

**Bing Ads Supplemental State Lottery Advertising and Gambling Advertising Terms and Conditions for Advertisers  
in the United States**

- I. **STATE LOTTERY ADVERTISING:** These Bing Ads Supplemental State Lottery Advertising Terms and Conditions (“U.S. Lottery Terms”) are applicable to operators of U.S. State-sponsored online lottery games who advertise on Bing Ads. These U.S. Lottery Terms are in addition to, and are incorporated in, the [Bing Ads Terms and Conditions](#).

Advertiser represents and warrants that, among other things, that:

1. It is duly licensed and in good standing – and during the term of the advertising campaign will remain so - to be an operator of a state lottery, from an appropriate State gaming commission, agency or authority to provide the game(s) being advertised and any other games offered on its website(s), application(s), or mobile feature(s) being advertised;
2. Any agents and relevant service providers the advertiser uses in connection with operating online gambling (or services therefor) are duly licensed and in good standing – and during the term of the advertising campaign will remain so - to provide such services, from an appropriate State gaming commission, agency or authority, to the extent such licensing is required.
3. It, its agents and service providers will comply with all applicable laws, rules and regulations of the licensing State and gaming commission when operating, hosting, and/or offering any online gambling through its advertised website(s), application(s), or mobile feature(s) – including any specific game(s) being advertised.
4. It will not offer any sports-based wagering or gambling through its advertised website(s), application(s), or mobile feature(s); and
5. Its advertised game(s) and advertised website(s), application(s) or mobile feature(s) will only permit individuals to engage in wagered play while they are physically within the relevant State(s), and it has implemented and will maintain technological measures sufficient to meet such requirements under the licensing State’s laws, rules and regulations
6. The lottery game being advertised is lawfully sponsored by a U.S. State(s);
7. If the operator is not the U.S. State, it is duly authorized by written contract to operate the lottery game on behalf of the State(s) or their lottery commission, agency or authority;
8. Any agents and relevant service providers the operator uses in connection with the online lottery game (or services therefor) are duly licensed and in good standing – and during the term of the advertising campaign will remain so - to provide such services, from an appropriate State lottery commission, agency or authority, to the extent such licensing is required.
9. It will comply with all laws, rules and regulations of the sponsoring State(s) when operating the lottery game, hosting and/or offering tickets, offers or promotions through its advertised site(s), application(s) or mobile feature(s);
10. It will not proffer any other forms of wagering or gambling through its advertised site(s), application(s) or mobile feature(s); and
11. Its advertised lottery game(s) and advertised website(s), application(s) or mobile feature(s) will only permit individuals to engage in lottery play while they are physically within the relevant State(s), and it has implemented and will maintain technological measures sufficient to meet such requirements under the licensing State’s laws, rules and regulations.

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- II. **GAMBLING ADVERTISING:** These Bing Ads Supplemental Gambling Advertising Terms and Conditions (“U.S. Gambling Terms”) are applicable to operators of online gambling games who advertise in the U.S. on Bing Ads. Microsoft will not make modifications or annotations to online gambling advertisements and Advertiser Content submitted to Microsoft must meet the requirements of the Bing Ads Program. These U.S. Gambling Advertising Terms are in addition to, and are incorporated in, the Bing Ads Terms and Conditions.

Advertisers of any gambling, lottery or wagering fantasy sports games operated through online or mobile means must be individually approved by Bing Ads. Targeting minors is not allowed. Microsoft may impose certain geographic restrictions on where advertisements may be distributed.

