

Conditions of Entry – Oktoberfest Motif Competition 2023

The City of Munich has held an annual competition for the design of the Oktoberfest motif since 1972 and hereby invites you to enter this open contest.

The object of the competition is to design an Oktoberfest motif for the year 2023 to be used on merchandising as well as on licensed products such as the official Oktoberfest poster, the official Oktoberfest beer mug and other official *Oktoberfest München* articles offered by the City of Munich.

1. Background

The Oktoberfest is the biggest traditional fair in the world – a unique synthesis of the arts and an integral part of the Munich spirit. More than anywhere else, it is here that local customs and the Bavarian way of life are traditionally injected with a new vibrancy. The Oktoberfest stands for the sense of identity and the hospitality that is so typical of the people of Munich: it is a traditional fair for everyone that promises a wide range of high quality pleasures appealing to all the senses. The essence of the Oktoberfest brand can be described as an interpersonal encounter, shared experience and a zest for life.

What is special about the Oktoberfest is that, while it is a traditional regional fair, it is also regarded as a major international event and visited by millions of guests from both Germany and abroad. The Oktoberfest today is defined by its characteristic blend of state-of-the-art, high-tech rides and nostalgic, traditional attractions.

The Oktoberfest is a City of Munich event that is subject to legal protection. Event management and communication are the responsibility of the Tourism, Events and Hospitality Division of the Department of Labour and Economic Development.

For information about the Oktoberfest, see the official website at www.oktoberfest.de

2. Execution, design and evaluation criteria:

2.1. Your competition entry will only be considered if you send in digitally created designs as PDF/X files which comply with the following parameters:

- PDF/X-1a or PDF/X-3 or PDF/X-4. No other formats or standards are accepted. The standard PDF/X specifications for boxes, embedding, comments, transfer curves, raster settings, trapping, separation, compression, encryption, identification etc. are mandatory.
- A1 portrait format
The document size A1 (594 mm width x 841 mm height) must be adhered to precisely and the bleed must also be applied correctly.
- At least 3 mm must be added as bleed.
- Spot colours or special colours such as HKS or Pantone are not permitted.
- Emoji fonts are not allowed either.
- The maximum file size is 100 MB per design.
(We nevertheless recommend a minimum resolution of 200 dpi for images).
- All colours contained in the design must be suitable for four-colour offset printing on coated papers (recommendation: ISO Coated V2) and also take effect on small merchandising items with varying surfaces.

2.2. In addition to the PDF/X file, an RGB preview image of the design is required as a jpg file for display on the web. An image size of 1,000 x 1,414 pixels and a maximum file size of 2 MB must be adhered to. The preview image is required so that the design can be displayed for the online vote. Crop marks and registration marks must be removed (net format).

2.3. All creative techniques are permitted.

2.4. You may only submit one design.

2.5. If your design is among the prize winners and is approved for implementation, you must provide a printable file (high-resolution fine data, CMYK) to the Department of Labour and Economic Development for reproduction free of charge.

2.6. The motif should boldly and radiantly express the original flair of the Oktoberfest, in particular the aspects of vitality, vibrancy, humour and endearing wit. Depiction of the Oktoberfest solely as a beer festival or a party event does not meet the criteria. Discriminatory representations are inadmissible.

2.7. Prescribed design elements for the motif

2.7.1. Wordmark “Oktoberfest München + date”

The wordmark “Oktoberfest München + date” is a fundamental component of the Oktoberfest motif and must appear in large and high-contrast lettering for easy legibility.

There are three versions of the wordmark “Oktoberfest München + date” available to you. These must be included in the design. If necessary, the entrant can change the colour of the wordmark “Oktoberfest München + date”.



These templates (created 1:1 in A1) may not be changed in any way (shape, font, inclination, etc.) and must be integrated in the motif in 100% size. The placement of the wordmark on the motif is not fixed but it should be prominent.

The PDF file with the three versions of the wordmark “Oktoberfest München + date” can be downloaded www.muenchen.de/wortmarke-motivwettbewerb.

