



# **Minimum Advertised Pricing Policy**

**2023**

## Minimum Advertised Price Policy

Effective June 1st, 2023, a Minimum Advertised Price (MAP) on all The Bear Factory products will be in effect. International accounts must reflect pricing as translated into their local currency. The Bear Factory® has spent an extensive amount of time building a brand of strong recognition and a high perceived value. By not adhering to the established Minimum Advertised Price (MAP) a reseller can have a dramatic effect of diminishing or detracting from the perceived value of The Bear Factory brand and its products. The internet, with its worldwide impact, has the possibility to cause great harm to any companies' products, if they are advertised at prices that will eliminate any legitimate retail competition.

Our MAP pricing policy is intended for consumers to purchase from other resellers (YOU) based on loyalty and customer care expectations. Therefore, if The Bear Factory® agrees to allow your company to sell its products, you will need to agree and abide by the following requirements and restrictions. Please note this is in your greatest interest as we are protecting you from others slashing prices and harming your sales.

## our Every Child Commitment

We believe that every child should have the opportunity to experience the joy of a stuff a plush experience. It is with this in mind that we are presenting the Every Child Commitment. Supporting all families and communities is something we strongly believe in. We also recognize that not all communities have the same financial opportunities as others. This commitment will provide exemptions from the MAP for schools, religious organizations, non profits, and charitable fundraising events.

If your organization operates as one of these entities then you are eligible for an exemption. If your business operates in an area with a cost of living consideration or you have a unique circumstance then we encourage you to apply for an exemption. Should you have questions regarding our Every Child Commitment and how you may benefit from this, please contact us directly.



**A Michigan Based  
Family Owned & Globally  
Operated Company**



## MAP Policy Guidelines

1) The Minimum Advertised Price for any The Bear Factory product shall not be less than 35% below the current Manufacturer's Suggested Retail Price (MSRP) as published on the The Bear Factory price sheet or via our MSRP online portal. MAP pricing is established by The Bear Factory and may be adjusted by The Bear Factory at its sole discretion.

2) The MAP policy applies to all advertisements of The Bear Factory products in any and all media, including, but not limited to, flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogs, email news letters, email solicitations, Internet or similar electronic media, television, radio, and public signage. The MAP policy is not applicable to any in-store advertising that is displayed only in the store and not distributed to any customer(s). The MAP Policy is not applicable to one on one communicated advertising for the purpose of business to business or bulk pricing options.

3) The inclusion in advertising of free or discounted products (whether made by The Bear Factory or another manufacturer) with a product covered by the MAP policy is permitted as long as the bundled advertised price of the covered product exceeds allowed MAP MSRP guidelines.

4) If pricing is displayed in other than a brick and mortar retail store, any strike-through or other alteration of the Minimum Advertised Price is prohibited. Pop up or mobile locations that are not stationed in a single location for more than 10 business days are not classified as a "brick and mortar retail store" and must abide by any strike through or other alteration of the MAP.

5) MAP applies only to advertised prices and does not apply to the price at which the products are actually sold or offered for sale to an individual consumer within the dealer's retail location, over the telephone, or via website checkout. The Bear Factory dealers and sales representatives remain free to sell these products at any prices they choose.

6) MAP does not establish maximum advertised prices. All dealers and sales representatives may offer The Bear Factory products at any price in excess of the MAP.

7) The Bear Factory's MAP policy does not in any way limit the ability of any dealer to advertise that "they have the lowest prices" or, they "will meet or beat any competitors price", that consumers should "call for a price" or phrases of similar import as long as the price advertised or listed for the products is not less than MAP.

8) Dealer agrees to hold all trademarks of The Bear Factory as the property of The Bear Factory and use advertising materials provided by The Bear Factory in an authorized manner only.

9) Intentional or repeated failure to abide by this policy will result in termination of dealership or sales representatives. The Bear Factory does not intend to do business with dealers or sales representatives who degrade the image of The Bear Factory and its products. It is The Bear Factory's sole discretion whether or not to provide prior notice or issue warnings before taking any action under this policy.

10) E-Bay, Amazon, Etsy and Other Auction Web Sites Policy:

- "Buy it Now" options must be listed at a price equal to MAP or greater.
- For auctions the reserve and/or opening bids must start at MAP without a "Buy it Now" option.
- Best Offer Auctions Are Not Allowed

11) Negotiated Contracts: From time to time it may be explicitly approved by The Bear Factory in writing to sell certain The Bear Factory products at below MAP pricing. The discount amount and length of time will be determined at the time of this approved promotion by The Bear Factory, LLC.

12) The Bear Factory may run a sale from time to time and in such case the MAP will be the same as the sale price on those particular items and on those particular dates. Please review the MSRP sheet for sale exemption dates.

13) Sales representatives of The Bear Factory products will supply a copy of the The Bear Factory MAP policy to any new or existing reseller to be filled out, acknowledged and returned to The Bear Factory. This form shall be e-signed and in doing so, will bind the reseller to abide by the MAP and reseller requirements spelled out in this document.

14) The Bear Factory will provide an annual review of the MSRP sheet in March of each year. Based on an internal review, should an MSRP increase be recommended, The Bear Factory agrees to provide a 14 day period of customer input and feedback before final decisions are made. Should changes be made based on internal review and customer input, a 60 grace period will be allowed for resellers to update accordingly.



# MAP Agreement Confirmation

This MAP policy has been established by The Bear Factory to help ensure the reputations of The Bear Factory as one of the best baby products for parents and to protect the reputation of its name and products. The MAP policy is also designed to ensure dealers, retail outlets and sales representatives have the incentive to invest resources into services for The Bear Factory customers.

Please indicate your understanding of this policy and your willingness to abide by its terms and conditions by signing and listing the name of your company information. Please scan or click the QR code to accept your confirmation of this MAP policy.



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