



Minimum Advertised Price Policy  
(Effective March 1, 2017)

This Minimum Advertised Price (MAP) Policy relates specifically to all branded products ("Products") offered by Optimox.

If any Reseller of Products advertises in any media (including, but not limited to print and/or visual media, audio media or internet media 1) on two separate occasions within twelve months of each other, at prices more than Twenty-five percent (25%) below the current manufacturer's suggested retail price 2, Optimox shall have sole discretion to discontinue all sales and shipments for one year to the respective Reseller of the Product(s) involved.

Subsequently, if Reseller demonstrates consistent compliance with this policy for six (6) months, as measured from the discontinuation date, Optimox may, at their sole discretion, reinstate Product sales to Reseller if Product is available for sale.

This policy does not apply to Product selling price. Actual selling price is wholly within Reseller's discretion. Optimox will not, now or in the future, accept or enter into any agreement or any agreement discussions regarding this policy. This policy is non-negotiable. Optimox reserves the right to act in accordance with this policy based on any and all information available. All Optimox policy determinations are final.

Optimox reserves the right to modify or discontinue this policy at any time. This policy will remain in effect until Optimox determines otherwise. Any action taken by Optimox pursuant to this policy shall be without liability to either. If you have any questions and/or comments regarding this policy, please direct them to Paula, 800-223-1601, [info@optimox.com](mailto:info@optimox.com)

1 This policy does not apply to internet purchase pages (i.e., checkout, shopping cart or basket-like pages), in-store displays, point-of-sale signs, hangtags, bar codes or similar product markings which merely state the product selling price.

2 Products may not be bundled and advertised at a single price that is below the sum of the MAP individual Product prices.



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## **Optimox Minimum Advertised Price (Map) Policy**

October 16, 2017

Dear Valued Customer,

Optimox recognizes that our Authorized Resellers invest significant time and resources into educating the public about Optimox products, training knowledgeable staff, and providing support services. Optimox is committed to supporting our Authorized Resellers' efforts and maintaining the reputation of Optimox products for quality. We strive to maintain a high level of customer confidence in the quality of Optimox products, and to protect the investment of our quality Authorized Resellers, by instituting the following Minimum Advertised Price (MAP) Policy.

Optimox requires authorization for all accounts selling our brand on any third-party online marketplace (e.g. Amazon, eBay, jet.com, Walmart.com, Sears.com).

Approved Resellers may only sell via the Merchant Fulfillment Network (MFN) and may not sell via Fulfilled by Amazon (FBA) or offer "Prime" badging via the Seller Fulfillment Network without separate written authorization to do so.

We do not allow any of our accounts to sell to Amazon directly or to any of its affiliate companies without separate written authorization to do so.

### Optimox Minimum Advertised Price (MAP) Policy

- Optimox recognizes that any Authorized Reseller can make its own independent decisions to advertise and sell any Optimox product at any price it chooses without consulting or advising Optimox. Optimox neither solicits nor will it accept any assurance of compliance with the MAP Policy. However, Optimox similarly has the right to make its own independent decisions regarding product allocations and participation of any individual reseller as an Authorized Reseller.
- Advertising Optimox products for sale online at any price lower than the price listed in Optimox MAP Price List will be considered a violation of this Policy applies only to advertised prices and does not apply to the final resale prices at which the Optimox products are actually sold. The Optimox MAP Policy applies to online retailers only.
- The MAP shall be unilaterally determined by Optimox and may be changed from time to time at the sole and exclusive discretion of Optimox. Any changes in the MAP shall be communicated to Authorized Resellers by providing thirty (30) days' notice of the price change in writing or by electronic transmission through email or facsimile.
- Optimox reserves the right, in its unilateral discretion, to take any action with respect to an Authorized Reseller that violates this Policy. Such actions include, without limitation, canceling all orders, indefinitely refusing to accept any new orders, and terminating the Authorized Reseller's right to sell Optimox products. Optimox will not discuss any conditions of acceptance related to the MSP Policy, as it is non-negotiable and will not be altered for any Authorized Reseller. Any Authorized Reseller whose right to sell Optimox products is terminated must immediately cease using Optimox intellectual property on any online or written advertisement.

- Optimox, at its sole discretion, may hire a third party to monitor and/or enforce the Policy.
- If a reseller has multiple seller accounts/marketplaces/web domains and violates this Policy with any account, Optimox will consider this to be a violation by all of the reseller's accounts.
- For purposes of this MAP Policy, promotions, exchanges, coupons, discounts, product combination specials, internet specials or deals, and package deals shall be considered advertising. Such advertising is a violation of the MAP Policy if it causes the Authorized Reseller's advertised prices to fall below the MAP.
- Optimox may, at its discretion, sell products to wholesale distribution resellers or exchange its products at a discount off of wholesale or for less than the MAP. No such arrangement shall be considered consent by Optimox for Authorized Resellers to advertise Optimox products at prices below the MAP.
- Optimox reserves the right to advertise retail products below the MAP for product promotions and brand awareness.