per location will be awarded by the Medford, Boise, and Vancouver Clearly Lasik, Inc. centers at the conclusion of the promotion. A winner will be drawn at random from the eligible entries on the last day of each contest period (the "Drawing Date"). Odds of winning depend on the number of eligible entries received. The potential winner will be notified once each by phone, mail, and e-mail within five (5) days after the Drawing Date. If a potential winner is unreachable via phone, mail, or e-mail or fails to respond within thirty (30) days after the notification is sent, Clearly Lasik, Inc. will select an alternate winner from among the eligible entries for that contest period. Winner will receive a certificate with an expiration date of sixty (60) days following notification date deadline unless otherwise authorized by Clearly Lasik, Inc. If winner fails for any reason to schedule procedure prior to expiration date, certificate will be void and prize will be forfeited.

The winner grants Clearly Lasik, Inc. the right to use and publish their proper name, state of residence, and likeness, online and in print, or in any other media, in connection with the Promotion. Winner will provide Clearly Lasik, Inc. with an approved photograph and testimonial to be used in advertising campaigns for an indefinite time period. Acceptance of a prize constitutes permission for Clearly Lasik, Inc. and its advertising and promotional agencies to use winner's name, testimonial, and likenesses for advertising and promotional purposes without additional compensation, unless prohibited by law. Prize winners must sign and return an affidavit of eligibility, a liability release, and, where lawful, publicity release within ten (10) days of the date on documents.

### **PRIZES**

The following prize(s) will be awarded in this Promotion per contest period:

One (1) coupon for procedure for \$699 for bilateral or monocular laser eye surgery per participating Clearly Lasik, Inc. center on eligible technology at time of service to treat nearsighted, farsighted, and or astigmatism within FDA approved ranges. Free procedure is traditional LASIK, PRK or IntraLase, including up to one (1) year for enhancements on eligibility as determined by a Clearly Lasik, Inc. licensed physician. The lifetime care option upgrade is available for purchase at time of treatment. LASIK surgery procedure must be

performed by the Clearly Lasik, Inc. center that performed the original qualifying exam unless otherwise approved by Clearly Lasik, Inc. Best treatment options will be determined by a Clearly Lasik, Inc. staff physician. Value of prize approximately \$800-\$3200 depending on particular procedure required.

Our Lasers options are VISx, Customvue, Bausch & Lomb, Zyoptics, LASIK or PRK, or IntraLase. For Nearsighted Farsighted & Astigmatism as approved to treat by the FDA. LASIK surgery prize cannot be transferred, sold, or auctioned, except original entrant may transfer his or her entry to his or her "sweetheart" provided the sweetheart meets all eligibility requirements and pre-qualifies for the promotion. No cash value. Substitution or cash redemption of prize is not permitted, except by Clearly Lasik, Inc., who reserves the right, at its sole option, to substitute a prize of equal or greater value if a prize cannot be awarded for any reason. Prize cannot be combined with any other offer. All taxes, fees and surcharges on prizes are the sole responsibility of winner.

### **CONDITIONS**

The Promotion is governed by these Terms and Conditions. By participating, entrants agree to these Terms and Conditions, and understand that the Promotion's results are final in all respects. All decisions regarding the Promotion, including, but not limited to, selecting a potential winner and awarding a prize, will be made by Clearly Lasik, Inc., whose decisions will be final.

The Promotion, and all promotions relating thereto, are subject to all federal, state, and local laws and regulations. The Promotion, and any promotions relating thereto, including the interpretation of these Terms and Conditions, shall be governed by the laws of the State of Washington. Venue for any action arising from this Promotion shall be in King County, Washington.

We are committed to protecting your privacy online. We do not collect any personal information about you unless you voluntarily submit such information to us. We may request contact information (such as your e-mail address) when you contact us with questions or register for a free pre-LASIK exam. This information may be used to send you information about news, upcoming events or our latest products. We will not sell, rent, trade or otherwise disclose your personal information to third parties unaffiliated with our business operations unless we have your express consent. If you do not want us to collect any personal information from you, please do not submit such information to us.

### **LIMITATIONS OF LIABILITY**

Clearly Lasik, Inc. is not responsible for any incorrect or inaccurate information or entry of information, whether caused by Website users or by any of the equipment or programming associated with or utilized in the Promotion or by any technical or human error which may occur in the processing of entries in the Promotion. Clearly Lasik, Inc. assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction or authorized access to, or alteration of, entries.

### **INDEMNIFICATION AND RELEASE**

By participating in the Promotion, each entrant agrees to release and hold Clearly Lasik, Inc. and its, affiliates, subsidiaries, employees, officers, directors, agents, and representatives harmless from any and all losses, damages, rights, claims, and actions of any kind including, without limitation, personal injuries, death, and property damage, and claims based on publicity rights, defamation, or invasion of privacy, either directly or indirectly related to or arising from the Promotion or from acceptance, possession, misuse, or use of any prize. Each entrant further acknowledges that such parties have neither made nor are in any

manner responsible or liable for any warranty, representation or guarantee expressed or implied, in fact or in law, relative to the Promotion or any prize, including but not limited to its quality or fitness for a particular purpose.

**WINNER'S LIST**

The Official Winner will be posted [www.clearlylasik.com](http://www.clearlylasik.com).

**SPONSOR**

Clearly Lasik, Inc., 900 SW 16th, Suite 200, Renton, WA 98055, 1-877-551-2020,  
[www.clearlylasik.com](http://www.clearlylasik.com).