

ARB Minimum Advertised Pricing (MAP) Policy

(Updated December 2022)

Purpose

Air Locker distributes premium 4x4 accessories in the United States under the ARB, OME, IPF, Safari, Outback Solutions, TRED, Bushranger, and Frontier brands (Products). These are specialty Products which require considerable research, development, and expert sales support for the best customer experience.

By setting and upholding MAP prices, Air Locker is establishing the appropriate value of its Products in the minds of customers. This preserves the value of our key brands and, in turn, assists Air Locker's network of distributors by allowing them to preserve value in their businesses.

To support dealer pricing efforts, ARB publishes suggested retail pricing, which is above MAP, on our website. We do this so that customers will be informed about the product value. ARB continues our extensive national marketing campaign to assist with new product launches and to drive new sales to dealer partners.

The MAP Policy does not fix a price at which the Products must be sold. Each reseller is expected to unilaterally and independently determine the price at which it sells products to customers. The MAP Policy only regulates advertised price, as described below.

All distributors are responsible for ensuring that they, and their wholesale customers, do not advertise ARB, OME, IPF, Safari, Outback Solutions, TRED, Bushranger, and Frontier brand product lines below ARB's established MAP.

The MAP Policy also consists of ARB's Unauthorized Reseller List. ARB's distribution network is expected to keep their internal networks informed and enforce the ARB MAP Policy by not selling to, or shipping on behalf of, any Unauthorized Reseller.

Advertised Price

The advertised price, in this MAP Policy, refers to any publicly accessible display of product pricing. This includes (without limitation) advertising billboards, newspapers, magazines, catalogs, brochures, direct mail, retail flyers, television, radio, e-commerce, social media, forums, dealer internet sites, and any method which uses the hypertext transfer protocol ("http") or a link to a web-based shopping cart.

Advertised Price Requirements

The ARB MAP Policy requires that a price no less than the Minimum Advertised Price (MAP) be shown on all Internet advertising (i.e., all levels of a website page above and below the shopping cart). The MAP Policy covers (without limitation) banner advertisements, broadcast emails, destination pages and third-party sites.

Resellers may, upon prior written approval, offer value-added incentives such as free shipping, free installation, or a loyalty/rewards program, if no mention of the monetary value or a specific discount is indicated.

If the reseller's actual Internet selling price is lower than MAP, the reseller must still advertise at MAP, but may list its actual selling price in the following locations:

- On a private website that shows negotiated pricing between the reseller and a single customer, where only that customer has access to the site; and
- In private email with a single customer, or in a telephone conversation or other discussion with the customer.

eBay and Other Auction Websites

Resellers who are pre-authorized in writing to sell on eBay or other auction websites, must advertise at MAP. Advertised "Buy it Now" options must be listed at a price equal to MAP or greater. For advertised auctions, the advertised reserve and/or opening bids must start at MAP. Advertised "Best-offer" auctions are not allowed.

Amazon and Other Marketplace Sites

Resellers who are pre-authorized in writing to sell ARB Products on Amazon and other Marketplace sites are responsible for managing settings and ensuring that listings comply with the established minimum advertised price (MAP) for all ARB Products.

Promotional Codes, Sales, and Website Discounts

Unless approved in writing, ARB Products must be excluded from all advertised promotional codes, sales, and website discounts including special offers for email subscriptions.

ARB SKUs and Product Descriptions

ARB Products advertised on the Internet must reference official ARB SKUs (i.e., Part Numbers) and Product Descriptions, regardless of whether listings are on a private domain, social media, forum, or marketplace site. Official ARB SKUs and Product Descriptions are available by subscribing to ARB'S data provider.

MAP Policy Violations

First Infraction

The first time a reseller violates ARB's MAP Policy, ARB will send a First Infraction Notification. The reseller must bring the specified product pricing into compliance with the ARB MAP Policy within 24 hours of the notification. Failure to comply will result in a Second Infraction.

Second Infraction

The second time a reseller violates ARB's MAP Policy, ARB will send a Second Infraction Notification. The reseller will be placed on ARB's Unauthorized Reseller List and all sales and shipments to the reseller, or on behalf of the reseller, will be suspended for a period of 60 days from the date of the notification.

