



As valuable consideration for XYMOGEN's agreement to supply Products, **CUSTOMER ACKNOWLEDGES AND UNEQUIVOCALLY AGREES THAT IT SHALL NOT RESELL, SELL, MAKE ANY REFERENCE TO PRICES/PRICING, OR DISTRIBUTE ANY OF THE PRODUCTS USING THE INTERNET, ANY INTERNET SITE, OR ANY OTHER ELECTRONIC MEDIUM OR DEVICE, NOT SPECIFICALLY APPROVED BY XYMOGEN IN A SEPARATE WRITING.** The term "Internet Site" shall include, but is not limited to, any World Wide Web site, USENET, newsgroup, bulletin board, server, or other online service at any electronic domain name, address, or location, or any other form of online service, electronic domain name, or other form of electronic commerce whatsoever. CUSTOMER may refer to XYMOGEN and the Products on its Internet Site and may include a link to XYMOGEN's website. Such reference and links shall be subject to XYMOGEN'S prior written approval.

CUSTOMER SHALL NOT LIST OR POST ANY PRODUCT PRICES ON THE INTERNET.

Absent XYMOGEN's prior written express consent, CUSTOMER also agrees that it shall not publicly advertise the Products using the Internet (i.e. banner or other advertisements), any other electronic medium, or any print medium.

XYMOGEN FORMULAS IN PHARMACIES MUST BE PLACED BEHIND THE COUNTER AND OUT OF SIGHT OF ITS CUSTOMERS.

Any failure to comply with the aforementioned items regarding this Policy will result in the immediate termination of CUSTOMER's right to purchase any Products.

ADDITIONAL INFORMATION:

With regard to this Policy, the primary thing we look at in a website is that there are no prices listed, no discounts, and that the general public cannot purchase our formulas online. If they are in compliance with that, the only other thing that we require is to place our Internet Disclaimer on their website to let customers know that they must be a patient of their clinic to place an order.

Having prices listed online is only permissible if it is behind a password protected area and out of view of the general public. XYMOGEN strictly prohibits the selling of our formulas online. If a password is used on their website, it must be for their patients or customers only. It cannot be a password generated simply by just anyone having access their website, but the password must be controlled and regulated by the clinic.

With regarding pricing and shopping carts, we do permit some websites to leave a \$00.00 in their shopping carts because their entire website is often linked together in such a manner that it would affect all other products being sold on their website. As long as the general public cannot place an order on their website it is permitted to place \$00.00 in their shopping cart. This is in compliance with our Policy. What we specifically prohibit is the ability for the general public to place an order online. A patient must be referred back to the doctor, either by displaying our Internet Disclaimer or have a disclaimer that is pre-approved by XYMOGEN.

Our Internet Disclaimer is outlined below.

If XYMOGEN formulas are to be viewed by the general public, you'll be required to place this disclaimer wherever XYMOGEN formulas are displayed. If your website is password protected and our formulas cannot be searched via a search engine, then you are not required to use our disclaimer.

LEGAL NOTICE

XYMOGEN's Exclusive Professional Formulas are available through select licensed health care professionals. The Internet Sale and Discounting of XYMOGEN formulas are strictly prohibited. XxXxXxXxXxXx.com makes XYMOGEN formulas available only to patients of our clinic. If you are a patient of XxXxXxXxXxXx, you may inquire about XYMOGEN by calling (000) 000-0000.

**PRIVATE LABEL formulas are exempt from XYMOGEN's No Internet Sales Policy, bearing in mind that the private-labeled products can make no mention or reference to the XYMOGEN name, XYMOGEN logo or XYMOGEN product name, or indicate that it is a XYMOGEN formula. Please contact us if you would like more information about XYMOGEN's Private Label Program.*

Printed Name: _____

Signature: _____

Date: _____