



254 S. Main Street, Yuma, AZ 85364 – 928.373.5202 – Arts@yumaaz.gov

BATTLE OF THE BANDS APPLICATION

Calling all bands! Send us a video of your best 5 minutes! Five to seven selected bands will compete in a live concert at the Historic Yuma Theatre and battle for a winner-takes-all \$5,000 prize!

Deadline to submit: July 19, 2019

Please submit all materials to Arts@YumaAz.gov

Band Name: _____

Band Genre: _____ **Band Hometown:** _____

Point of Contact Name: _____

Point of Contact Email Address: _____

Point of Contact Phone Number: _____

The undersigned agrees to indemnify, defend, and hold harmless the City of Yuma and the Yuma Art Center, and its officers, agents, attorneys and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorney fees arising out of, or in any way connected with performance of, the Agreement by the undersigned, the undersigned agents, officers, employees, subcontractors, or independent contractors hired by the undersigned. This indemnity shall apply to all claims and liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by the undersigned.

I have read and understand all of the rules and regulations of Battle of the Bands and agree to these terms.

1. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

2. _____

Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size



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3. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

4. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

5. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

6. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

7. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size

8. _____
Band Member Name (Please Print)

Phone Number

Band Role/Instrument

Date

T-shirt Size



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BATTLE OF THE BANDS 2019

Rules and Regulations

Calling all bands! Send us a video of your best 5 minutes! Five to seven selected bands will compete in a live concert at the Historic Yuma Theatre and battle for a winner-takes-all \$5,000 prize!

- 1. Eligibility:** the contest is open to any band, any genre, anywhere!
 - a. All band members must be over the age of 18.
 - b. Bands must have a minimum of 3 members, a maximum of 8 members and at least one member must play a musical instrument.
 - c. Limit one entry per band and per person/band member, or if more than one entry is received from the same band, or an entrant appears on more than one entry, then the subsequent entry(ies) will be disqualified.
 - d. The band members submitted with the application must be the band members represented at the live show, if selected. No substitutions or additional band members allowed.

- 2. How to Enter:** Submit all materials to Arts@yumaaz.gov no later than July 19, 2019.
 - a. Complete application form with signatures from each band member.
 - b. Submit an Arizona Transaction Privilege Tax License (TPT) for the band or a W-9 Tax Form from one band member. International artists must submit a W-8 Tax form. The winning band will receive a check addressed to the designated business or individual listed on the tax form.
 - c. Submit a video no more than 5 minutes of your best work (original or cover).
 - d. Submit a photo of the band and/or band logo (Jpegs preferred, please label all files).
 - e. Pay a \$55 application fee.

- 3. Entries:**
 - a. All entries and band names must be in keeping with Yuma Art Center's positive image. Without limitation, entries that are deemed by sponsor, in its sole and absolute discretion, to be or to contain profanity, explicit sexuality, harmful, threatening, abusive, harassing, tortuous, defamatory, vulgar, obscene, or libelous content, or which encourages unlawful behavior, or which is hateful, or which is racially, ethnically or otherwise offensive or objectionable, or which portrays the sponsor in a negative fashion, may be disqualified.
 - b. Cover songs/cover bands: Each band may submit a maximum of one cover song for consideration. All other music must be of original content and creation.

- 4. Timeline:** Bands must attend two rehearsals in addition to the technical rehearsals.
 - a. July 19, 2019: Submissions Due
 - b. July 31, 2019: Accepted bands announced
 - c. August 5, 2019 – September 14: Rehearsals
 - d. September 17, 2019 – September 19: Tech rehearsals with lighting/projections/sound
 - e. September 20, 2019: Full run through and final tech rehearsal (mandatory for all bands)
 - f. September 21, 2019: Battle of the Bands Live Concert

5. Judging and Prizes

- a. Five to seven bands will be selected to participate in the Battle of the Bands Live Concert by a panel of City of Yuma and Yuma Art Center staff and community members.
- b. The \$5,000 First Place Prize will be selected by People’s Choice at the live concert. Audience members at the event will be able to cast a single vote for their favorite band. Additional voting will take place on the Yuma Art Center’s Facebook page which will be open for both audience members and the general public to vote. The band with the most votes will take home the cash prize and trophy.
 - i. The winning band is solely responsible for all state, local or federal taxes associated with the winning of the prize. A check will be processed to the winning band following the concert and will be mailed to the designated recipient no later than ten business days after the event.
- c. The First Place Winner will be invited to perform at the Yuma Art Center’s Tribute of the Muses event on October 11, 2019.
- d. All accepted bands will receive a DVD with the full live concert as well a copy of all promotional materials used for the live concert.
- e. Additional prizes may be available pending sponsorship for the event.

