



9237 Beatty Drive
Sacramento, CA 95826
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info@factoryutv.net

Dealer Application

Legal Name:

Phone:

Street Address:

City/State/Zip Code:

Email:

Website:

State Resale Tax #:

Federal Tax ID:

Type of business: (check) Sole Proprietor Partnership Corporation Other

Please provide a brief description of your business:

Name of owner:

Business Contact:

Name(s) authorized to place order:

****Please list 2 trade references****

Company Name:

City/State/Zip:

Contact:

Company Name:

City/State/Zip:

Contact:

I certify that the above information is correct and true to the best of my knowledge. I understand that by signing and submitting this application I am authorizing Factory UTV to verify my status with the trade references I have provided.

Signature of applicant:

Date:

Factory UTV Minimum Advertised Price Policy

Effective 7/7/2016

1. Introduction

Factory UTV LLC. recognizes 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 excellent 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, Factory UTV has established this Minimum Advertised Price ("MAP") Policy.

2. Policy Statement

Factory UTV, 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.

3. General Guidelines

The MAP policy shall work under the following guidelines:

- 1) The Minimum Advertised Price for any Factory UTV product shall not be less than the current Manufacturer's Suggested Retail Price (MSRP) as published on the Factory UTV Dealer Price sheet and per product on the Factory UTV website (www.factoryutv.net). MAP pricing is established by Factory UTV and may be adjusted by Factory UTV at its sole discretion.**

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. Advertising Guidelines

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.

The MAP Policy does not apply to solely on premise or in-store advertising that is not distributed to customers

Website features such as "click for price", automated "bounce-back" pricing e-mails, pre-formatted e-mail responses, forms, and 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.

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 Factory UTV Products, so long as no price is listed.

This MAP Policy also applies to any activity which Factory UTV 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.

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.

5. Policy Enforcement

If a dealer with multiple store locations violates this MAP Policy at any one store location, or on any associated website, then Factory UTV will consider this to be a violation by the dealer.

Factory UTV reserves the right to cancel any pending orders, restrict future orders, or suspend dealers' account if Factory UTV reasonably believes:

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

The MAP Policy will be enforced by Factory UTV in its sole discretion and without notice. Dealers, distributors, 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. All questions related to this MAP Policy should be directed to: info@factoryutv.net

