



Gerber Unilateral Price Policy

We recognize that those authorized to resell our brands invest time and resources to deliver an extraordinary customer experience through knowledgeable staff and compelling vendor presentation. To support those efforts, Fiskars Brands, Inc., dba Gerber ("Gerber"), wishes to establish policies that allow our authorized resellers to earn the profits necessary to maintain the high level of customer excellence people have come to expect. Gerber also wants to allow and encourage our authorized resellers' investment in promotion of Gerber products and discourage free riding by discount dealers. In order to successfully compete in the marketplace, to maintain its premium brand image, and foster overall competitiveness throughout the market, Gerber has announced this Unilateral Price Policy ("UPP"). As of the Effective Date listed above, all sales from authorized resellers to consumers (i.e., end users) of the Fiskars' products defined below shall be subject to this UPP.

The Gerber products covered by this UPP ("Product") and each Product's price (the "UPP Price") are set forth in a *Unilateral Price Grid* found at: gerbergear.com/en-us/dealers/pricing-policy.

Gerber reserves the right, in its sole discretion, at any time, to alter, modify, suspend, or cancel this UPP, the Products and/or the UPP Price. Each authorized reseller is required to check the UPP website regularly as any changes made will be effective as indicated on the website. Gerber sales personnel have no authority to modify or grant **exceptions to this Policy**. **All questions regarding this Policy should be directed to the Gerber UP Policy Coordinator at: gerberup@gerbergear.com**.

The following is a non-exhaustive list of actions **prohibited** under the UPP:

- **Product bundling.** Combining any Product(s) with any other product(s) for a sales price lower than the combined price of what the Product(s) could be purchased independent of each other.
- **Unapproved price specials.** Reseller initiated rebates or promotions (in any form) not previously approved by Gerber in writing on any Product that results in a net price lower than the UPP Price.
- **Hidden pricing.** Advertising, including but not limited to that which requests the end user to: "see price in cart," or "click to see price," or "add to cart for best price," or "Why we do not show a price?", or illustrates a price that is struck through, or fails to list a price, or any language or graphic representation that implies a lower than UPP Price may only be seen via click through to the cart.

The following is a non-exhaustive list of actions **allowed** under this UPP:

- The offer of free shipping, engraving, gift wrapping, or financing on Product(s).
- Listing the Product(s) for sale at a price higher than the UPP Price.

Gerber may, from time to time, within its sole discretion, announce promotion prices and bundles of the Product(s), which shall be communicated to all authorized resellers. Such promotion is acceptable under this UPP.

This UPP does not restrict the authorized reseller's right to establish independent advertised and/or resale prices of Gerber Products. Gerber reserves the right to determine whether an authorized reseller has advertised or sold a Gerber product covered by this UPP at a net price that is lower than the UPP Price. Upon such determination Gerber may, without assuming any liability, cancel any orders and may indefinitely refuse to accept new orders from the authorized reseller.



This UPP has been unilaterally adopted by Gerber. Gerber neither solicits nor will it accept assurances or agreement by or from an authorized reseller regarding this UPP. Nothing in this UPP shall constitute an agreement between Gerber and any authorized reseller of compliance with this UPP. The authorized reseller, within its own discretion, can choose to acquiesce or not acquiesce with this UPP. Gerber will not discuss conditions of acceptance related to this UPP. This UPP is non-negotiable and will not be altered, modified, or amended for any authorized reseller.

Last updated: July 1, 2024