

## WHATNOT TOPPING THE CHART

### OFFICIAL RULES

Sponsored by Whatnot Inc. ("**Sponsor**" or "**Whatnot**").

**NO PURCHASE NECESSARY TO ENTER OR WIN. VOID WHERE PROHIBITED. BY ENTERING OR PARTICIPATING IN THE SWEEPSTAKES, YOU AGREE TO THESE "OFFICIAL RULES," WHICH ARE A CONTRACT, SO READ THEM CAREFULLY BEFORE PARTICIPATING. THE SWEEPSTAKES IS IN NO WAY SPONSORED, ENDORSED OR ADMINISTERED BY, OR ASSOCIATED WITH INSTAGRAM, INC.**

Whatnot Topping the Charts (the "**Sweepstakes**") begins on January 7, 2025, at 2:30:00 pm Pacific Time and ends on January 14, 2025, at 2:29:59 pm Pacific Time (the "**Sweepstakes Period**"). Sponsor's clock will be the official timekeeper for the Sweepstakes.

1. HOW TO ENTER: You may enter the Sweepstakes in one of the following two ways:

- a. Enter by referring a friend: Existing Whatnot users who refer Eligible New Members (defined below) are eligible to enter if the Eligible New Member clicks on their referral link and creates a valid Whatnot account that complies with our Terms of Service. An "Eligible New Member" is a new user who has never created a Whatnot account and creates a new Whatnot account using a referral link provided by an existing Whatnot user.
- b. Enter by creating an account and commenting below: Current users and new users of Whatnot Inc.'s free mobile application (the "**Whatnot App**") may enter by completing the following steps: (i) if you are a new user of the Whatnot App and do not already have the Whatnot App installed, you will need to download and install the Whatnot App available at <https://www.whatnot.com/> and create a Whatnot account to participate via this method of entry; and (ii) comment on the Instagram post announcing the Sweepstakes with #WhatnotSweepstakes.

You may enter only once. Use of any robotic, automatic, programmed, or similar entry method or entering more than the number of times permitted will void all entries and result in disqualification. You may not enter more times than indicated by using multiple email addresses, identities, or devices in an attempt to circumvent the rules. Referral links should not be published or distributed on coupon websites. Members are prohibited from "spamming" anyone with referral invitations. This includes mass emailing, messaging people you do not know, and using automated systems or bots through any channel to distribute your referral link; you must obtain and are solely responsible for obtaining the consent of the person you are referring before you send them referral links or related communications. A referred friend may only use one referral link. If a referred friend receives referral links from multiple people, only the referrer associated with the link used to create the referred friend's account will receive an entry.

2. ELIGIBILITY: Employees of Whatnot and its affiliates, subsidiaries, and agencies (collectively "**Promotion Parties**"), and members of their immediate family or persons living in the same household. Void where prohibited.

3. DRAWING: A random drawing will be conducted on or about January 14, 2025, by Whatnot to select the winner from among all eligible entries received. The odds of winning depend on the number of entries received. Potential winners will be notified by email or Whatnot in-app direct message and must sign and return any required documentation within five days of the date notice is sent or such other date set by the Sponsor. Failure to respond within the applicable time period will result in forfeiture of the prize, and the Sponsor shall have the option to award the prize to an alternate winner. The return of any prize notification or prize as undeliverable may result in disqualification and an alternate winner may be selected. All income taxes resulting from the acceptance of prizes are the responsibility of the winners. By entering this sweepstakes, the entrant accepts and agrees to these Official Rules and the decisions of the Sponsor, which shall be final in all matters. Acceptance of a prize also constitutes permission to the Promotion Parties to use the winner's name, likeness, and biographical information for marketing purposes without further compensation or right of approval, unless prohibited by law. All federal and state laws apply. ALL POTENTIAL WINNERS ARE SUBJECT TO VERIFICATION BY THE SPONSOR, WHOSE DECISIONS ARE FINAL AND BINDING IN ALL MATTERS RELATED TO THE SWEEPSTAKES. AN ENTRANT IS NOT A WINNER OF ANY PRIZE UNLESS AND UNTIL THE ENTRANT'S ELIGIBILITY HAS BEEN VERIFIED AND THE ENTRANT HAS BEEN NOTIFIED THAT VERIFICATION IS COMPLETE.

4. **LIMITATION OF LIABILITY:** By entering this sweepstakes, entrants waive all right to, and hold the Promotion Parties harmless from, any claim, liability, loss, damage (including punitive, incidental, and consequential damages), or expense (including attorneys' fees) arising out of or in connection with participation in this sweepstakes or the acceptance, use, or misuse of any prize. **SOME JURISDICTIONS DO NOT ALLOW THE LIMITATIONS OR EXCLUSION OF LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO THE ABOVE MAY NOT APPLY TO YOU.** Promotion Parties will not be responsible for: late, incomplete, or incorrect entries; an entrant's failure to receive prize notices due to the entrant's spam, junk e-mail, or other security settings or for entrants' provision of incorrect or otherwise non-functioning contact information; technical, hardware, or software malfunctions, lost or unavailable network connections, or failed, incorrect, inaccurate, incomplete, garbled, or delayed electronic communications whether caused by the sender or by any of the equipment or programming associated with or used in this sweepstakes; by any human error which may occur in the processing of the entries in this sweepstakes; or any typographical, technological, or other error in the publishing of the offer, administration of the sweepstakes, or announcement of the prize[s]. If, in Whatnot's opinion, there is such an error, or there is any suspected evidence of tampering with any portion of the sweepstakes, or if technical difficulties (including viruses and bugs) compromise the integrity of the sweepstakes, Sponsor reserves the right, in its sole discretion, to cancel or modify this sweepstakes in a manner deemed appropriate by the Sponsor. In the event of termination, winners will be selected from among all eligible entries received as of the date of termination. In the event a dispute arises as to the identity of a potentially winning entrant, entries will be declared made by the name on the online entry form.

5. **PRIZE:** There will be five (5) prizes awarded. Each prize consists of a five hundred U.S. dollar (\$500 USD) credit to use on the Whatnot App. The Approximate Retail Value ("**ARV**") of each prize is \$500 USD. The total ARV of all prizes to be awarded is \$2,500.00 USD. Limit one prize per family or household. No substitution or transfer of prize is permitted by the winner. Sponsor reserves the right to substitute a prize of equal or greater value. All prizes will be awarded. If a potential winner is disqualified for any reason, the Sponsor will award the applicable prize to an alternate winner by random drawing from among all remaining eligible entries. Only three (3) alternate drawings will be held, after which the prize will remain un-awarded.

6. **CHOICE OF LAW AND FORUM:** Entrant agrees that all matters arising out of or relating to this sweepstakes and these Official Rules are governed by, and construed in accordance with, the laws of California, without giving effect to any of its conflict of laws provisions thereof. Entrant further agrees that any legal suit, action, or proceeding arising out of or relating to this sweepstakes and these Official Rules shall be brought exclusively in the applicable federal or state courts located in San Francisco, California.

7. **PRIVACY:** Information submitted with an entry is subject to the Sponsor's Privacy Policy, which can be found at <https://www.whatnot.com/privacy>.

8. **WINNERS LIST:** For the name of the prize winner, available after January 14, 2025, send a self-addressed, stamped #10 envelope to: 2261 Market Street STE 10754, San Francisco, CA 94114.

9. **SPONSOR:** WHATNOT INC., 2261 MARKET STREET STE 10754, SAN FRANCISCO, CA 94114.