

Minimum Advertised Pricing (MAP) Policy/Agreement

Sombra Cosmetics, Inc. (Sombra) actively supports the advertising and promotion of its products by its domestic dealers and sales representatives through materials provided by Sombra at no or nominal cost.

A Minimum Advertised Price (MAP) on all Sombra branded products is in effect. This policy applies only to U.S. and Canadian dealers and sales representatives. We have implemented this MAP policy to preserve our strong reputation for providing customers with high value products and valued after sales support.

We greatly appreciate the efforts of all resellers to distribute our products and support their customers.

The MAP policy shall work under the following guidelines:

1. The MAP for all Sombra branded products shall be no more than 10% less than the published suggested retail price list provided by Sombra. MAP pricing is established by Sombra and may be adjusted by Sombra at its sole discretion.
2. The MAP policy applies to all advertisements of Sombra branded 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 Sombra 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. If pricing is displayed, any strike-through or other alteration of the Minimum Advertised Price is prohibited.
5. 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. Sombra dealers and sales representatives remain free to sell these products at any prices they choose.
6. MAP does not establish maximum advertised prices. All dealers and sales representatives may offer Sombra branded products at any price in excess of the MAP.
7. Sombra's MAP policy does not in any way limit the ability of any dealer 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.
8. Dealer agrees to hold all trademarks of Sombra as the property of Sombra and use advertising materials provided by Sombra in an authorized manner only.
9. Intentional or repeated failure to abide by this policy will result in termination of dealership or sales representatives. Sombra does not intend to do business with dealers or sales representatives who degrade the image of Sombra and its products. Sombra will not provide prior notice or issue warnings before taking any action under this policy.