

Dolphin Hat Games

Minimum Advertised Price (MAP) Policy

EFFECTIVE: June 16th, 2021

LAST UPDATED: October 1st, 2023

A. PURPOSE

The purpose of this MAP Policy is to establish and maintain the value and integrity of Dolphin Hat Games products in the market. This policy is designed to ensure fair competition among resellers and protect the brand image and reputation of Dolphin Hat Games.

B. COVERED PRODUCTS & MINIMUM ADVERTISED PRICE:

This MAP Policy covers all card games and related products offered by Dolphin Hat Games ("Covered Products") below. The Minimum Advertised Price (MAP) for all Covered Products follows the below table. Resellers are prohibited from advertising any Covered Product below this specified MAP. Dolphin Hat Games may update this list from time to time. The Reseller is responsible for reviewing the Dolphin Hat Games MSRP Price List for any updates.

Title	ISBN	MSRP
Taco Cat Goat Cheese Pizza Versions		
Taco Cat Goat Cheese Pizza - Original	855836006081	\$9.99
Taco Cat Goat Cheese Pizza - On The Flip Side	855836006128	\$9.99
Taco Cat Goat Cheese Pizza - Spanish Edition	855836006272	\$9.99
Taco Cat Goat Cheese Pizza - 8-bit Edition	855836006210	\$9.99
Taco Cat Goat Cheese Pizza - FIFA Edition	855836006289	\$9.99
Seasonal Titles		
Taco Cat Goat Cheese Pizza - Easter Edition	855836006234	\$9.99
Taco Cat Goat Cheese Pizza - Halloween Edition Shoebox	855836006197	\$9.99
Taco Cat Goat Cheese Pizza - Halloween Edition Tuckbox	855836006111	\$9.99
Santa Cookie Elf Candy Snowman - Shoebox	855836006173	\$9.99
Santa Cookie Elf Candy Snowman - Tuckbox	855836006098	\$9.99
All Other Games		
800 Pound Gorilla	855836006265	\$14.99
Steal the Bacon	855836006142	\$12.99
Gimme That!	855836006166	\$9.99

C. THIRD PARTY SELLING IS PROHIBITED:

We work diligently to maintain our MSRP and the value of our products out of respect to our brick and mortar partners. Dolphin Hat Games reserves the right to be the only authorized 3rd party eCommerce seller. This is done in an effort to protect the MSRP of the games, and prevent other sellers on Amazon, Walmart, or other sites to undercut our retail partners. Any retailer found to be selling our games through a 3rd party site will no longer be permitted to purchase games for resale.

D. ADVERTISING GUIDELINES

1. **Advertising (Media).** This MAP Policy applies to advertising in any and all media, including, without limitation, all digital media (such as websites, forums, email newsletters, email solicitations, internet advertising, social media, auction sites, reverse auction sites, “logged-in” customer areas, and any communication or display of a price accessible by a search engine, web crawler and/or specialized shopping and pricing engines); flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogs, and other print media; television, radio, and other broadcast media; billboards and other signage visible by the public outside a retail store; and bag stuffers, point-of-sale signs, hang tags, shelf-talkers, and other in-store signage. Such website features as “Click for price,” automated “bounce-back” pricing emails, email responses (preformatted or otherwise) that provide information on products other than one that a consumer-initiated email asked about, automatic price display for any items prior to being placed in a consumer’s shopping cart, and other similar features are considered to be communications initiated by a Reseller rather than by a consumer, and this constitutes “advertising” under this Policy.
2. **Advertising (Content).** Advertising a specific price below the MAP Price for a MAP Product is noncompliance with this Policy. For avoidance of doubt, the following advertising is considered noncompliance with this Policy:
 - a. **Directing Consumer to Price Location.** Content that directs a consumer to a different location for price information (for example, “Click for price,” “move to shopping cart for price,” automated “bounce-back” pricing emails, preformatted email submission forms, automatic price display for any items prior to being placed in a consumer’s shopping cart, and other similar features) are considered to be advertising Prices below the MAP Price.
 - b. **Strikethroughs and Nearby Listings.** Showing a strikethrough price (e.g., \$11.99) or showing a price lower than the MAP Price next to or near the featured MAP Product in any advertising will be viewed as noncompliance with this MAP Policy.
 - c. **Coupons and Incentives.** Advertising a coupon, gift card, or other incentive that would translate into a price below the MAP Price is considered noncompliance

with this MAP Policy (other than for coupons, incentives, or other promotions that Dolphin Hat Games has funded or authorized).

