



3367 W. Oquendo Road  
Las Vegas, NV, USA 89118

**EMPOWERED PRODUCTS, INC.'S  
MINIMUM ADVERTISED PRICE POLICY FOR WHOLESALERS  
Effective as of May 1, 2019**

**INTRODUCTION**

Empowered Products, Inc. (“EPI”) has unilaterally adopted the following Minimum Advertised Price (“MAP”) Policy to set forth to which EPI wholesalers will sell its products. EPI wishes to compete by offering sexual wellness and health enhancement products that are recognized in the marketplace for high quality and value. EPI believes that in order to compete effectively on that basis, EPI needs to have strong support from wholesalers in marketing its products as a premium brand and in providing services to the end users who buy these products, which, in turn, require the wholesaler to train its sales personnel. Wholesalers who sell over the internet can provide these services and marketing support through content-rich websites and high-quality telephonic customer service. EPI recognizes that a wholesaler who provides this marketing support and these services will incur costs that a wholesaler who does not provide this assistance would otherwise not incur. EPI believes that it will not be able to compete effectively in the long run if wholesalers who do not provide sales and marketing support make it economically unattractive for wholesalers who do provide these services and marketing support to carry EPI’s products. Therefore, EPI has adopted the following policy to assist it in determining to which wholesalers EPI will sell its products.

**THIS POLICY SHALL APPLY TO ANY WHOLESALER WHO OFFERS EPI’S  
PRODUCTS FOR SALE TO END USER CUSTOMERS:**

- 1. EPI shall provide its wholesalers from time to time with a list of products that are subject to this Policy (“the Products”) along with the manufacturer’s Minimum Advertised Price for each product (the “MAP List”).**
- 2. IF EPI DETERMINES, TO ITS SOLE SATISFACTION, THAT A WHOLESALER HAS ADVERTISED A PRODUCT FOR LESS THAN THE PRICE ON THE MAP LIST, THEN EPI WILL (i) REFUSE TO ACCEPT ANY NEW ORDERS FROM THAT WHOLESALER FOR ANY PRODUCT ON THE MAP LIST, and (ii) CANCEL OUTSTANDING ORDERS FROM THAT WHOLESALER TO THE EXTENT EPI IS CONTRACTUALLY PERMITTED TO DO SO.**



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3. **Clarifications Regarding Advertising:**

- a. All Media Included: For purposes of this MAP Policy, **all media**, including print, television, radio, direct mail, faxes, email, catalogs **and the internet**, are considered “advertising”. Because an end user can access prices on the internet from anywhere, EPI views any price offer for a product anywhere on the internet as an advertised price for purposes of this Policy, including prices that are displayed only by clicking on a “click here for final price” hyperlink, and including prices shown only in a “shopping cart.”
  - b. Prices Displayed in Brick & Mortar Stores: Any prices displayed inside of a physical store are **not** considered advertising for purposes of this MAP Policy. For example, an in-store display would not be considered advertising for purposes of this MAP Policy.
4. This Policy shall continue to be effective with respect to the most recent version of the MAP List that EPI may publish from time to time.

Each EPI wholesaler is free to independently decide whether or not to follow this Policy. EPI does not ask for, nor will EPI accept, any assurance of compliance or agreement from a wholesaler regarding this Policy. Moreover, EPI will not discuss any conditions of acceptance related to this Policy. Nothing in this Policy is intended to be, nor shall be construed to be, an agreement between EPI and any wholesaler as to the prices at which the wholesaler advertises or resells EPI products.

Questions or comments regarding this Policy must be sent by email to  
**Matt@empoweredproducts.com**

Although EPI may, in its unilateral discretion, choose to investigate based on information obtained from a wholesaler about the advertising of another wholesaler, EPI will not respond back to a wholesaler who complains about another wholesaler’s pricing.

The foregoing Policy and any related MAP List are subject to modification or discontinuance by EPI, in its sole and absolute discretion, at any time.