



## UNITED STATES MINIMUM ADVERTISED PRICE POLICY

**Effective Date: December 2020**

THINK has determined that advertising its Products at prices below certain levels undermines THINK's trade reputation, brand, and image and discourages THINK resellers from investing in the growth of their product lines and providing the best possible service and support to consumers. Therefore, THINK has adopted this unilateral United States Minimum Advertised Price ("MAP") Policy (the "Policy"), which applies to all Advertisements (as defined below) of THINK Products by all distributors, retailers, dealers, and other resellers of THINK products in the United States (hereinafter, "Resellers").

### MINIMUM ADVERTISED PRICE

The MAP will be established solely by THINK and will be communicated to all Resellers of THINK Products. The Products, Suggested Retail Prices ("SRPs"), and MAP may be changed from time to time at THINK's sole discretion. If THINK changes the MAP on any Product, it will provide at least 30 days' notice to Resellers before such change takes effect.

The Policy is not intended to control, influence, determine, limit, or affect in any way the prices at which Resellers sell THINK products to consumers. The Policy is strictly limited to restrictions on advertised prices. Each Reseller remains free to determine its own resale price for THINK products.

It is a violation of this Policy for a Reseller to advertise any think Product(s) at a price lower than the published MAP.

This Policy applies to all advertisements of THINK Products in any and all media as well as any advertising within brick and mortar retail stores or other selling venues.

An "Advertisement" includes any and all promotional or pricing information displayed via any type of media, marketing, or promotional materials, including, without limitation:

- flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogues, television, radio, public signage, billboards; and
- all forms of Internet advertising, including, without limitation, all website pages and banners, social media, emails, blogs, portal sites (search engines - Google, Yahoo, etc.), and click-through search engines, whether or not products are sold from those sites.

Direct or indirect attempts to circumvent this Policy will be considered a violation of this Policy.

Such attempts may include, but are not limited to:

- Coupons, discounts, rebate offers, or other inducements that advertise a price lower than the MAP;

- Advertisements that bundle or include free or discounted THINK products with other products or services if such bundling has the effect of discounting the advertised price of the THINK product below the MAP; and
- Any other Reseller-initiated communication or form of advertisement that has the effect of advertising a price below the MAP, such as a price-off coupon, storewide sale, promotional code or other similar items that can be applied to THINK Products or from which THINK Products are not excluded.

It is not a violation of this Policy to advertise that a customer may “call for price” or “email for price” or use similar language as long as no price is listed. Use of phrases that advertise “the lowest prices,” “will match or beat competitor’s prices,” or similar phrases also do not violate this Policy so long as the Reseller does not include any advertised price below the MAP.

### **INTERNET SALES**

Reseller shall not market or offer for sale the Products on any website or fulfill Reseller’s sales of Products through any website without prior written consent from THINK, which is granted solely through the execution by THINK of the Authorized Online Reseller Agreement. Execution by THINK of the Authorized Online Reseller Agreement constitutes the only means of providing consent to sell Products online. No THINK employee or agent may authorize online sales through oral statements, other written agreement, or by any other means. Selling on third-party marketplace sites (e.g., ebay, Amazon, Walmart Marketplace, Sears Marketplace), drop-ship accounts (e.g. Rakuten.com, Newegg.com, Overstocking.com, Jet.com), classified sites (e.g. Craigslist.com, Facebook Marketplace), or via direct messages on Internet forums is strictly prohibited. Violation of this paragraph is considered a material breach of this policy and may result in THINK’s block on Reseller’s account.

### **POLICY VIOLATIONS**

THINK will monitor and review Resellers’ Advertisements for violations of this Policy. Violations of the Policy shall be determined by THINK in its sole discretion. Resellers have no right to enforce the Policy and THINK will not communicate with any Reseller or third party regarding violations of this Policy by others.

THINK reserves the right to impose penalties if THINK believes that:

- i. A Reseller has violated the provisions of this Policy; or
- ii. A Reseller has engaged in any activity that THINK determines, in its sole discretion, is designed or intended to circumvent the intent of this Policy.

Specifically, THINK will take the following actions, which apply to all Resellers, should a Reseller fail to comply with the Policy:

1. First Violation: THINK will block Reseller’s account for 30 days after sending notice of the violation.

2. Second Violation: THINK will suspend Reseller's account for a period of 90 days after sending notice of the violation and will suspend wholesale discounts to Reseller, and/or Reseller's supplier for a period of 6 months.
3. Third Violation: THINK will cease doing business with the Reseller.

THINK may not provide prior notice before taking action under this Policy.

### **POLICY MODIFICATIONS**

THINK reserves the right at any time to modify, suspend, or discontinue this MAP Policy, in whole or in part, or to designate promotional periods during which the terms of the Policy change or are not applicable. THINK will provide notice of any such actions to all Resellers.