2.7.2. Official Oktoberfest logo



The City of Munich, Department of Labour and Economic Development reserves the right to add the official Oktoberfest logo (see illustration on the left) to the design. For this reason, please allow for at least one area in your motif design with a maximum diameter of 8 cm on A1 paper, in which the official Oktoberfest logo could be placed. By entering the competition, you already agree to the publication and utilisation of the design adapted in this way.

2.8. The design may not contain any other content by third parties (e.g. stock images/stock art) or written supplements such as “Prosit” or “Ozapft is”.

Since you are transferring comprehensive rights to the use of your motif design to the City of Munich, the design must be created independently by you and be the result of your own graphic work. A design signature (unlike in the case of a work of art) is not provided for and will result in disqualification.

By submitting your design you undertake to comprehensively clarify all copyrights and rights of use

– in particular also in the event of the use of free sources of inspiration or material from the internet. Any infringement of copyright or third party rights of use will result in disqualification. In the event of claims to damages by third parties arising from the use of your motif, the City of Munich will take legal steps to seek compensation from you for any damages incurred.

3. Deadline, contact and privacy policy

3.1. In order to enter the competition you must register using the online form (see section 4.3.) at muenchen.de. Registration will be open from Nov 28, 2022 and must be completed in full by midnight on Dec. 21, 2022.

3.2. For the purpose of submission to the City of Munich, competition entries, including entrant information (see section 3.3.), are to be uploaded in full and in accordance with the criteria listed in section 2 using an online form. Provision of a valid e-mail address is a condition for entering the competition. You confirm your e-mail address during registration by means of an e-mail containing an activation link. Competition entries can be uploaded from Nov 28, 2022 and the upload must be completed in full by 6.00 am on Dec. 22, 2022.

Contact for enquiries: City of Munich, Department of Labour and Economic Development
E-mail: oktoberfest-plakatwettbewerb@muenchen.de

3.3. When submitting your design, please provide the following personal details as part of the registration process:

- Name
- Date of birth
- Address
- Contact (telephone number, e-mail address)
- Website
- Short CV (PDF) and one or two sentences giving your reasons for entering the competition

3.4. Privacy policy

The data controller responsible for data processing is the City of Munich, Department of Labour and Economic Development, Herzog-Wilhelm-Straße 15, 80331 Munich, (oktoberfest-plakatwettbewerb@muenchen.de)

We need the data you provide when registering online to run the Oktoberfest Motif Competition 2023. We store this data until the competition has been completed and the entries evaluated.

The data is passed on to national, international and online media for reporting on the competition in case of successful entry (1st – 3rd place). The names of the winners (1st – 3rd place) will also be published online on the official digital Oktoberfest channels, in particular at www.oktoberfest.de and at www.facebook.com/oktoberfest.

You can revoke the declaration of consent you made when providing your data at any time with effect for the future at oktoberfest-plakatwettbewerb@muenchen.de. If you do so, it is not possible for you to enter the competition.

These are your rights in relation to data processing: right to information, correction, erasure, restriction and objection to the processing of stored data, right to data portability and right to lodge a complaint with the supervisory authority.

Designs which do not win first to third place and the data of the relevant entrants will be erased by the City of Munich in August 2023.

The Data Protection Officer of the City of Munich can be contacted at: City of Munich, Data Protection Officer, Marienplatz 8, 80331 Munich, e-mail: datenschutz@muenchen.de

4. Identification

4.1 Once the competition entry has been completed and the necessary documents have been uploaded, the submitted entries are linked to the entrant or entrant team in the database by means of a unique ID. In addition to the plain text information, the documents are managed anonymously in the system.

4.2. Teamwork

If the design is created by two or more persons (= a team), only one online entry per design is permitted and team entries must be identified accordingly. In this case, a team name must be entered in the form for registration purposes. Furthermore, the first and last names of the team members must be entered in the relevant field along with a telephone number for each person. The short CV must be uploaded in PDF format for each additional team member: the relevant fields are provided for this purpose in the upload form.

The first team member whose details are entered in full in the entry form will act as the contact person in case of any queries.

