

# **“TomTom GO Navigation App Voucher Code”**

## **Terms and Conditions**

These terms and conditions are legally binding between TomTom International B.V., incorporated under the laws of the Netherlands and having its principal place of business at De Ruijterkade 154, 1011 AC Amsterdam, the Netherlands (“TomTom”) and you (“You”) in connection with the use of the TomTom GO Navigation application’s voucher code (“T&Cs”). The use of the TomTom GO Navigation application is governed by the TomTom Terms of Use and the TomTom Data Privacy Policy. These T&Cs, the Terms of Use and the Data Privacy Policy (together “Terms”) constitute all the terms and conditions agreed upon between You and TomTom and supersedes any prior agreements, whether written or oral.

**PLEASE READ CAREFULLY THE TERMS BELOW BEFORE REDEEMING THE VOUCHER CODE. IF YOU DO NOT ACCEPT THE TERMS PLEASE DO NOT REDEEM THE VOUCHER CODE OR STOP USING THE TOMTOM GO NAVIGATION APPLICATION IMMEDIATELY.**

### 1. Voucher Code Terms and Conditions:

1.1 The Voucher Code (“Voucher Code”) is valid to get a free trial subscription to the TomTom GO Navigation application (“TomTom Go Nav App”).

1.2 The Voucher Code can be used by anyone who is 18 years or older as of the date of the redemption of the Voucher Code and is a legal resident of the countries specified therein and/or in the country where the purchase of the good or service has been done, if applicable.

1.3 The Voucher Code must be activated within the period indicated in the Voucher Code. If such period is not indicated in the Voucher Code, the Voucher Code will automatically expire within six months from its date of receipt, without prior notice and any liability to TomTom.

1.4 The free trial subscription period shall run for the number of months specified in the Voucher Code or otherwise for three months from the date of activation of the Voucher Code (“Free Trial Subscription Period”), after which it will automatically expire.

1.5 The Voucher Code can only be used for one redemption of a Free Trial Subscription Period. A Voucher Code is not cumulative and cannot be exchanged for cash or any other value, sold or used in conjunction with any other promotion codes.

1.6 In order to use the TomTom Go Nav App it is necessary to have a smartphone with active internet connection and GPS capability. You understand and accept that the use of the TomTom Go Nav App may consume your data. It is your responsibility to take all foreseeable and reasonable measures to limit the use of the data and to protect your smartphone and/or device's contents.

1.7 Except as excluded or limited by law, by accepting and redeeming the Voucher Code, You agree on your behalf and your heirs, executors, and administrators (i) to release and hold harmless TomTom and their respective partners, agencies, officers, directors, and employees (collectively, "Released Parties") from any and all liability, rights claims and causes of action that entrant may have or which may arise against the Released Parties for any illness, injury, death, loss, litigation, or personal or property damage that may occur, directly or indirectly, whether caused by negligence or not, from your acceptance or redemption of the Voucher Code and/or use of the TomTom Go Nav App; (ii) that Released Parties have neither made nor are in any manner responsible or liable for any warranty, representation or guarantee express or implied, in fact or in law, with respect to the Voucher Code and the TomTom Go Nav App, including, without limitation, merchantability, quality or fitness for a particular purpose; and iii) to waive any right to claim any ambiguity or error therein or in the Voucher Code itself, and to be bound by all decisions of TomTom, which are binding and final.

1.8 Although TomTom will use its best effort to arrange for a smooth operation of the Voucher Code and the TomTom Go Nav App, TomTom shall not be liable for any damages, except in the case of willful conduct or gross negligence on the part of TomTom that arise from the redemption of the Voucher Code or the use of the TomTom Go Nav App. The redemption of the Voucher Code and the use of the TomTom Go Nav App implies knowledge and acceptance of the characteristics and limitations of internet, inter alia technical performance, the transfer of information and data, the risk and effect of interruptions and more in general the risks that are inherent to communication through internet and use of applications, such as limited data protection, malware and viruses.

1.9 If, for any reason, the Voucher Code cannot be used as planned or is in conflict with local laws and/or regulations, TomTom reserves the right to cancel, terminate, modify or suspend all or part of the Voucher Code without resulting in any liability or any claim of damages. This includes, but is not limited to, infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of TomTom. If it becomes necessary to do so, the amendment of the Voucher Code may include but is not limited to the replacement of the Voucher Code with a similar promotion, granting access to a service similar to the TomTom Go Nav App, if possible and commercially available.

1.10 These T&Cs are applicable to this Voucher Code only and do not extend to a subsequent subscription to the TomTom Go Nav App after the Free Trial Subscription Period.

1.11 If any provision, or part of a provision of these T&Cs, is found by any court or authority of a competent jurisdiction to be illegal, invalid or unenforceable, that provision or part-provision shall be deemed not to form part of these T&Cs, and the legality, validity or enforceability of the remainder of the provisions shall not be affected, unless otherwise required by operation of applicable law.

1.12 Except when otherwise indicated on the Voucher Code, if You legally reside in the United States, all issues and questions concerning the construction, validity, interpretation and enforceability of these T&Cs, or your rights and obligations in connection with this Voucher Code, shall be governed by, and construed in accordance with the laws of the Commonwealth of Massachusetts, without giving effect to any choice of law or conflict of law rules. If You legally reside in any other part of the world, the Promotion and these T&Cs will be governed by and construed in accordance with the laws of The Netherlands.

1.13 TomTom may, without giving You notice and without your consent, assign any of its rights relating to its operation of the Voucher Code or delegate any of its duties under these T&Cs, if such assignment or delegation is to an affiliate of TomTom.

## 2. Use of the Voucher Code:

In order to redeem your Voucher Code please go to the TomTom webpage indicated on the Voucher Code and follow the instructions. You will receive a confirmation email with instructions on how to download and log in to the TomTom Go Nav App.

The TomTom Go Nav App can be downloaded from applicable mobile application stores pursuant to separate terms and conditions. By downloading the TomTom Go Nav App, You accept to be bound by these third parties' terms and conditions, for which TomTom is not responsible and cannot be held liable. You also understand that these third parties may have different privacy policies. Please read their terms carefully before downloading the TomTom Go Nav App.

## 3. What happens at the end of the Free Trial Subscription Period?

Towards the end of the Free Trial Subscription Period, You will receive a notification via the TomTom Go Nav App, which will indicate the following elements: (i) the number of days before the end of the

Free Trial Subscription Period; and (ii) the possibility to purchase one of the proposed TomTom Go Nav App subscription plans (1 month, 6 months or 12 months) subsequent to the Free Trial Subscription Period, directly in the TomTom Go Nav App, should You be interested in signing up to a new subscription. After your purchase of the TomTom Go Nav App subscription, the TomTom Terms and Conditions at TomTom.com apply.

If You do not actively request a new subscription to the TomTom Go Nav App at the end of the Free Trial Subscription Period, access to the TomTom Go Nav App will automatically cease on the last day of the Free Trial Subscription Period.

If the subscription to the TomTom Go Nav App is done via a mobile application store, additional terms may apply.

#### 4. Contact

If You have questions or complaints about the Voucher Code, You can contact our Customer Care support via [help.tomtom.com](https://help.tomtom.com).

TomTom International B.V.