No THINK employee or agent is authorized to modify, interpret, or grant exceptions to this Policy for any Reseller. No person has authorization to modify this Policy or to solicit or obtain agreement of any person to this Policy, and any such modification or agreement is invalid. Any questions about this Policy should be submitted in writing and directed to THINK's MAP team at: [info@gothink.com](mailto:info@gothink.com) or 2280 Ward Ave Ste 100, Simi Valley CA 93065.

### **UNILATERAL ACTION**

This Policy does not constitute an agreement between any Reseller or other party and THINK. THINK is not seeking, and will not accept, any agreement or other assurance of compliance from any Reseller or other party to adhere to this MAP Policy. It is entirely within the discretion of the Reseller whether to comply or not comply. This Policy is non-negotiable and will not be modified for any reseller.

<b>Item #</b>	<b>THINK Product Description</b>	<b>Item UPC</b>	<b>Retail Price</b>	<b>Map Price</b>
42684	THINKbaby Safe Sunscreen SPF50 3 oz	890397002684	\$ 12.99	\$ 10.39
42790	THINKsport kids sunscreen SPF50 3 oz	890397002790	\$ 12.99	\$ 10.39
44170	THINKbaby SAFE Sunscreen SPF50 6 oz	859871004170	\$ 20.99	\$ 16.79
44187	THINKsport Safe Sunscreen SPF50 6 oz	859871004187	\$ 20.99	\$ 16.79
44453	THINKsport Kids Sunscreen SPF50 6 oz	859871004453	\$ 20.99	\$ 16.79
42806	THINKsport sunscreen SPF50 3oz	890397002806	\$ 12.99	\$ 10.39
44200	THINKsport Everyday Face SPF30 2 oz	859871004200	\$ 12.99	\$ 10.39
44903	THINKbaby Safe Sunscreen stick SPF50	859871004903	\$ 8.99	\$ 7.19
44897	THINKsport Kids Sunscreen stick SPF 30	859871004897	\$ 8.99	\$ 7.19
44558	THINKbaby Aloe After Sun Lotion 8 oz	810009374558	\$ 13.99	\$ 11.19
44459	THINKsport Aloe After Sun Lotion 8 oz	810009374459	\$ 13.99	\$ 11.19
47030	THINKsport Kids Aloe After Lotion 8 oz	810009374503	\$ 13.99	\$ 11.19
45067	THINKbaby Body Lotion 8 oz	810009375067	\$ 7.99	\$ 6.39
44527	THINKbaby Shampoo and Body Wash 8 oz	810009374527	\$ 7.99	\$ 6.39
44565	Thinkbaby Bubble Bath 8 oz	810009374565	\$ 7.99	\$ 6.39
47529	Diaper Rash Ointment	852714007529	\$ 10.99	\$ 8.79
44541	THINKbaby Shampoo and Body	810009374541	\$ 7.99	\$ 6.39