5. Evaluation

5.1. Review of the submissions

Before the online vote takes place, a team from the Department of Labour and Economic Development will check the submitted competition entries for compliance with the requirements set out in section 2 as well as verifying the following aspects:

- **Graphic quality:** The designs are checked for compliance with the graphic parameters set out under sections 2.1. to 2.8.
- **Content review:** The designs are checked for compliance with the communication requirements. In particular, the elements of the Oktoberfest attractions and gastronomy are to be presented in a balanced way. Designs must adhere to the aim of presenting the Oktoberfest visually as a funfair for everyone and not as a party event. Discriminatory representations will be rejected.
- **Suitability for licensed articles:** The designs are checked for their suitability for practical application, especially as motifs for use on licensed articles such as T-shirts, mugs, pins and similar souvenirs. The motif must still be clearly visible even when extremely reduced in size (pins, approx. 2 x 3 cm). In addition, the graphic must be suitable for a wide range of production techniques on a wide variety of materials.

If one or more criteria are not met, the design in question will not appear in the online vote. The City of Munich reserves the right of final decision.

5.2. Online vote at muenchen.de/wiesnplakat

5.2.1. In the end of January 2023, it will be possible to vote on the designs selected according to section 5.1, based on appropriate authentication via email. Those participating in the online vote are allowed to cast as many votes as they like, but only one vote may be cast per design. A random generator is used to display the motifs for the online vote.

5.2.2. Wildcard rule

The City of Munich may nominate a maximum of five designs that did not advance to the final

selection if they offer a particularly distinctive quality or idea from the organiser's point of view that appears suitable for optimum visual communication.

5.3. Final selection

The best 30 designs [plus up to five designs as defined in section 5.2.2] based on the votes cast in the online vote will be evaluated by a jury appointed by the Economic Committee of the City of Munich, probably at the end of January/beginning of February 2023. The evaluation will be carried out in particular based on the criteria set out in sections 1, 2 and 5 of this call for entries. The Department of Labour and Economic Development ensures the proper composition and quorum of the jury.

There is no right of appeal against the decision of the jury.

5.4. Exclusion criteria

- a) Designs that do not comply with the criteria or are of a discriminatory nature are excluded from winning an award.
- b) Designs that have already won prizes in previous competitions are also excluded.
- c) Designs that contain copyright-protected elements belonging to third parties and whose use has not been expressly transferred to you and subsequently to the City of Munich in writing by the copyright holders prior to submission of the motif design will be eliminated from the competition. The same applies to designs whose contractual use by the City of Munich infringes other third-party rights.
- d) You will be excluded from the competition if you or a third party communicate your entry in the competition in publicly accessible media during the entire period between the start of submission and the announcement of the jury's decision. This applies to all communication, even if the design you submit is not pictorially linked to your name.
- e) You are excluded from entering in the motif competition if you are economically or otherwise dependent on one of the jury members, their business or employers or their representatives. If you inadvertently enter the competition despite the existence of such a dependency, you are obliged to report this immediately. For a current list of jury members, see www.muenchen.de/oktoberfest-motivjury

Insofar as exclusion criteria not involving your personal status apply, are unclear or only apply to a minor extent, the design can still be corrected to a limited extent.

6. Prices and fees

6.1. Prize money

The Department of Labour and Economic Development offers three prizes: 1st prize EUR 2,500, 2nd prize EUR 1,250, 3rd prize EUR 500. Teams can only receive one prize money payment.

6.2. Usage fee (licence fee)

In addition to the prize money, the creator of the design that is used as the official Oktoberfest motif (usually the first-placed design) is paid a fee of EUR 5,000 for the transfer of the types of use listed in section 7.

The statutory value-added tax is paid additionally for both the prize money and the usage fee.

The total amount of the prize money is paid out in any event.

The Department of Labour and Economic Development does not assume any obligation to use any of the submitted designs, however, in which case the usage fee is waived.

