

RADIESSE® E-Media Kit Terms of Use

PERMISSION TO USE MERZ AESTHETICS COPYRIGHTED MATERIAL AND TRADEMARKS

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Merz North America Inc. (“MNA”) hereby grants to the recipient of this E-Media Kit (hereinafter “Licensee”) the non-exclusive right and license to use the Licensed Materials in, and in connection with, programming and content produced by Licensee including, without limitation, its website. Licensee may display the Licensed Material in any media for use in its website. Licensee acknowledges and agrees that all rights to and interest in the Licensed Materials are specifically retained by Merz North America, Inc.

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This document represents the entire agreement between Licensee and MNA with respect to this subject matter. This agreement and all actions related to it shall be governed by the laws of the State of California (excluding any conflicts of laws principles that would require the application of the laws of a different state). Your consent to use MNA trademarks, logos and copyrighted materials is subject to your compliance to the guidelines and instructions provided herein.

BACKGROUND AND GUIDELINES FOR USE OF

MERZ AESTHETICS COPYRIGHTED MATERIALS AND TRADEMARKS

RADIESSE® Provider Badge

The RADIESSE® Provider Badge is a great way to show potential patients that you carry RADIESSE®. The Provider Badge is delivered to you in the form of HTML code that automatically displays your RADIESSE Provider Status in the form of a branded badge. If you are currently running a Special Offer promotion through the RADIESSE Doc Locator, your badge will display your RADIESSE Provider Status and advertise your special offer. This is a great way to drive patients to your page on the RADIESSE® website!

RADIESSE® Before & After Pictures

Displaying RADIESSE® Before & After photos on your website is one of the best ways to show your patients what they can expect when they receive a RADIESSE® treatment. We have provided you multiple sets of Before & After photos for you to choose from. Please carefully read the following instructions for properly displaying RADIESSE® Before & After photos onto your website:

- The Before & After pictures may not be altered in any way. This includes:
 - Cropping
 - Resizing
 - Altering the color palate
 - Adding filters
- The RADIESSE® Important Safety Information (ISI) must be displayed on the same page as the RADIESSE® Before & After treatment photos.
 - It is adequate to post the ISI at the bottom of the page (see RADIESSE.com for an example of how this can be accomplished)
 - The RADIESSE® ISI is included in this kit, titled (RADIESSE E-Media Kit ISI)
 - The ISI fonts and formatting displayed in this file must remain unchanged and intact when transferred to the webpage, and the complete ISI must be displayed

RADIESSE® Mechanism of Action Illustration

The RADIESSE® Mechanism of Action Illustration provides your patients a scientific background regarding how RADIESSE® stimulates the body to produce collagen. Please carefully read the following instructions for properly displaying the RADIESSE® Mechanism of Action illustration onto your website:

- The Mechanism of action Illustration may not be altered in any way. This includes:
 - Cropping
 - Resizing
 - Altering color palate
 - Adding filters
- The RADIESSE® Important Safety Information (ISI) must be displayed on the same page as the illustrations.
 - It is adequate to post the ISI at the bottom of the page
 - The RADIESSE® ISI is included in this kit, titled (RADIESSE E-Media Kit ISI)
 - The ISI fonts and formatting displayed in this file must remain unchanged and intact when transferred to the webpage, and the complete ISI must be displayed

RADIESSE® Videos: Mechanism of Action for RADIESSE, DIVA, MENS & Made in America

RADIESSE® Mechanism of Action Video

- The RADIESSE® Mechanism of Action video provides your patients a scientific background on how RADIESSE® stimulates the body to produce collagen.

RADIESSE® DIVA and Men's Video

- The RADIESSE® DIVA and Men's videos are the feature clips from our main websites

RADIESSE® Made In America Video

- The RADIESSE® Made in America video shares the story behind where RADIESSE is manufactured.

Please carefully read the following instructions for properly implementing any RADIESSE® Video onto your website or using as an in office loop series:

- The videos may not be altered in any way
- The video or videos must be presented in their entirety
- The RADIESSE® ISI scrolling video is included in this kit, titled (RADIESSE E-Media Kit Scrolling ISI)
- The digital scrolling RADIESSE® Important Safety Information (ISI) must be included with looping video series. If showing one video, ISI must appear at end of video. If including multiple Radiesse videos, ISI can be placed at the end of the series.
- The ISI fonts and formatting displayed in this file must remain unchanged and intact when transferred to the webpage or used in your office, and the complete ISI must be displayed

RADIESSE® Package Photo

The RADIESSE® Package Photo is meant to establish RADIESSE® brand recognition with your patients, so they know the product they are seeing in your office is the same product they saw online.