Third Infraction

The third time a reseller violates ARB's MAP Policy, ARB will send a Third Infraction Notification. The reseller will be placed on ARB's Unauthorized Reseller List and all sales and shipments to the reseller, or on behalf of the reseller, will be suspended for a period of six months from the date of the notification. Any violation following the Third Infraction will result in more severe penalties, up to and including Permanent Unauthorized Reseller status.

At its discretion, Air Locker may choose whether to act in relation to a breach of the MAP Policy. Failure to act in relation to a MAP Policy breach will not be a waiver of any of Air Locker's rights under the MAP Policy.

Unauthorized Reseller List

The Unauthorized Reseller List contains the names of third-party resellers who have failed to comply with the ARB MAP Policy or have committed intellectual property violations. Air Locker maintains the ARB Unauthorized Reseller List and publishes for distributors on a weekly basis.

Distributors are expected to keep their internal networks updated to reflect the most current Unauthorized Reseller data and abide by the ARB MAP Policy by not selling ARB products to any Unauthorized Reseller or shipping ARB products on their behalf.

Third-party resellers will be added to the Unauthorized Reseller List when they have not corrected minimum advertised pricing within the specified 24-hour period. There are three suspension levels:

1. 60 days: Reseller fails to correct MAP within the specified 24-hour period and is issued a second infraction notice.
2. 180 days: Reseller fails to correct MAP within the second specified 24-hour period and is issued a third infraction notice.
3. Permanent: Reseller fails to correct pricing despite multiple contacts and opportunities to comply with the ARB MAP Policy. Use of ARB copyrights, trademarks, logos, artwork, and marketing material will be prohibited.

Air Locker may, at its discretion, modify a suspension period or reinstate an Unauthorized Reseller who has made proven efforts to improve business practices and comply with the ARB MAP Policy.

Purchase Audits

Air Locker will perform periodic purchase audits to identify which direct distributor is supplying a specific Unauthorized Reseller. ARB will contact the distributor with the results of a purchase audit and request that ARB product sales to the Unauthorized Reseller cease immediately.

If an Unauthorized Reseller continues to violate MAP following a purchase audit, ARB may perform additional purchase audits. Continuing to supply an Unauthorized Reseller despite ARB's requests to cease will be considered a direct violation of the ARB MAP Policy.

These efforts not only preserve the value of our key brands but allow our network of distributors to preserve the value in their own businesses.

Frequently Asked Questions (FAQs)

Q: Why have you changed the MAP Policy?

A: Air Locker updates the ARB MAP Policy to match evolving conditions and violation strategies, especially in the area of e-commerce.

Q: How do you monitor MAP Policy violations?

A: Air Locker uses a variety of internal and external monitoring methods to monitor MAP Policy violations.

Q: Does the MAP Policy fix a price at which Products must be sold?

A: No, the MAP Policy does not fix a price at which Products must be sold. The MAP Policy regulates the minimum advertised price. Each reseller is expected to independently determine the price at which it sells Products to customers.

Q: Does the MAP Policy prohibit resellers from offering free shipping?

A: No, the MAP Policy allows resellers to offer value-added incentives such as free shipping; however, the monetary value of the shipping may not be shown.

Q: Does the MAP Policy prohibit me from tailoring my ARB Product offering to include customized items such as suspension kits or bundled products?

A: Resellers may not offer a customized product bundle or suspension kit without prior written approval; however, the offering price must be equal to or greater than the combined MAP sum of the individual components.

Q: Where can I find the official ARB SKUs and Product Descriptions?

A: ARB SKUs and Product Descriptions are available on the ARB USA website, ARB USA Customer Price List, or by subscribing to ARB'S data providers, SEMA Data or DCi CatalogRack.

Q: How will I know when the MAP Policy or Pricing changes?

A: ARB will notify its distribution network when the MAP Policy or Pricing changes. All dealers are responsible for ensuring that they and their wholesale customers do not advertise ARB, OME, IPF or Safari brand product lines below ARB's MAP price.