



Internet Advertising - Guiding Principles

We believe that the Internet plays an important role in promoting GemCore products now and into the future, and we want to support that effort, but we also need to ensure that GemCore products are selected appropriately for the specific project where they will be installed, and we need to support the efforts of retailers and distributors who actively promote GemCore products via displays in their showrooms.

It is our intent that websites be used for *information purposes only* in relation to the GemCore brand. GemCore remains committed to the core values which have made the relationship between GemCore, its authorized distributors and retailers and the public so successful: superior products, excellent customer service, sound advice based on knowledge of the specific project site, and professional installation. We appreciate the support of distributors and retailers who share a commitment to these values.

Internet Policy

Galleher LLC, owner of the GemCore brand and trademark, hereafter referred to as 'GemCore,' reserves the use of its copyrighted brand name, logo, product images, graphics, and other written material (hereafter referred to as 'Intellectual Property') for the exclusive use of authorized GemCore distributors and retailers. GemCore does not support internet sales of GemCore flooring or accessories and strongly discourages retailers and distributors from selling via the internet, particularly to end-users whose jobsites they have not inspected prior to recommending the appropriate product for the space.

Authorized retailers and distributors using the GemCore Intellectual Property on their websites may do so only in the context of the following guidelines:

- 1) Any and all use of the Intellectual Property in any website, e-mail

advertisement, or other form of digital promotion, as well as any link to the GemCore website, must be approved by GemCore. Requests for approval should be directed to the GemCore Marketing Department at marketing@galleher.com.

- 2) Websites containing any specific pricing information on GemCore products will not be approved. At no time can prices for GemCore products be advertised on any retailer's or distributor's website, either on the main website, populated by a website's shopping cart function, or in any other area of a website, readily accessible or otherwise. This includes pricing that might appear in browser search results. Pricing should also not be communicated via email advertising or other forms of digital promotion.
- 3) Price quote requests for GemCore products that are generated via a website must be communicated directly and individually as a response to a customer inquiry. The method of communicating pricing information may be by phone, email, text, or other digital means, provided it is communicated only to individuals who inquire about a specific product.
- 4) Authorized distributors and retailers using the Intellectual Property in their websites, email promotions, or other forms of digital communication may do so only in the context of inviting potential online clients to visit their physical showroom. GemCore will not authorize the use of its intellectual property to customers who have websites that do not list a physical showroom address with regular store hours.
- 5) Any violation of this Internet Policy may result in Monarch Plank's refusal to accept Purchase Orders, without prior notice. Repeated violations of this Internet Policy may result in GemCore revoking the Authorized Dealer status of a customer. GemCore reserves the right to choose those accounts with which to do business and the right to accept or reject any Purchase Order from any account at any time.
- 6) The website approval process and this Internet Policy are not intended to be and shall not be construed to be a franchise or business opportunity under the laws or regulations of the United States or any country.
- 7) The submission of a request for approval to utilize the Intellectual Property constitutes an agreement to indemnify, defend and hold harmless Galleher LLC from and against all costs, damages, claims (threatened or actual) and expenses (including, without limitation, reasonable attorneys fees) which may

arise or derive in any way from use of the GemCore Intellectual Property.

- 8) This Internet Policy takes effect November 19, 2018. All retailers and distributors already using GemCore Intellectual Property on their websites and in digital promotion campaigns have until December 31, 2019 to seek approval for continued use of the Intellectual Property and bring their websites into compliance with this Policy.

Regardless of any authorization granted, GemCore owns and shall retain all ownership of its Intellectual Property and reserves the right to revoke authorization to use that Intellectual Property at its sole discretion, for any reason, at any time. Upon notice of approval revocation, all GemCore Intellectual Property must be removed immediately from the website in question.

GemCore believes that this Internet Policy will benefit the GemCore network of distributors and retailers, and will protect end-users from being sold products that may not be technically appropriate for their given project. Any questions regarding this Internet Policy should be directed to _marketing@galleher.com.