RADIESSE® Brand Logo

Logos are the most powerful brand asset. Place the RADIESSE® logo on your site to ensure patients recognize it and associate it with other places they have seen the logo. Please carefully read the following instructions for properly displaying the RADIESSE® brand Logo onto your website:

- The design of the RADIESSE® logo may not be modified in any way
- Do not try to recreate the logo using fonts or images
- The logo must be used from a digital file

- Incorrect logo usage:
 - o Do not link any text to the logo
 - o Do not use more than one logo per visual surface
 - o Do not use the logo with, or as part of, another logo or symbol or create a logo-like graphic that competes with the logo
 - o Do not add a registration or trademark symbol to the logo
 - o Do not rotate, invert, spin, stretch, angle, outline or pivot the logo

RADIESSE® Product Description

The RADIESSE® Product Description is meant for you to post directly onto your website. The content is accurate, consistent, and relevant to the RADIESSE® brand message, and is Search Engine Optimized. Please carefully read the following instructions for properly implementing the RADIESSE® Product Description onto your website:

- The content may not be altered in any way
- The RADIESSE® Important Safety Information (ISI) must be displayed on the same page as the RADIESSE® Product Description
 - o It is adequate to post the ISI at the bottom of the page
 - o The RADIESSE® ISI is included in this kit, titled (RADIESSE E-Media Kit ISI)
 - o The ISI fonts and formatting displayed in this file must remain unchanged and intact when transferred to the webpage, and the complete ISI must be displayed

RADIESSE® Talking Points

The RADIESSE® Talking Points are provided for you to be able to integrate information about RADIESSE® into your own written media. It is accurate, consistent, and relevant RADIESSE® product information. Please carefully read the following instructions for properly incorporating the RADIESSE® Talking Points within your site content:

- Do not make any product claims that fall outside of the provided talking points
- Do not alter the claims provided
- Provide the appropriate citations when incorporating talking points within your content
- The RADIESSE® Important Safety Information (ISI) must be displayed on the same page as any content generated from the provided RADIESSE® Talking Points

- The RADIESSE® ISI is included in this kit in both the talking points document and as a separate document, titled RADIESSE E-Media Kit ISI
- It is adequate to post the ISI at the bottom of the page (see www.radiesse.com for an example of how this can be accomplished)
- The ISI fonts and formatting displayed in this file must remain intact when transferred to the webpage, and the complete ISI must be displayed
- See below TRADEMARK AND PRODUCTION GUIDELINES for proper use of the Merz Aesthetics™ and RADIESSE® trademarks

TRADEMARK USE AND PRODUCTION GUIDELINES

MNA's trademarks are valuable business assets and these guidelines are intended to protect them. In consideration of MNA permitting you to use the Merz Aesthetics trademarks described in these guidelines, and by using those trademarks, you agree to comply with the guidelines described here. MNA gives you permission to use its trademarks only in connection with your aesthetic medicine practice and not to use these trademarks in any activity which might in any way hurt the reputation of MNA. Should Merz Aesthetics ask you to stop using these marks or to change that use in any way, you agree to comply with that request.

These guidelines and your use of the Merz Aesthetics trademarks and logos do not constitute a partnership, joint venture, or agency relationship between you and MNA. This is the only agreement between you and Merz Aesthetics concerning the Merz Aesthetics trademarks, and it may not be changed except by a signed written agreement.

If you have any questions or any proposed use that is not covered by these guidelines, please contact the MNA Legal Department. MNA may change these guidelines at any time without prior notice, and may for any reason whatsoever withdraw this permission.

Subject to compliance with the guidelines, you may use the trademarks in the manner authorized by these guidelines.

Guidelines

PROPER USE EXAMPLES FOR MERZ NORTH AMERICA TRADEMARKS

RADIESSE® (Merz North America, Inc.)

Merz Aesthetics™ Products (Merz Pharma GmbH & Co. KgaA)

GENERAL RULES OF PROPER TRADEMARK USAGE

Trademarks are adjectives. A trademark should be used as an adjective immediately preceding the generic noun that described the related product or service.

Trademarks are not nouns and should not be used alone as a noun. The exception is for use as a company name. For example, when used to refer to the company, Merz Aesthetics may be used as a noun and should not be designated with a trademark symbol ® or ™.

Since a trademark is not a noun, neither the possessive form nor the plural form should be used.

A trademark is also not a verb.

Never change the original appearance of any designs and/or logos. It is important to maintain the original font, proportion and/or color of designs and logos. Trademark symbols should always be used with logos.

Ownership of a trademark should be properly attributed and is generally done in two ways. First, a trademark symbol (™, ®, or SM) is employed after the actual trademark. Second, a trademark legend should be placed at the end of a document or at the bottom of a web page or other media display usually following the copyright notice. An exemplary trademark legend is: “RADIESSE is a registered trademark of Merz Aesthetics Inc.” Certain assets in this E-Media Kit contain non-Merz trademarks and their trademark legends. Trademark legends for non-Merz trademarks must not be deleted.

The legend must be in a typeface of at least 8 point size.

A trademark symbol should be used for all prominent uses of the trademark, for example, titles, headlines, signage, web site promotions, brochures, marketing materials, press releases, advertising, label, packaging and the like.

A trademark symbol should be used on the first use of the trademark in the text or body copy, even though the symbol may have already been used in the headline or another prominent use.

Trademarks must always be used in a manner that distinguishes them from the rest of the text. After the trademark has appeared in a document using ® or ™, subsequent use of the trademark in the same document does not require use of ® or ™ provided that the trademark is still clearly distinguishable from the surrounding text. This can be achieved by CAPITALIZATION, underlining, using “quotation marks”, boldface type, or *italics*. These rules are not applicable to certain FDA-approved drugs and these exceptions will be noted in the guidelines for the use of such trademarks.

REQUIRED TRADEMARK LEGEND

The following trademark legends must be displayed on your website if you utilize any of the assets of the RADIESSE® E-Media Kit:

RADIESSE and IT JUST GETS BETTER are registered trademark of Merz North America, Inc. Merz Aesthetics and the Merz Aesthetics logo are trademarks of Merz Pharma GmbH & Co. KGaA.