

HOMEDICS

It is the unilateral policy of FKA Distributing Co., d/b/a HoMedics, LLC (“HoMedics”) to announce the minimum resale price on selected products and refuse to deal in a product with those dealers who fail to resell or advertise that product at or above the listed price. It is also the unilateral policy of HoMedics to announce minimum advertising standards on selected products and refuse to deal in a product with those dealers who fail to follow those minimum standards.

- Various models within the HoMedics line carry a MAP retail price, defined as “Minimum Advertised Price.” A 2007 Supreme Court decision recognized and acknowledged a manufacturer’s right to set minimum advertised prices, and, as such, we have implemented our MAP Policy. **Attached you will find a Price Sheet of models you are purchasing, with MAP’d models designated with a check (√) mark, in the MAP column.** For purposes of HoMedics policy, any and all “behind the click” pricing is considered a violation of the HoMedics MAP Policy.
- In order for a product to adhere to our MAP Policy that item - when Advertised - must be sold at or above the designated MAP Retail for that item/model.
- For the purposes of HoMedics MAP Policy, all Retail media, including print advertising (inserts, magazines, catalogs, newspapers, etc.), faxes, radio announcements, direct mailing, television advertising, advertising on the Internet, including but not limited to Distributor and Dealer Web sites, Banner ads, Gun Boards, Auction Sites and broadcast E-mails are considered “advertising.”
- Any and all MAP models advertised below HoMedics established MAP Retail is prohibited and constitutes grounds for action, up to and including termination of a dealer’s right to sell HoMedics products.
- Products sold with out advertisement and/or without an advertised retail do not violate our MAP Policy.
- HoMedics has unilaterally created this policy and reserves the right to modify this at any time. HoMedics does not require nor will it accept your agreement to comply with this policy.
- I am an authorized representative of _____. I acknowledge receipt and that I have read and understand the contents of this unilateral package:

Date: _____

By: _____

Its: _____