



Motion Pro, Inc.

3171 Swetzer Road

Loomis, CA 95650

Tel. 650-594-9600

Motion Pro Dealer Qualification Requirements

In order to protect the value of the Motion Pro brand and help consumers have a good experience with their purchase of Motion Pro products, Motion Pro firmly believes that retailers must meet certain minimum standards for customer service, accessibility, and presentation of Motion Pro products. Therefore, in order to be an authorized reseller of Motion Pro products, retail outlets that sell Motion Pro products must meet the criteria set out below for either **Retail Store** or **Web Only Retail Store**.

1. **Retail Store** - Store with physical location open to the public that sells new or used vehicles, parts, parts and service, or just service. Must meet following criteria to be authorized to sell Motion Pro products:
 - a. Retail or commercial location that is open to public
 - b. Store must have showroom with stock of powersports products and sales staff or repair stations staffed by professional mechanics
 - c. Open during regular business hours or longer (minimum of 30 hours per week) for at least 7 months out of the year.
 - d. Dedicated business phone with staff that answer it in the name of the business during business hours
 - e. Staff in store to help walk in consumers during business hours
 - f. Store staff are reasonably knowledgeable about the Motion Pro products they offer and capable of giving technical advice about those products to prospective consumers
 - g. 70% or more of the store's business must be in powersports (motorcycle, ATV, snowmobile, watercraft)
 - h. If the store operates a web site or web store on portals such as Ebay or Amazon, the web site and web stores are subject to and must meet the criteria set out below in items 2d, 2e, 2f, and 2g.
 - i. **Store may only resell Motion Pro products to end users. Store or its affiliates may not resell or deliver Motion Pro products to another retailer**

or to any third party resellers such as Amazon, Jet. Com, Sears.com, for the purpose of them reselling the product or for fulfilling orders for the Store.

2. **Web Only Retail Store** - Web only store (no physical location that is open to public).

Must meet following criteria to be authorized to sell Motion Pro products:

- a. Store is based out of retail or commercial location (not in a residence). Store must be able to furnish proof of conforming location to Motion Pro upon demand.
- b. Store must have dedicated telephone with staff that answers in the name of the business during business hours (minimum of 30 hours per week)
- c. Store must have staff that are reasonably knowledgeable about the Motion Pro products they offer and capable of giving technical advice about those products to consumers that make telephone or email inquiries either before or after purchasing a product.
- d. Store's web home page must include contact information including business telephone number, address, and active email address where it can easily be found by viewers (okay to use "contact" button that calls up web page with this information). This contact information must be included in any online postings or web site where product is offered for sale including third party sites such as Amazon, Ebay, etc.
- e. If web sales are conducted through a third party portal (such as Amazon, Ebay, Sears.com, Kmart.com, etc.) and that portal prohibits stores from listing any one of the required categories of contact information (business telephone, business address, email contact or address), then the store must have an active web site under the same name that it uses on the 3rd party portal and that includes all the required contact information where it is readily visible and accessible to consumers. For example, if a store's name on Amazon (or Ebay, Sear, etc.) is Acme Motorsports and it is not possible to list an email address for Acme Motorports on the store's sales portal, then the store must have and actively maintain www.acmemotorsports.com web site and have all the required contact information prominently placed on the landing page of that site. Store agrees to allow Motion Pro to send notices to store either by email posted on its website or web postings or via US mail to store's business address given in contact information.

- f. 70% or more of the products listed on the company's web site and any web portals must be powersports related (motorcycle, ATV, snowmobile, watercraft).
- g. **Store may only resell Motion Pro products to end users. Store or its affiliates may not resell or deliver Motion Pro products to another retailer or to any third party resellers such as Amazon, Jet. Com, Sears.com, for the purpose of them reselling the product or fulfilling orders for the Store.**
- h. The store's web site and any stores operated by the store on 3rd party portals must present a positive look and feel that does not detract from the image of the Motion Pro brand. Motion Pro reserves the exclusive right to determine if the content and/or look and feel a web site or web store is detrimental to the Motion Pro brand image and to halt sales of Motion Pro products to that store if Motion Pro feels that the store's presentation of Motion Pro products or brands is detrimental to Motion Pro.

Stores found to be in violation of the Motion Pro Dealer Qualification Requirements will prohibited from purchasing Motion Pro products from our authorized distributors under the guidelines set out below.

- 1. Motion Pro shall make reasonable effort to contact and notify store of the violation.**
- 2. Motion Pro may prohibit distributors from selling to store if store does not bring its operations into compliance with the Motion Pro Dealer Qualification Requirements and notify Motion Pro of such compliance within two (2) working days of receiving a notice of violation.**
- 3. Motion Pro reserves the right to prohibit distributors from selling Motion Pro product to the store without any notice to store if the store's contact information is not readily available on its public web site or easily found web postings.**

