

Yomega Corp. Minimum Advertised Pricing Policy

MAP Agreement 2022

Minimum Advertised Price (MAP) on all Yomega products is in effect. International accounts must reflect pricing as translated into their local currency.

Yomega has spent over 30 years building a brand of strong recognition and a high perceived value. By not adhering to the established Minimum Advertised Price (MAP) a reseller can have a dramatic effect of diminishing or detracting from the perceived value of the Yomega brand and its products. The internet, with its worldwide impact, has the possibility to cause great harm to any companies' products, if they are advertised at prices that will eliminate any legitimate retail competition. Our MAP pricing policy is intended for consumers to purchase from other resellers based on loyalty and customer care expectations. Therefore, if Yomega Corp. agrees to allow your company to sell its products, you will need to agree and abide by the following requirements and restrictions.

The MAP policy shall work under the following guidelines:

- 1) The Minimum Advertised Price (MAP) for any Yomega product shall not be less than 10% below the current Manufacturer's Suggested Retail Price (MSRP) as published on the Yomega price sheet. MAP pricing is established by Yomega and may be adjusted by Yomega at its sole discretion.
- 2) The MAP policy applies to all advertisements of Yomega products in any and all media, including, but not limited to, flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogs, email news letters, email solicitations, Internet or similar electronic media, television, radio, and public signage. The MAP policy is not applicable to any in-store advertising that is displayed only in the store and not distributed to any customer(s).
- 3) The inclusion in advertising of free or discounted products (whether made by Yomega or another manufacturer) with a product covered by the MAP policy would be contrary to the policy if it has the effect of discounting the advertised price of the covered product below the MAP.
- 4) MAP applies only to advertised prices and does not apply to the price at which the products are actually sold or offered for sale to an individual consumer within the dealer's retail location or over the telephone. Yomega authorized resellers remain free to sell these products at any prices they choose.

- 5) MAP does not establish maximum advertised prices. All resellers may offer Yomega products at any price in excess of the MAP.
- 6) Yomega's MAP policy does not in any way limit the ability of any reseller to advertise that "they have the lowest prices" or, they "will meet or beat any competitors price", that consumers should "call for a price" or phrases of similar import as long as the price advertised or listed for the products is not less than MAP.
- 7) Dealer agrees to hold all trademarks of Yomega Corp. as the property of Yomega and use advertising materials provided by Yomega in an authorized manner only.
- 8) Intentional or repeated failure to abide by this policy will result in termination of resellers. Yomega does not intend to do business with resellers who degrade the image of Yomega and its products. It is Yomega's sole discretion whether or not to provide prior notice or issue warnings before taking any action under this policy.
- 9) Auction or ECommerce Web Sites Policy:
Customers are not permitted to sell Yomega products on auction or ecommerce sites.
- 10) Negotiated Contracts: From time to time it may be explicitly approved by Yomega in writing to sell certain Yomega products at below MAP pricing. The discount amount and length of time will be determined at the time of this approved promotion by Yomega Corp.
- 11) Sales representatives of Yomega products will supply a copy of the Yomega MAP policy to any new or existing reseller to be filled out, acknowledged and returned to Yomega. This form shall be signed and returned to Yomega and in doing so, will bind the reseller to abide by the MAP and reseller requirements spelled out in this document.
- 15) Yomega may run a sale on discontinued items.

MAP Agreement Confirmation

This MAP policy has been established by Yomega to help ensure the legacy of Yomega as a top producer of high-performance yo-yo's, skill toys and accessories and to protect the reputation of its name and products. The MAP policy is also designed to ensure dealers and sales representatives have the incentive to invest resources into services for Yomega customers. Please indicate your understanding of this policy and your willingness to abide by its terms and conditions by signing and listing the name of your company below.

Agreed to by:

Company name: _____

Any and all other names (DBA) or URLs by which this company operates (including names used on, Amazon, EBay, etc.):

Principal name printed: _____

Principal Signature: _____

Date signed: _____

Store Address: _____

Store City/State/Zip: _____

Phone: _____

Email: _____

If in agreement with this policy then please fill out the requested information and sign it. You may fax the 3rd page to:

301.895.3774 or you may scan the 3rd page and email to: sales@yomega.com

IMPORTANT: As of November 1, 2017, no shipments will be made to any wholesaler or distributor without having completed this form and returning it to Yomega Corp.