7. Use of the designs

7.1. In the event that your motif makes it to the public vote, by submitting your entry, you grant the City of Munich, represented by the Department of Labour and Economic Development, the right in advance to publish, disseminate and make the design publicly accessible for public relations purposes (in particular also via social media) as well as the right to make it available to the media and press for further use, and the right of dissemination or publication in the context of press and public relations work, in particular in digital form. Your name will not be published.

7.2 The designs of the first, second and third winning motifs will be provided to the poster collection of Münchner Stadtmuseum (museum) in the form of high-resolution graphic files. The designs of the winning motifs will also be used by the City of Munich as part of its public relations work (publication of the winning designs, in particular on the internet or via social media, also stating the name of the originator). The originals of the winning motifs may be used for exhibition purposes, also by third parties. By submitting your competition entry, you grant the necessary rights to the City of Munich. The granting of rights is covered by the prize money.

7.3. In the event that your work is used as the official Oktoberfest motif, by submitting your entry, you grant in advance to the City of Munich, represented by the Department of Labour and Economic Development, all currently known rights of use to the submitted competition entry for all currently known types of use.

7.3.1. The rights of use are transferred exclusively and without restriction in terms of space, time and content, as well as being transferable (Section 34 Act on Copyright and Related Rights – UrhG) and sub-licensable (Section 35 UrhG). Section 37 UrhG is waived. The entrant also grants the City of Munich the rights of use and exploitation for all previously unknown types of use. In this respect, the statutory provisions apply (in particular Section 31 a and Section 32 c UrhG).

7.3.2. The transfer of rights of use includes in particular the following uses:

- a) Tourism advertising published by the City of Munich (awarding authority), for example in posters and brochures.
- b) Commercial use, for example for souvenir articles and advertising in the electronic media by the City of Munich (awarding authority) or third parties who have been authorised to do so by the City of Munich.
- c) All rights of use and exploitation listed in the overview of the customary market remuneration for image usage rights published by Mittelstandsvereinigung Foto-Marketing.
- d) The right of reproduction; in particular for use in image and sound media, for storage on storage media of any kind, for example memory sticks, USB data carriers, notebooks, hard disks, SD cards, Blue-Rays, SSDs and in physical form as well as for archiving, storage and provision in databases and cloud systems.
- e) The right of distribution; in particular for rental, for use of the photographs for advertising measures and for the marketing of products, for use in print media such as books, posters, flyers, banners, brochures, postcards, calendars, leaflets, catalogues, journals, newspapers, magazines, in each case as a single issue or in regular publication form, roll-up systems (stand displays), business equipment (e.g. business cards, letterheads, stickers) and other uses of this kind.
- (f) The right of exhibition, recitation, demonstration and performance, as well as the right of radio broadcasting and of provision to the public to enable any type of presentation of the work.
- g) The right to make the work available to the public; in particular, to store and make it available and enable its further use in databases, for general use on the internet, such as on websites and in web publications, for use for on-demand services (e.g. video-on-demand)

and for use in social networks (e.g. Facebook, Instagram, Twitter).

- h) The right to broadcast; in particular for use on television, for example via DVB-T, DVB-S, or IPTV.
- j) The right to edit; in particular for use in the context of other media products within the scope of the rights granted herein, for use in the context of editorial work which concerns in particular press and public relations work, for use in films, commercials, videos and all other forms of moving images. By participating in this motif competition, you agree in particular that the work may also be used in a way other than the original version, in particular in excerpts, in black and white or with minor changes to the motif, for example for merchandising and licensed products.

7.3.3. By participating in the motif competition, you warrant that you hold all rights necessary for the granting of rights with regard to the designs you have submitted and that the contractual use or exploitation of the designs by the City of Munich or third parties does not violate any statutory provisions or the rights of third parties. In this respect, you indemnify the City of Munich from any liability and assume the necessary costs of the City of Munich's legal defence. You are also obliged to support the City of Munich in the event of a dispute. In particular, you must provide appropriate legal evidence in the event of a dispute, such as co-authorship declarations, model or property releases or the declaration of consent of minors.

7.3.4. By entering the competition, you accept the terms and conditions of this tender. The German version of the Conditions of Entry is the legally valid version.

8. There is no right of appeal.