- d. **Bundles and Packages.** Advertising bundles or packages of Dolphin Hat Games MAP Products at a price lower than the combined MAP Price for the advertised products is considered noncompliance with this Policy. Advertising a bundle or package that includes both a Dolphin Hat Games MAP Product and at least one other product that is not a Dolphin Hat Games MAP product that otherwise conforms to this Policy will be considered compliant with this Policy.
 - e. **Clearance and Sell Through.** Advertising clearance or similar sales of Dolphin Hat Games MAP products at a price lower than the MAP price without written pre-approval by Dolphin Hat Games would be considered noncompliance with this policy.
 - f. **Policy Circumvention.** Any communication initiated by a Reseller that Dolphin Hat Games determines, in its sole discretion, is designed or intended to circumvent the intent of this Policy will be considered noncompliance.
3. **Compliant Advertising.** The following advertising is not considered noncompliance with this Policy.
- a. **General Price Advertising.** General advertising that the Reseller has “the lowest prices” or will match or beat its competitors’ prices is not considered noncompliance with this Policy. Advertising such content specifically in connection with a Dolphin Hat Games MAP Product, however, is considered noncompliance.
 - b. **Loyalty Programs.** General advertising of a discount applicable to a consumer’s order where such discounts are provided under a Reseller’s general loyalty programs (e.g., frequent buyer programs, membership clubs, pallet programs, business-to-business volume discounts, or auto-ship or subscription programs) is not considered noncompliance with this policy.
 - c. **General Store-wide Discounts.** Advertising store-wide sales or department-wide or category- wide sales for a department or category in which a Reseller carries a Dolphin Hat Games MAP Product is not considered noncompliant with this Policy as long as the advertising does not show a below-MAP price point for a Dolphin Hat Games MAP Product or show the pre-discount product price point of a Dolphin Hat Games MAP Product in close proximity to the percentage-off discount.
4. **Actual Selling Price.** This Policy applies to advertised prices only, and not to any Reseller’s actual selling price. Each Reseller remains free to establish its own resale prices.
5. **No Pre-Publication Advertising Review.** Dolphin Hat Games will not review any proposed advertising of any Reseller. Each Reseller is responsible for determining whether to comply with this Policy and for reviewing its own advertising for compliance with this Policy. Trademark and brand standard compliance will be managed separately.
6. **Multiple Locations.** Noncompliance by one location of a Reseller with multiple store locations will be considered noncompliance by all stores of that Reseller unless a

Reseller can demonstrate to Dolphin Hat Games' sole satisfaction that the noncompliance was limited to a specific location.

7. **No Agreement.** This document states a policy adopted by Dolphin Hat Games and does not constitute an agreement with any Reseller. Dolphin Hat Games is not seeking and will not accept agreement from any Reseller to comply with the Policy, and no officer, director, or employee of Dolphin Hat Games is authorized to accept any such agreement. It is entirely within the discretion of each Reseller to comply or not comply with this Policy.
8. **Antitrust Compliance.** Resellers are reminded that any communications or agreements between or among Resellers are subject to state and federal antitrust laws, and Resellers should not make private agreements with other Resellers regarding the contents of this Policy or their decisions as to compliance with this policy.

E. MAP HOLIDAYS

From time to time, Dolphin Hat Games may permit advertising of Dolphin Hat Games MAP Products at prices lower than the MAP Price. Dolphin Hat Games reserves the right to modify or suspend the MAP Price with respect to the affected MAP Product(s) for a specified period of time and may provide advance notice to all the Resellers of such changes.

F. ENFORCEMENT

Administration and Enforcement. Dolphin Hat Games has sole responsibility for enforcement of this MAP Policy and will make all determinations concerning apparent noncompliance with this Policy. Dolphin Hat Games will not negotiate terms of this Policy with any Reseller. Dolphin Hat Games reserves the right, in its sole discretion (and with or without notice to Resellers) to update, modify, or suspend this Policy in whole or in part at any time. No Dolphin Hat Games employee has the authority to modify this policy, grant exceptions, or discuss this policy or noncompliant advertising with any Reseller.

Consequences of Noncompliance. A Reseller's noncompliance with this policy will result in such consequences as Dolphin Hat Games may determine in its sole judgment. These consequences may include but are not limited to:

- a. Loss of access to one or more Dolphin Hat Games product lines
- b. Temporary suspension of a violator's reseller account
- c. Cancellation of pending orders, and suspension
- d. Termination a violator's reseller account.

G. MODIFICATION OF MAP

Dolphin Hat Games reserves the right to modify or amend this MAP Policy at its sole discretion. Notice of any changes will be provided to all authorized resellers.

H. QUESTIONS OR VIOLATIONS

For questions regarding this MAP Policy or to report a potential violation, please contact Eric@Dolphinhat.com.