6. Live Concert Event

- a. Venue: The Battle of the Bands Live Concert will take place in the Yuma Art Center’s Historic Yuma Theatre at 254 South Main Street.
- b. The Yuma Art Center will be responsible for curating and presenting the concert and will work with each band to present their set. The Yuma Art Center will be responsible for all lighting and at its sole discretion will control all lighting, sound, and special effects equipment. When possible the Yuma Art Center will provide monitors, microphones, and staging elements.
- c. Bands are responsible for providing their own musical instruments and special equipment.
- d. Merchandise: Should the band wish to sell merchandise at the event including, but not limited to CDs or t-shirts, the band may fill out a gift shop vendor agreement wherein the Yuma Art Center will retain a 25% commission agreement.
- e. Each band member will receive two complimentary ticket vouchers to the concert. Additional tickets will be available for purchase.

7. Marketing and Promotions:

- a. By submitting an entry, the band and each entrant agrees to have their names, logos, photographs and videos of performances used for marketing, promotional and educational purposes by the Yuma Art Center.
- b. Except to the extent prohibited by law, by entering the contest, the band and each individual band member agrees that sponsor and its parents, affiliates and licensees may use, publish, videotape, broadcast, distribute and display all elements of the entry, including but not limited to any videos and photographs, as well as each band member’s name, address (city and state), biographical information, statements, video, photograph and other likeness, in whole or in part, in any and all media either now or hereafter known, in perpetuity throughout the universe, in connection with advertising and promotion, without notification and without compensation of any kind to any band



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member or any third party. Sponsor reserves all rights in perpetuity, including without limitation, the right to reproduce, alter, amend, edit, modify, crop and use the entry, video and photograph, and to sublicense all such rights, in connection with advertising and promotion.

- c. By acceptance of prize, Winner agrees to release, indemnify and hold harmless sponsor and its parent companies, affiliates, employees, contractors and agents from any and all liability for injuries and damages sustained in connection with participation in this contest and/or the acceptance and use of the prize. Each band member may be required to execute additional documents within five (5) calendar days of notification and before distribution of prize. Any prize notification not responded to within forty-eight hours, any documentation returned as undeliverable, and/or failure of each band entrant to return required documentation will result in disqualification from the contest, prize forfeiture, and in an alternate winner being selected from all remaining eligible entries.

8. Copyright and Intellectual Property Rights

- a. The Yuma Art Center will not be responsible for any copyright or intellectual property rights infringement.
 - b. Any songs submitted and/or performed in conjunction with the contest, including but not limited to your entry, are the original work of the band or one or more of the band members, the band or one or more of the band members owns and controls all right, title, and interest, including copyright, in and to the lyrics, music, arrangement and composition of such songs; (ii) All persons having any rights, title, and/or interest whatsoever with respect to any of the entries, or any elements thereof, and any other lyrics, music, arrangement, composition or song performed during the contest, have authorized the submission, public performance and other use of such materials by the band in this contest, and have waived any applicable moral rights in such materials in favor of the entrant band and/or band members; (iii) The use of entries as contemplated by these official rules will not infringe upon the intellectual property rights, or defame or invade the publicity or privacy rights, of any third party, living or deceased. If a band or any member is uncertain as to whether they can agree to these representations and warranties, they should confer with their legal counsel or other advisors. Sponsor reserves the right at its sole and absolute discretion to request proof in writing of any necessary authorizations, assignment or waivers required herein.
- 9.** The Yuma Art Center reserves the right at any time, in its sole and absolute discretion, to disqualify a band that sponsor believes, in its sole and absolute discretion, is not in compliance with these official rules, or which has made a false or misleading statement on the entry or otherwise, and reserves the right to pursue all other rights and remedies available at law in the event of such disqualification.
- 10.** By submitting an entry, the band and each entrant agrees to assume all liability for and indemnify and hold harmless sponsor and its parents, affiliates, employees, contractors and agents from any and all claims arising out of the public performance, display, publication, or use of your entry, including without limitation any failure of your entry to comply with these official rules or any representations being made by you herein.