

# ***Minimum Advertised Price (MAP) Policy***



## **INTRODUCTION**

We at C&M Topline recognize that our success is tied to the success of our network of select authorized dealers. We also know that many of our dealers invest significant time and resources to deliver an extraordinary customer experience. We want to protect their ability to do so, while at the same time discouraging price-based advertising that would be detrimental to our dealer's service and support efforts. As a result, C&M Topline has unilaterally established this Minimum Advertised Price ("MAP") Policy.

## **POLICY STATEMENT**

C&M Topline, in its sole discretion, reserves the right to discontinue doing business with any reseller that advertises any product(s) covered by this MAP Policy at a price lower than the MAP.

## **GENERAL GUIDELINES**

1. The products covered by this policy are listed in Section 5, ("MAP Products"). C&M Topline may in its sole discretion modify this list from time to time.
2. C&M Topline recognizes that dealers are free to make their own decisions to advertise and sell any C&M Topline product at any price they choose, without consulting or advising C&M Topline. Similarly, C&M Topline will exercise its right to make its own decisions regarding the dealer program, supplemental marketing materials, product allocation, new product availability, or future promotional, joint marketing, or sponsorship programs.
3. The MAP Policy applies to advertised prices, not the price at which MAP Products are actually sold or offered for sale to an individual in-store or over the telephone.
4. C&M Topline believes in maintaining a well-regulated and fair marketplace for all its authorized resellers.

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## **ADVERTISING GUIDELINES**

1. The MAP Policy applies to all advertisements of MAP Products in any and all media, including but not limited to flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, television, radio, and public signage, as well as internet sites, social media sites, apps, or any other electronic media.
2. The MAP Policy does not apply to solely on-premise or in-store advertising that is not distributed to customers
3. Website features such as “click for price,” automated “bounce-back” pricing e-mails, pre-formatted e-mail responses, forms, automatic price display for any items prior to being placed in a customer’s shopping cart and other similar features are considered to be communications initiated by the dealer (rather than by the customer) and thereby constitute “advertising” under this MAP Policy.
4. It shall not be a violation of this MAP Policy to advertise that a customer may “call for price” or “email for price,” or to use similar language, specifically with respect to C&M Topline Products, so long as no price is listed.
5. This MAP Policy also applies to any activity which C&M Topline determines, in its sole discretion, is designed or intended to circumvent the intent of this MAP Policy, such as solicitations for “group purchases” and the like.
6. It shall not be a violation of this MAP Policy to advertise in general that the reseller has “the lowest prices” or will match or beat its competitors’ prices, or to use similar phrases; so long as the reseller does not include any advertised price below MAP and otherwise complies with this MAP Policy.
7. From time to time, C&M Topline may permit resellers to advertise MAP Products at prices lower than the MAP price. In such events, C&M Topline reserves the right to modify or suspend the MAP price with respect to the affected products for a specified period of time by providing advance notice to all resellers of such changes.
8. This policy does not apply to used or refurbished equipment.

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9. From time to time, C&M Topline may offer a direct manufacturer's rebate to customers. In such events, it shall not be a violation of this MAP Policy to advertise the availability of the manufacturer's rebate, provided that:

- i. the advertisement includes a MAP-compliant price, the rebate amount, and the net price after manufacturer's rebate in the same type size and style;
- ii. an asterisk is placed next to the net price after manufacturer's rebate; and
- iii. "after manufacturer's rebate" appears in the same area of the advertisement as the advertised product.

## POLICY ENFORCEMENT

1. If a dealer with multiple brick and mortar locations violates this MAP Policy at any one brick and mortar location, or on any associated website, then C&M Topline will consider this to be a violation by the dealer.

2. C&M Topline reserves the right to cancel any pending orders, restrict future orders, or suspend dealers' account if C&M Topline reasonably believes:

- i. a dealer has violated the provisions of this policy; or
- ii. a dealer intends to violate this policy.

3. C&M Topline is solely responsible for determining whether a violation of the MAP Policy has occurred, as well as determining appropriate sanctions.

4. Waivers to this MAP Policy may be granted in C&M Topline's sole discretion in writing. In the event that C&M Topline authorizes a waiver to the MAP Policy, dealers must strictly adhere to the terms of the waiver letter. Deviation from the terms of a waiver letter is a violation of the MAP Policy.

5. C&M Topline monitors the advertised prices of dealers, either directly or via the use of third-party agencies or tools. Dealers are expected to provide reasonable cooperation in any C&M Topline investigations regarding possible MAP Policy violations. Hindering, obstructing, delaying, or otherwise failing to cooperate with a C&M Topline MAP Policy investigation is a violation of this MAP Policy.

6. The MAP Policy will be enforced by C&M Topline in its sole discretion and without notice. Dealers, distributors, and resellers have no right to enforce the MAP Policy. Violations of this policy may result in any of the aforementioned sanctions up to and including termination of our business relationship, as well as any available remedies at law. All questions related to this MAP Policy should be directed in email to: [info@cmtoline.com](mailto:info@cmtoline.com).



## LIST OF MAP PRODUCTS

For a list of current MAP prices, please visit:

[https://cdn.shopify.com/s/files/1/2254/7597/files/C\\_M\\_Topline\\_Price\\_List\\_MAP.pdf?1146827766407291578](https://cdn.shopify.com/s/files/1/2254/7597/files/C_M_Topline_Price_List_MAP.pdf?1146827766407291578)