

## **Otter Products MAP Policy FAQs**

### **Q: What are examples of communications to which the MAP Policy applies?**

A: The MAP Policy applies to all catalogs, coupons, coupon codes, promo codes, flyers, inserts, magazines, mail order catalogs, mailers, postcards, newsletters, newspapers, posters, billboards, television and radio advertising, internet-based advertising including without limitation, newsletters, e-mail solicitations, call for newsgroups, Internet “lists,” website advertising, Internet auctions, and electronic billboards.

### **Q: Do Sellers need to sign the MAP Policy indicating that they agree with its provisions?**

A: No. The MAP Policy is not an agreement between Company and the Seller. It is a policy that Company is unilaterally implementing for all members of Company’s distribution network in order to maintain the integrity of its Covered Products. The purpose of this document is to inform all members of Company’s distribution network that there are certain consequences for deviating from the published MAPs of Covered Products.

### **Q: Does the MAP Policy affect selling prices?**

A: No. Sellers are free to resell Covered Products at any price of their choice. The MAP Policy only provides requirements relating to advertised prices for Covered Products.

### **Q: Where can I obtain information on suspensions or modifications to the MAPs, or for updates to this MAP Policy?**

A: Any temporary suspensions or modifications of the MAPs, as well as any modifications to the MAP Policy, will be posted on the Company website: [www.otterbox.com](http://www.otterbox.com). Any member of Company’s distribution network may also contact their Company sales representative. No individual notices will be sent with respect to MAP suspensions or modifications, or changes to the MAP Policy.

### **Q: What are examples of amendments or suspensions to the MAP that does not violate the MAP Policy?**

A: Examples include:

- Temporary suspensions of the MAP Policy for national, regional, and/or seasonal promotions approved by Company (i.e. Holiday Promotions).
- Off MAP = said SKU is no longer covered by the MAP Policy; Seller is free to advertise SKU at their discretion.
- For MAP Stages, please see the linked “Amended MAP for Select SKUs”

### **Q: What are examples of advertising that does not violate the MAP Policy:**

A: Examples include:

- Advertising discounts where the resulting price is at least as high as the MAP for the Covered Product.
- Advertising that does not state a price directly or by reasonable implication.
- Advertising that promises to “meet or beat” a competitor’s price.

- Advertising that offers free or low interest financing, deferred payment, free shipping, free installation or some other free service for a Covered Product, provided that the advertisement does not subtract the value of the offer or free service from the advertised price of the Covered Product.
- Advertising for Covered Products that are clearly designated as “refurbished,” “demo” or “used.”
- Advertising that includes an offer of a gift card when a Covered Product is purchased and that provides for a future discount on subsequent purchases from the Seller.
- Advertising of a blanket price reduction, applicable storewide, so long as no Covered Product is shown in the advertisement with the discounted price.

**Q: Advertising Scenarios:**

- **[Section 4] Product Bundles.** Advertising two or more Covered Products together (“Product Bundle”) at a price below the combined MAPs for each Covered Product is a violation of this MAP Policy.
  - **Example:**
    - Covered Product A MSRP: \$49.99
    - Covered Product B MSRP: \$17.99
    - Combined MAP: \$57.98
    - If Company issues a \$10 MAP reduction for the bundle, the allowable advertised price becomes \$47.98.
    - If sold separately, individual MAPs remain unchanged.
- **[Section 5] Mixed Advertisements.** Advertisements featuring a Covered Product with either (a) another brand’s product or (b) a Company product not covered by this MAP Policy comply **only if the Covered Product’s individual price cannot be determined.**
  - **Compliant Examples:**
    - “30% off your entire order”
    - “Save 30% on accessories”
  - **Non-Compliant Example:**
    - “Originally \$59.99, now \$29.99” for a bundle including a Covered Product with MSRP \$35.00 or higher.

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