Item #	THINK Product Description	Item UPC	Retail Price	Map Price
46354	Think Body Wash & Shampoo Chamomile Citrus	810009376354	\$ 7.99	\$ 6.39
46361	Think Body Wash & Shampoo Rose Hibiscus	810009376361	\$ 7.99	\$ 6.39
47628	Deodorant	852714007628	\$ 6.99	\$ 5.59
44873	THINKsport Sunscreen	859871004873	\$ 8.99	\$ 7.19
47635	Deodorant	852714007635	\$ 6.99	\$ 5.59
42011	BPA Free Feeding Set Pink	890397002011	\$ 39.99	\$ 31.99
47864	Lip Balm SPF 18 Currant Grapefruit	852714007864	\$ 2.99	\$ 2.39
47888	Lip Balm SPF18 Aloe Coconut	852714007888	\$ 2.99	\$ 2.39
47475	Deodorant Grapefruit Currant	852714007475	\$ 6.99	\$ 5.59
47611	Deodorant Bergamot Cedarwood	852714007611	\$ 6.99	\$ 5.59
45098	THINKsport Body Wash 8oz Currant Grapefruit	810009375098	\$ 7.99	\$ 6.39
45104	THINKsport Body Wash 8oz Aloe Tea	810009375104	\$ 7.99	\$ 6.39
45111	THINKsport Body Wash 8oz Chamomile Citrus	810009375111	\$ 7.99	\$ 6.39
44466	THINKsport Bubble Bath 8oz	810009374466	\$ 7.99	\$ 6.39
44510	THINKsport Kids Bubble Bath 8 oz	810009374510	\$ 7.99	\$ 6.39
44411	THINKsport Shampoo 8oz	810009374411	\$ 7.99	\$ 6.39
44435	THINKsport Shampoo Body Wash 8 oz Aloe Tea	810009374435	\$ 7.99	\$ 6.39
44473	THINKsport Kids Shampoo Body Wash 8 oz	810009374473	\$ 7.99	\$ 6.39
44497	THINKsport Kids Shampoo Body Wash 8 oz	810009374497	\$ 7.99	\$ 6.39
45074	THINKsport Shampoo 8 oz Aloe Tea	810009375074	\$ 7.99	\$ 6.39
47772	Sippy of Steel 9oz	852714007772	\$ 8.49	\$ 6.79
47796	Sippy of Steel 9oz	852714007796	\$ 8.49	\$ 6.79
44286	BPA Free Feeding Set	859871004286	\$ 39.99	\$ 31.99
47321	25oz Insulated Sports Btl	852714007321	\$ 21.99	\$ 17.59
42097	25 oz (750ml) Insulated	890397002097	\$ 19.99	\$ 15.99
47093	25oz Insulated Sports Btl	852714007093	\$ 21.99	\$ 17.59
46309	17oz (500ml) Artist Series	810009376309	\$ 22.99	\$ 18.39
46323	17oz (500ml) Artist Series	810009376323	\$ 22.99	\$ 18.39
44163	17oz Insulated Sports Btl	859871004170	\$ 22.99	\$ 18.39
44675	Airtight lunch container	859871004675	\$ 28.99	\$ 23.19
47031	25oz Insulated Sports Btl	852714007031	\$ 21.99	\$ 17.59
42134	BPA Free Bento Box	890397002134	\$ 12.99	\$ 10.39
47109	17oz Insulated Sports Btl	852714007109	\$ 19.99	\$ 15.99
47277	17oz Insulated Sports Btl	852714007277	\$ 22.99	\$ 18.39
47314	17oz Insulated Sports Btl	852714007314	\$ 19.99	\$ 15.99
42141	Baby bottle to Sippy Cut Conv	890397002141	\$ 5.99	\$ 4.79
42769	Stage B - 6 to 12 months	890397002769	\$ 4.99	\$ 3.99
42776	Stage A - 0 to 6 months	890397002776	\$ 4.99	\$ 3.99
47009	THINK Mineral Sunscreen Spray SPF30	810009377009	\$ 16.99	\$ 13.59
46163	THINK Natural Deodorant Coconut Pineapple	810009376163	\$ 6.99	\$ 5.59
46156	THINK Natural Deodorant Lavender Rose	810009376156	\$ 6.99	\$ 5.59

Item #	THINK Product Description	Item UPC	Retail Price	Map Price
46149	THINK Natural Deodorant Charcoal Sage	810009376149	\$ 6.99	\$ 5.59
46996	THINKbaby Eczema Lotion	810009376996	\$ 12.99	\$ 10.39
47016	THINKbaby Cradle Cap Cream	810009377016	\$ 10.99	\$ 8.79
47023	THINKbaby Gentle Eczema	810009377023	\$ 10.99	\$ 8.79
46989	THINKsport Safe Sunscreen	810009376989	\$ 12.99	\$ 10.39
47047	THINK Kids Mineral Sunscreen SPF30	810009377047	\$ 16.99	\$ 13.59
44033	Baby Bottle of Steel 9oz Orange	859871004163	\$ 12.99	\$ 10.39
44408	Straw and Nipple Brush	859871004408	\$ 4.99	\$ 3.99
44442	Thinksport After Sport Lotion 8 oz	810009374442	\$ 7.99	\$ 6.39
44514	Thinkster of Steel - Orange	859871004514	\$ 13.99	\$ 11.19
44521	Sippy Steel Orange	859871004521	\$ 21.99	\$ 17.59
44668	GO2 Container - Orange	859871004668	\$ 28.99	\$ 23.19
45050	Thinksport for Kids Body Lotion 8 oz	810009375050	\$ 7.99	\$ 6.39
45081	Thinksport Shampoo 8 oz Chamomile Citrus	810009375081	\$ 7.99	\$ 6.39
46026	Thinksport Anti-Chafing Stick	810009376026	\$ 9.99	\$ 7.99
47030	THINKbaby Sunscreens 2-SPF50 Tubes	810009377030	\$ 23.69	\$ 18.95
47291	Thinksport Insulated Sports	852714007291	\$ 21.99	\$ 17.59
47642	Thinksport Natural Deodorant	852714007642	\$ 6.99	\$ 5.59
47826	Thinkster of Steel - Pink	852714007826	\$ 13.99	\$ 11.19
47833	Baby Bottle of Steel 9oz	852714007833	\$ 12.99	\$ 10.39
47895	Lip Balm	852714007895	\$ 2.99	\$ 2.39
47901	Lip Balm	852714007901	\$ 2.99	\$ 2.39
46316	17oz (500ml) Artist Series	810009376316	\$ 21.99	\$ 17.59
BENTLT BLUE	BENTO BOC LT BLUE	859871004637	\$ 12.99	\$ 10.39

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THINK [www.gothink.com](http://www.gothink.com)