

# EVERPURE ADVERTISING POLICIES FOR INTERNET RESELLERS



Effective April 1, 2009

Everpure Consumer Products (“Everpure”) has unilaterally adopted the Policies described below, which are applicable to all Everpure Consumer Products Internet Resellers. These Policies include requirements regarding the advertisement of Everpure’s products. Everpure implemented these Policies to protect its image, the value of its intellectual property and its reputation, as well as to ensure that Internet Resellers do not free-ride on the efforts of local distributors and dealers who spend time and money in building and maintaining substantial facilities, offering helpful, timely and accurate product displays and information to individual, potentially unsophisticated, customers, and providing long-term warranty and non-warranty product support.

Everpure will determine whether its products are being advertised in violation of these Policies and will implement these Policies uniformly and consistently with applicable laws. All decisions by Everpure regarding these Policies and any violations of these Policies are final.

## Everpure Consumer Products Advertising Policy

Everpure expects all internet advertising to be of high-quality content and placement that is appropriate for its brand positioning. Everpure also expects that all Internet Marketing Development Funds provided by Everpure shall be used to promote Everpure products. Internet Resellers shall provide to Everpure for review all internet advertising and promotional materials prior to their publication or broadcast. Everpure reserves the right to deny or withdraw any applicable Development Funds and/or rescind any previously granted license to use any Everpure intellectual property right (including, but not limited to, registered and unregistered design rights, copyright and trademarks), if, in the sole opinion of Everpure:

- \* The advertising detracts from the Everpure brand image.
- \* The advertising is misleading or deceptive in any way.

## Everpure Consumer Products Minimum Advertised Price Policy

Internet Resellers will not receive any Internet Marketing Development Funds for any internet advertising that includes a retail price for an Everpure product that is lower than the applicable MAP as set by Everpure. So long as the “dollar” portion of a price remains consistent with the MAP price, deviation from the “cents” portion of a MAP price in order for an Internet Dealer to remain consistent with its pricing practices shall not be a violation of this MAP policy.



Everpure does not object to its Internet Resellers advertising the following promotions in relation to Everpure products:

- \* Consumer financing
- \* Shipping
- \* No sales tax

However, if Everpure is providing Internet Marketing Development Funds for any such advertising, the promotions identified above may not be shown as a deduction in the price of Everpure products.

This Policy does not apply to discontinued merchandise or closeouts as clearly identified by Everpure.

Everpure has established a MAP of .75 times the current List Price in effect for Everpure products and .75 times the current List Price in effect for Everpure Appliances. Net price shall mean the stated price less all discounts, coupons, allowances, and free goods or services offered with Everpure or Everpure Appliances. Everpure reserves the right to change its MAP level on 30 days' written notice, and the right to change its List Price upon 30 days' written notice.

This MAP Policy addresses only the advertisement of prices. It does not regulate selling prices. Each Internet Reseller remains free to determine for itself the resale prices at which it will sell Everpure products and Everpure Appliances. Everpure does not ask for and will not accept any assurance of compliance or agreement from an Internet Reseller regarding the prices at which it resells its products.

This MAP Policy only relates to advertising on the Internet. It does not regulate other forms of advertising, such as advertising in newspapers, trade magazines, television, radio, or other means.

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You should read carefully all of the information discussed in this document and keep it for future reference. The only Everpure representative authorized to answer questions regarding these Policies and to comment on them and to whom all questions regarding these Policies must be addressed is:

Everpure Consumer Products – Sales Manager  
Debra Barton  
Debra.barton@pentair.com

No Everpure representative or employee has authority to modify or alter these Policies.