

Third-Party Seller Policy

FIREDISC, INC. (“FDC”) has built a strong reputation and following among the end-user consumers of our products. In order to preserve our reputation for providing customers with high value products and strong after-sales supports, and to further enhance our image and competitiveness in the marketplace, FDC has unilaterally established a Third-Party Seller (“TPS”) Policy to ensure authorized dealers, distributors and resellers have the incentive to partner with FDC and to invest resources into services for FDC’s customers.

The TPS Policy will apply to all U.S. and Canadian dealers, distributors and resellers. The TPS Policy shall work under the following guidelines:

All FDC dealers, distributors and resellers must abide by the following:

1. No dealers, distributors, and resellers, whether authorized or unauthorized by FDC, may utilize third party internet sites such as Amazon.com, ebay.com, shop.com, Overstocked.com Walmart.com, JET.com or any similar sites to advertise or sell an FDC product without prior written approval by FDC.
2. From time to time FDC may discontinue models or engage in promotions with respect to certain products or engage in the sale of “close out” products and/or “B stock” inventory. In such events, FDC reserves the right to modify or suspend the TPS Policy with respect to the affected products by notifying dealers, distributors and resellers of such change in writing. FDC further reserves the right to unilaterally adjust the TPS with respect to all or certain products at its sole discretion.
3. Failure to abide by the TPS Policy will result in swift legal action by FDC. FDC shall treat any violation of the TPS Policy as an infringement of its intellectual property. Specifically, FDC will quickly and aggressively pursue a law suit against any seller using third party website, claiming an infringement of FDC's patents, trademarks, and other intellectual property. In the age of unmonitored and unregulated online merchandising platforms, FDC has no choice but to aggressively pursue infringers to protect itself and its authorized dealers, distributors and resellers.
4. FDC reserves the right to offer promotions at any time throughout the year without adhering to the TPS Policy including but not limited to bundling, pricing, TPS Holidays and warehouse sales.
5. In the event a dealer, distributor or reseller chooses not to follow the TPS Policy, sanctions may be unilaterally imposed by FDC in its sole discretion. Intentional and/or repeated failure to abide by this TPS Policy may result in termination of business relationship, dealership or distributorship. FDC does not intend to do business with dealers, distributors and/or resellers who compromise the perceived value of FDC and its products. FDC may monitor the advertised price of dealers, distributors or resellers, either directly or via the use of third-party agencies. FDC reserves the right, in its unilateral discretion, to take other action to any dealer, distributor or reseller that violates the TPS Policy. FDC will enforce the TPS Policy in its sole discretion; therefore, no dealer, distributor or reseller has any right to rely on the continued existence of the TPS Policy or any effort by FDC to enforce the TPS Policy. The administrator of the TPS Policy shall be solely responsible for determining whether a violation of the TPS Policy has occurred, communicating decisions to dealers, distributors or resellers regarding the TPS Policy and receiving any communication regarding sanctions imposed under the TPS Policy. **FDC SALES PERSONNEL OR OTHER EMPLOYEES HAVE NO AUTHORITY TO MODIFY OR GRANT EXCEPTIONS TO THE TPS**

POLICY. Therefore, all questions or comments regarding the TPS Policy are to be directed to the administrator of the TPS Policy at FIREDISC, 25145, STE 1103, Katy, TX 77494

6. This TPS Policy has been unilaterally established by FDC to help ensure the legacy of FDC as a top producer of high performance, high quality, professional products and to protect the reputation of its name and products. The TPS Policy is also designed to ensure dealers, distributors and resellers have the incentive to invest resources into services for FDC's customers. FDC reserves the right at any time to modify, suspend, or discontinue the TPS Policy in whole or in part or designate promotional periods during which the terms of the TPS Policy change or designate periods of time during which the TPS Policy is not applicable. Modifications of the TPS Policy shall be made available on the FDC website at www.firediscookers.com.