

MARY KAY®

Legal Keys Education Series

Unlocking your Social Media Success

Social media has become a part of life in a BIG way, especially when it comes to how the world communicates. Staying connected to your current and potential customers is vital for the success of your Mary Kay business and the Company understands the power of social media as a communication tool.

This Legal Key will **EDUCATE** and equip you with social media savvy that could lead you to the next level of social media success in your business. Understanding these principles before you post may **EMPOWER** you to be even more effective in your communications while staying compliant with the terms of your Mary Kay Agreement(s). With these helpful tips, you can engage with your current and prospective customers using social media while you **PROTECT** the Mary Kay® brand, your business and the Mary Kay Opportunity! So let's get started.

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The following terms and definitions are essential in helping you unlock your social medial success throughout this legal key:

Term	Definition
Commercial Message	Any message/post that clearly indicates that you want the audience to engage in business with you.
Hashtag	A word or phrase preceded by a hash mark (#), used within a message to identify a keyword or topic of interest and facilitate a search for it. Whenever a user adds a hashtag to their post, it's able to be indexed by the social network and becomes searchable/discoverable by other users.
Independent Contractor Relationship	Your relationship with Mary Kay Cosmetics Ltd. as an Independent Beauty Consultant, Independent Sales Director or Independent National Sales Director, is that of an Independent Contractor, not an employee.
Informational Message	A message/post that expresses your love of Mary Kay® products and shares your honest opinions about your Mary Kay business to your audience.
Mary Kay Agreement (s)	Individually or collectively refers to your Independent Beauty Consultant, Independent Sales Director or Independent National Sales Director Agreement(s), as applicable.
Unauthorized Website	An Internet retail or auction site that displays or offers Mary Kay® products for sale including, but not limited to, Amazon, eBay, Poshmark, Walmart and Facebook Marketplace.

Promoting your business

Here are six simple principles to help successfully and effectively promote your business on social media:

1 PROTECT THE BUSINESS MODEL

Thinking about selling Mary Kay® products on an online marketplace, website or social media swap meet?

Don't do it! See page 3 under "Protect the Business Model" to learn why this is prohibited and the consequences of engaging in this type of activity.

2 PROTECT THE BRAND

Is your social media business account named properly? Find out under "Protect the Brand" on page 4.

3 PROTECT CUSTOMER RELATIONSHIPS AND AUTHORIZED TRADEMARK USE

Want to know how to appropriately communicate on social media and when to use branded hashtags? Learn the guidelines of informational and commercial messages and on which platforms each type of message should be shared under "Protect Customer Relationships and Authorized Trademark Use" on pages 5-6.

4 PROTECT YOUR SOCIAL MEDIA BUSINESS PAGE AND PERSONAL PAGE/PROFILE

Are you aware that every social media platform has its own terms and conditions? Familiarize yourself with them to avoid having your profile or page removed.

Learn more under "Protect Your Social Media Business Page and Personal Page/Profile" on page 7.

5 PROTECT AND RESPECT OTHER'S TRADENAMES, TRADEMARKS AND INTELLECTUAL PROPERTY

Did you know you could be subject to enforcement action if you suggest an affiliation between Mary Kay® or your Mary Kay® business, and another brand, celebrity or sponsored event?

Find out why under "Protect and Respect Other's Tradenames, Trademarks and Intellectual Property" on page 7.

6 PROTECT AND UNLEASH YOUR CREATIVITY

Want to jumpstart your creativity? The Company offers digital assets and suggested posts to help or inspire you to promote your business on social media. These resources can be found in the Education Section located on Mary Kay InTouch®. For further details see pages 7 and 8.



1 PROTECT THE BUSINESS MODEL

Principle: The Mary Kay business model is that of a **Direct Sales** company, which means our products are sold at retail by Mary Kay Independent Beauty Consultants to their customers, person-to-person away from fixed retail locations, including flea markets or unauthorized websites. Remember, social media can be used to communicate with your current and prospective customers but should not become an online retail store.