1. Operators offering online gambling licensed by a State (i.e., New Jersey, Delaware and Nevada) represents and warrants that, among other things, that:
  - a. It is duly licensed and in good standing – and during the term of the advertising campaign will remain so - to be an operator of online gambling, from an appropriate State gaming commission, agency or authority to provide the game(s) being advertised and any other games offered on its website(s), application(s), or mobile feature(s) being advertised;
  - b. Any agents and relevant service providers the advertiser uses in connection with operating online gambling (or services therefor) are duly licensed and in good standing – and during the term of the advertising campaign will remain so - to provide such services, from an appropriate State gaming commission, agency or authority, to the extent such licensing is required.
  - c. It, its agents and service providers will comply with all applicable laws, rules and regulations of the licensing State and gaming commission when operating, hosting, and/or offering any online gambling through its advertised website(s), application(s), or mobile feature(s) – including any specific game(s) being advertised.
  - d. It will not offer any sports-based wagering or gambling through its advertised website(s), application(s), or mobile feature(s); and
  - e. Its advertised game(s) and advertised website(s), application(s) or mobile feature(s) will only permit individuals to engage in wagered play while they are physically within the relevant State(s), and it has implemented and will maintain technological measures sufficient to meet such requirements under the licensing State’s laws, rules and regulations
  - f. It will present proof of its license for online gambling and licenses of its agents and service providers issued by appropriate State gaming commission(s) upon receipt of written request from Microsoft.
2. Operators of U.S. State-sponsored online lottery games represent and warrant that:
  - a. The lottery game being advertised is lawfully sponsored by a U.S. State(s);
  - b. If the operator is not the U.S. State, it is duly authorized by written contract to operate the lottery game on behalf of the State(s) or their lottery commission, agency or authority;
  - c. Any agents and relevant service providers the operator uses in connection with the online lottery game (or services therefor) are duly licensed and in good standing – and during the term of the advertising campaign will remain so - to provide such services, from an appropriate State lottery commission, agency or authority, to the extent such licensing is required.

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- d. It will comply with all laws, rules and regulations of the sponsoring State(s) when operating the lottery game, hosting and/or offering tickets, offers or promotions through its advertised site(s), application(s) or mobile feature(s);
  - e. It will not proffer any other forms of wagering or gambling through its advertised site(s), application(s) or mobile feature(s); and
  - f. Its advertised lottery game(s) and advertised website(s), application(s) or mobile feature(s) will only permit individuals to engage in lottery play while they are physically within the relevant State(s), and it has implemented and will maintain technological measures sufficient to meet such requirements under the licensing State's laws, rules and regulations.
3. Operators of U.S. ".net" or other free-to-play online game sites represent and warrant that the ".net" site being advertised:
- a. Will not provide the opportunity to place bets or make wagers of money or any other thing of value whereby participants can win cash or anything of value based on chance, or the outcome of any sporting event or contest or any other type of event or contest ("gambling");
  - b. Will not provide links or references to, advertising for, or information about, any other websites, mobile applications or other media that provide the opportunity for gambling;
  - c. Will not offer the opportunity to access or download software, or register for another service, which provides the opportunity for gambling.
  - d. Will not promote any form of gambling over the Internet, mobile applications or other media delivered over Internet protocol technologies.
4. Operators of online fantasy sports games (wagering) represent and warrant that:
- a. Its online fantasy sports game satisfies - and during the term of the advertising campaign will continue to satisfy - all requirements set forth in 31 U.S.C. § 5362(1)(E)(ix) of UIGEA, as may be amended from time to time, namely that:

"participation in any fantasy or simulation sports game or educational game or contest in which (if the game or contest involves a team or teams) no fantasy or simulation sports team is based on the current membership of an actual team that is a member of an amateur or professional sports organization (as those terms are defined in section 3701 of title 28) and that meets the following conditions:

    - i. All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest and their value is not determined by the number of participants or the amount of any fees paid by those participants.
    - ii. All winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals (athletes in the case of sports events) in multiple real-world sporting or other events.
    - iii. No winning outcome is based—

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1. On the score, point-spread, or any performance or performances of any single real-world team or any combination of such teams; or
  2. Solely on any single performance of an individual athlete in any single real-world sporting or other event.”
- b. It will not proffer any other forms of wagering or gambling through its advertised site(s), application(s) or mobile feature(s).
- c. It, its agents and service providers will comply with all applicable laws, rules and regulations when operating, hosting, and/or offering any fantasy sports game(s) through its advertised website(s), application(s), or mobile feature(s)—including any specific game(s) being advertised. It will not offer any fantasy sports game(s) where they would be prohibited by applicable laws.”

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