

Fitness Anywhere Affiliate Marketing Guidelines

We have invested heavily in the Fitness Anywhere brand. By “brand” we mean Fitness Anywhere’s entire corporate identity, including its trademarks, copyrights, trade dress, distinctive products and packaging designs, and the look and feel of its website and marketing materials. The Fitness Anywhere brand is valuable because it stands for well-made, innovative products and outstanding customer service. This value is what these guidelines are meant to protect.

People or companies that have entered into affiliate agreements with us (together, “you”) may use the trademarks, logos, product shots, video and still imagery, web banners and screen shots that we provide to you in the Affiliate Resource Center of our website (the “Marketing Elements”) to promote Fitness Anywhere’s products and services, but only in accordance with the following guidelines.

By participating in the Fitness Anywhere Affiliate Program, you agree that Fitness Anywhere is the owner of its trademarks, logos, symbols, trade names, service marks, copyrights and other proprietary trade designations protected by law (collectively, the “Marketing Elements”) and all goodwill associated therewith. You have no right to utilize any Marketing Elements, except as provided by this Agreement. Fitness Anywhere hereby grants to you a non-exclusive license to reproduce, distribute, perform, transmit and otherwise use the Marketing Elements in your efforts to promote Fitness Anywhere’s products and services.

Proper Use of Marketing Elements

- You may not change the Marketing Elements in any way. They must appear exactly as we provide them, without changes of any kind.
- No part of the Fitness Marketing Elements, including but not limited to web domains and URLs, product names and packaging, logos, colors, designs, tag lines, trade dress, web site banners or collateral materials, may be used in a way that is suggestive of, or confusingly similar to, Fitness Anywhere’s web site, marketing materials, packaging or designs.
- If you display any of the Marketing Elements you must also display, in the primary and more prominent position, your own logos, business name, product names or other branding. You may not display the Marketing Elements as a primary or prominent branding feature on any of your materials.
- You may not use Marketing Elements in any way that implies that you (or anyone else) or your goods, services or website are sponsored or endorsed by Fitness Anywhere.
- You may not display the Marketing Elements as part of, or close to, you or your company’s name, domain name, product or service name, logo, trade dress, design, tag lines, slogans or other trademarks in such a way as to state or imply that you are the manufacturer, designer or originator of Fitness Anywhere or the Products. You may not use the Marketing Elements

in a way that disparages Fitness Anywhere, its personnel, products or services.

- You may not combine the Marketing Elements with anything else, including but not limited to, other graphics, words, logos, design features, symbols or photos. The Marketing Elements must stand alone.
- You may not imitate the Marketing Elements and may not incorporate them into the design of any other products or product packaging, or into any marketing or other materials including for example websites, or tradeshow or other displays, in such a way as to suggest that you are sponsored or endorsed by Fitness Anywhere.
- You may not use a URL for any purpose where such URL infringes Fitness Anywhere's rights under the law and/or this Agreement or is likely to cause the potential customers to confuse or conflate your identity and Fitness Anywhere's.

Use of Particular Marketing Elements

Product Shots, Web Banners, Photos & Other Images

The Marketing Elements include pictures of Fitness Anywhere products, as well as still photography, videos and other images provided by Fitness Anywhere (together, "Fitness Anywhere Images"). You may use the Fitness Anywhere Images to represent Fitness Anywhere's products or services that you sell or promote, or to otherwise promote Fitness Anywhere, provided:

- Your use of FA Images is not obscene or pornographic and is not disparaging, defamatory, or libelous to Fitness Anywhere, any of its personnel, products or services, or any other person or entity.
- Your use of FA Images does not imply, directly or indirectly, that Fitness Anywhere sponsors or endorses your product or service.

Trademarks

- When referencing Fitness Anywhere software and products, apply the appropriate trademark symbols in accordance with the list of current Fitness Anywhere trademarks, available at [URL].
- Include an attribution of Fitness Anywhere's ownership of the trademarks within the credit notice section of the document in which you display the trademarks (e.g., your website or marketing materials) as follows: "*[List of Trademarks] are registered trademarks or trademarks of Fitness Anywhere, Inc. in the United States and/or other countries.*" You need only include in each document's notice the trademarks you use in that document.
- Set Fitness Anywhere trademarks apart from the words they modify. Usually, this is done by capitalizing the product name and using the appropriate trademark symbol and appropriate descriptor. You may also underline, italicize, or bold the name.

Correct: Suspension Training® workouts build strength, flexibility and balance.

Incorrect: Suspension Training® builds strength, flexibility and balance.

- Do not use Fitness Anywhere trademarks in the possessive or plural form. Introduce them as an adjective followed by an appropriate descriptor.

Correct: We bought some Suspension Training® systems.

Incorrect: We bought some Suspension Trainers™.

- Do not manufacture, sell, or give away merchandise such as T-shirts, hats, etc. bearing any Fitness Anywhere Marketing Elements, including logos, except pursuant to an express written trademark license from Fitness Anywhere.
- Do not use or register any Fitness Anywhere Marketing Elements, or any potentially confusing variation of a Marketing Element either individually or as part of your company name, trade name, product name, service name, or domain name. Do not place your company name, trademarks, service marks, or product names next to (or combine them with) a Fitness Anywhere product name.

Linking to Fitness Anywhere's Website

- You may embed a link in the text or FA Image on your website by referring to Fitness Anywhere or a Fitness Anywhere product or service name in text, provided you follow Fitness Anywhere's trademark guidelines and you clearly inform the reader that you are directing them to Fitness Anywhere. For example, you might caption an FA Image with the phrase "Click here to go to Fitness Anywhere" and embed links in both the text and the FA Image.
- Except for the link logo provided by Fitness Anywhere, you may not use the Fitness Anywhere logo or any image that is not an FA Image to link to our website.

Fitness Anywhere's Rights

Fitness Anywhere reserves the right in its sole discretion to terminate or modify permission to display the Marketing Elements, and may request that you modify or delete any Marketing Element that, in Fitness Anywhere's sole judgment, does not comply with these guidelines. As a condition to your use of the Marketing Elements, you agree to make any such requested modifications or deletions. Fitness Anywhere further reserves the right to object to any use or misuse of its Marketing Elements, or to other violations of applicable law.