♥ **Social Media Selling Sites:** Unauthorized websites are not just limited to Amazon, eBay, Kijiji, Poshmark or other online marketplaces such as Walmart, but also include social media selling sites such as Facebook Marketplace. Displaying or offering Mary Kay® products for sale on these platforms is inconsistent with the direct sales business model.

♥ **Social Media Garage Sales, Swap Meets and Apps:** Some social media platforms allow the creation of groups to promote the sale of items, including online garage sales or swap meets (e.g. ABC Garage Sale or Bazaars). There are also apps designed for promoting the sale of items, such as Vinted and VarageSale. All of these are considered online retail sites and therefore unauthorized websites. In addition, Mary Kay independent sales force members have expressly agreed not to advertise, promote their business, sell, exchange, or offer to sell or exchange Mary Kay® products on such platforms or apps and are therefore prohibited from doing so.

CAUTION: If the Company determines that an Independent Beauty Consultant (“IBC”) is **1)** selling Mary Kay® products on unauthorized websites, apps or other unauthorized channels, **2)** having someone else sell products on unauthorized websites on their behalf, or **3)** knowingly supplying products to be sold on such sites, the IBC’s Mary Kay Agreement(s) will be subject to immediate termination and the IBC may be subject to further legal action.

Tip: For more information regarding Mary Kay’s direct sales business model, refer to the Legal Ease Guidelines located on Mary Kay InTouch®.



2 PROTECT THE BRAND

Principle: A company's greatest asset is its brand. Consumers conduct business with brands they trust. The name "Mary Kay" along with our many product names, other trademarks, and copyright protected images and materials are owned by Mary Kay Inc. and are part of the Company's intellectual property portfolio. Our brand is well-known and respected throughout North America and in many foreign countries. To help protect the integrity of our brand, the Company grants IBCs limited permission to use our intellectual property on social media in connection with their Mary Kay businesses that will be explained throughout this legal key. Naming your Mary Kay social media business account: While you are an active IBC, you have permission to use "Mary Kay" or "MK" in the name of your social media business account as long as you use one of the following long or short form naming conventions.

LONG FORM NAMING CONVENTION: Enter your name followed by "Mary Kay Independent Beauty Consultant," "Mary Kay Independent Sales Director," or "Mary Kay Independent National Sales Director"

» **Example:** Jane Smith, Mary Kay Independent Beauty Consultant

SHORT FORM NAMING CONVENTION: You may choose from several of the following acceptable abbreviated naming options, followed by "MK IBC," "MK ISD," "MK INSD" or "MK":

» **Example:** The first initial of your first name, then your last name = JSmithMKIBC or JSmithMK

» **Example:** Your first name, then the first initial of your last name = JaneSMKIBC or JaneSMK

» **Example:** Your full name = JaneSmithMKIBC or JaneSmithMK

If you only use a personal social media account, you are not authorized to use the name "Mary Kay," or "mk" in the naming convention of your personal accounts. You may consider creating closed groups to communicate directly and specifically with your customers or your area and team members. When closed groups are formed from your personal social media accounts, you are not allowed to use any Company tradenames or trademarks in the naming convention of your closed groups.

♥ **Correctly Describing Your Relationship with Mary Kay:** When describing your relationship with Mary Kay on social media, it is important to share accurate information regarding your independent contractor status. Examples of appropriate descriptions in your social media profile include: self-employed, independent business owner, Mary Kay independent business owner, Mary Kay Independent Beauty Consultant, Mary Kay Independent Sales Director or Mary Kay Independent National Sales Director, as applicable.

CAUTION: If you are using a short form naming convention, it is crucial that you include your full title as an independent contractor, such as Independent Beauty Consultant or Independent Sales Director in your bio.

CAUTION: Should your Agreement(s) with the Company terminate for any reason, you will be required to immediately remove or delete your Mary Kay social media business page.



3 PROTECT CUSTOMER RELATIONSHIPS AND AUTHORIZED TRADEMARK USE

Principle: When communicating on social media about your Mary Kay business, there are two types of messages: informational and commercial. Determining which type of message to share will depend on your intended audience of each platform and whether a Mary Kay branded hashtag can be used.

