

ZOMM MAP Policy

In order to build and maintain integrity for ZOMM and ZOMM's brand equity by emphasizing the value and quality of ZOMM's products through advertising and marketing, ZOMM has established a Minimum Advertised Price (MAP) Policy that an authorized reseller has to follow for the advertising and marketing of ZOMM products.

All ZOMM authorized resellers must agree to the terms and conditions of the following MAP Policy.

ZOMM's MAP Policy Guidelines

All advertised prices must be at or above MAP for products if a MAP price has been established by ZOMM.

Resellers are not required to list prices in advertising; however if a price is listed, it must be at or above MAP. Other statements such as "call for price" or "call for quote" are acceptable and permitted.

Resellers are responsible for ensuring their pricing is at or above MAP on Internet search engines. Resellers are free to set the actual resale price of any product.

ZOMM's MAP policy applies to advertising placements, including but not limited to: print ads (inserts, magazines, newspapers, catalogs, mail order catalogs, etc.), broadcast (radio and TV), direct mail, faxes, Internet placement with third parties (banner ads, broadcast emails, destination pages, third-party sites), Internet placements on resellers own website, and any flyers, posters or coupons.

Internet Site Pricing

Pricing listed on an Internet site is considered "advertised price" and must adhere to ZOMM's MAP Policy until the product is placed in the "virtual shopping cart." Once the product enters the shopping cart, it is considered part of the check-out procedure and is not a MAP violation.

Price Mark-Outs

Resellers are permitted to advertise ZOMM products with price "mark-outs" or "mark-throughs," provided the price reflected on the advertisement is at or above the MAP.

Pricing Statements

ZOMM's MAP Policy does allow resellers to omit pricing entirely from advertisements and/or ad statements such as "Call for Price" or "Call for Quote."

ZOMM End-User Rebates

If an ZOMM authorized end-user rebate promotion is underway with an ZOMM product, resellers may advertise a price lower than MAP – provided the reseller notes (below the price and on the same page) that the rebate has been deducted from the advertised price and the amount of the rebate. Advertising a rebate outside of the authorized rebate timeframe is not allowed and is considered a violation of the MAP Policy.

Bundles: ZOMM authorized bundles must also be advertised at or above MAP price for the ZOMM.

Free Offers Associated with ZOMM Product

Free shipping and/or handling, 0% sales tax, or free financing promotions do not violate the MAP.

ZOMM Price Matching Policies

Price matching policies are acceptable; however, they cannot be used as a valid reason for violations of ZOMM's MAP Policy. Advertised price must always be at MAP or higher.

Failure to Comply with the MAP Policy

At the discretion of ZOMM, intentional and/or repeated failure to abide by ZOMM's MAP Policy can result in the loss of authorization status and the ability to participate in marketing programs, access and funding, including but not limited to:

- Advertising or marketing reimbursement via MDF, co-op, or other ZOMM funds
- Reseller representative sales incentives (i.e., ZOMM SPIFs, EZbucks or other additional sales contests or promotions)
- Vertical market discounts and incentives.(i.e., discounts for government, education, religious, and other non-profit institutions)
- Ability to receive special or bid pricing

ZOMM's MAP Policy And Confirmation Agreement

This ZOMM MAP Policy and Confirmation Agreement is made this date January 4, 2010 with an effective date of January 4, 2010 by and between ZOMM and all Channel Partners.

ZOMM places great value on the efforts of all resellers to distribute our products and support their customers. Our MAP policy is intended to encourage competition for the sale of ZOMM products in a manner that is consistent with the long-term interests of our customers. We are sure that you share our commitment to customer satisfaction and as such, we ask that you indicate by signing this MAP confirmation agreement.

Thank you for your prompt attention to this matter, and your continued support for ZOMM products. Read and Understood by checking the acknowledge box on the partner application page.