♥ **Informational messages** can include offering your honest opinion and enthusiasm about your Mary Kay business, your love of Mary Kay® products, or showcase your “MK Life”. Informational messages are often highly effective and can be posted anywhere, such as your personal or business social media account, a closed customer group or other networking groups you have joined. This enthusiasm can also include conversation starters for others to share their love for Mary Kay® products and a Mary Kay branded hashtag.

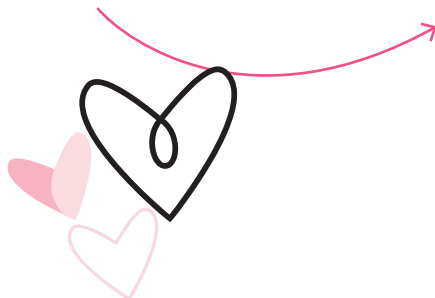
AUDIENCE: Anyone!

WHERE: Anywhere!

MARY KAY BRANDED HASHTAGS:

Can only be used in informational posts.

» **Example:**



♥ **Commercial messages** are advertisements and extend an offer to solicit individuals to engage in business with you. Commercial messages may include prices of products, special offers or discounts, a solicitation to attend a skin care party or to start a Mary Kay business and join your team.

AUDIENCE: Customers only (or shared privately with potential customers)

WHERE: Social platforms that only reach your customers, such as your social media business page, closed customer groups, text messages, or e-mail.

MARY KAY BRANDED HASHTAGS: Must not be used in commercial messages.

» **Example:** “Start a Mary Kay business with me today!”

“This weekend I am offering 20% off Satin Hands Pampering Set!”



Tips:

- An informational message can include a tagline that states “Learn More” with a link to your Mary Kay® Personal Website because it is only an invitation for your audience to learn more about what is shared in your post and is not a solicitation to do business with you.
- You can “boost” commercial posts only to the followers of your social media business page.
- Posts should include content that is appropriate for all age groups.
- Special offers should include a start and end date. After the offer has expired, you should remove the post to avoid any confusion. You should also review the platform’s terms of service for any rules regarding special offers.
- Only post truthful, accurate and company substantiated results and benefits of Mary Kay® products. Consider using the company-provided posts. For more information on this topic, review the Product Claims section in the Legal-Ease Guidelines located at *Mary Kay InTouch > Resources > Legal Resources*

CAUTION:

- Think about the content and images you are considering posting because when communicating online, nothing is truly private, and each post or message becomes a documented record. Posted content that does not comply with the guidelines is often reported to the Company and constitutes a violation of the terms of the Mary Kay Agreement(s).
- The Mary Kay trade name or trademarks as hashtags must not be used in commercial messages because the hashtag makes the post searchable by the public; therefore, creating an unauthorized advertisement.
- Solicitations to start a Mary Kay business with you are always considered commercial messages.
- Posts regarding how much you earn, even if accurate, or how much someone else could earn with a Mary Kay business must not be shared on social media. These are considered earnings claims and constitute a serious violation of the terms of the Mary Kay Agreement(s) and the DSA Code of Ethics.
- Posting content that could be construed as offensive, controversial, distasteful, or damaging the reputation of the Company’s brand should not be posted.
- Posting raffles to win a prize for social engagement by your followers is considered “engagement bait” and is prohibited by social media platforms as well as a violation of the terms of the Mary Kay Agreement(s).



4 PROTECTING YOUR SOCIAL MEDIA BUSINESS PAGE AND PERSONAL PAGE/PROFILE –

understanding the terms and conditions of the social media platforms you are using

Principle: You should read and comply with the terms and conditions of any social media site you use before posting about your Mary Kay business. The terms and conditions (and related policies) for each social media platform (Facebook, Instagram, Twitter, Pinterest, etc.) can differ greatly and can frequently change.

CAUTION: Many social media platforms' terms of service (including Facebook) limit or prohibit commercial messages on personal pages. Therefore, it is important to review and understand the site's terms and conditions to prevent the platform's administrators from removing your page or profile.

Tip: If Mary Kay is an official sponsor of a particular event or program, the Company will let you know how you can appropriately discuss these events with your customers on social media.

6 PROTECT AND UNLEASH YOUR CREATIVITY

Principle: The Company offers many resources for you to get exciting content to share to your social media platforms and successfully promote your Mary Kay business. These resources will also encourage your own creativity and flair for content you can create and post in social media. Check out the following:

MARYKAYINTOUCH® > EDUCATION > COMPANY APPROVED CONTENT & APPROVED SOCIAL MEDIA POSTS

» marykay.ca or your own Mary Kay® Personal Web Site

FOLLOW MARY KAY ON SOCIAL MEDIA CHANNELS AND EASILY SHARE TO YOURS

- » Mary Kay Canada Facebook page
- » @MaryKayCanada on Instagram
- » Mary Kay Canada on Twitter
- » @MaryKayCanada on Pinterest
- » Mary Kay Canada on YouTube

5 PROTECTING OTHER'S TRADENAMES, TRADEMARKS AND INTELLECTUAL PROPERTY

Principle: Just as Mary Kay protects its intellectual property, so do other brands and celebrities. In order to respect the intellectual property rights of others, you should never suggest or hint an affiliation between Mary Kay or your Mary Kay business and another brand, a celebrity or sponsored event.

CAUTION: Companies pay millions of dollars to be the official sponsors of events, such as the Olympics or the Academy Awards. Consequently, sponsors may actively search for and take legal action against businesses or individuals who falsely suggest they are affiliated with or are a sponsor of the event. Even the use of a hashtag could subject you or Mary Kay to enforcement action. As an example, you should avoid posting messages like, "Go for the gold with these great new Mary Kay® products! #olympics".





REMEMBER to join Mary Kay Canada on Instagram and Facebook. When sharing content from the Mary Kay Canada social channels remember, to replace the link to marykay.ca with the link to your Mary Kay® Personal Web Site.

♥ **Videos:** Using the same principles in this Legal Key, you can create and post an informational or commercial message in a video and post on your social media platforms. Your videos must:

- » Avoid you applying products on others;
- » Feature individuals who have given you permission to post their image online;
- » Not contain any third-party intellectual property, including copyrighted music unless you have appropriate permissions; and
- » Comply with the terms of your Mary Kay Agreement(s).

If videos are posted on a video hosting website that is accessible by the public, such as YouTube, the following rules apply:

- » Videos can only be informational messages;
- » The naming convention (title) of your video or hosting site username (channel name) cannot utilize any Mary Kay tradename or trademarks;
- » Videos can only link to your Mary Kay® Personal Website or your Mary Kay social media business page.

♥ **Before and After Photos:** Photos claiming results for conditions other than those indicated on the product labelling or approved corporate marketing may not be used for any purpose.

If an Independent Beauty Consultant wishes to use her or his own personal “before and after” photos, please refer to the guidelines in Legal Ease, found on *Mary Kay InTouch* > *Resources* > *Legal Ease*. Any photos or testimonials relating to Mary Kay® products that do not comply with these guidelines are considered prohibited Product Claims.

Tips:

- To ensure honesty and full disclosure to consumers, always identify yourself as a member of the Mary Kay independent sales force when you are posting comments on any Mary Kay Company-operated page or website.
- If you want to use Company-copyrighted photos or images, only use images that are available through the “SHARE” feature of official Company social media sites or resources made available on InTouch™ without modifying or altering the images.
- Post videos or photos of Mary Kay products that you created yourself. Find tips in the Social Media Hub under the Education tab on InTouch™.

CAUTION: Sending unsolicited direct messages to fans or followers of Mary Kay social media pages or sites are not permitted.



Unlocking your Social Media success



Legal Support Team

EDUCATE | EMPOWER | PROTECT

*Partnering with you to proactively protect the
Mary Kay business opportunity through
education & empowerment*

Contact Us: compliancecanada@mkcorp.com or 1 (877) 411-6279