



AudioNow® Advertisements: General Guidelines

Our acceptance of any advertisements shall be governed by the standards and guidelines set forth below.

All material distributed over the AudioNow® network will be reviewed and must conform to all applicable governmental laws and regulations as well as the standards and policies of AudioNow.

The basic principles of advertising acceptance are: advertising should be honest and in good taste, claims should be substantiated, and qualifying information about the attributes or use of a product should be disclosed whenever qualifying information is required to avoid misleading consumers.

General Standards

AudioNow® reserves the right to:

1. Accept or reject at any time advertising for any product or service submitted for distribution over any of its programming facilities;
2. require elimination or revision of any material in advertising copy which violates AudioNow's standards, policies or guidelines; federal, state or local laws or regulations; or is otherwise contrary to the public interest; and
3. reject any advertising in which the advertised product, program, or service could negatively affect its audience.

In order to determine the acceptability of advertising material, AudioNow® has the right to investigate the advertiser and the accuracy of all statements and claims made in advertising copy, including requiring the advertiser to provide substantiation or documentation providing a reasonable basis for the claims, as determined by AudioNow®.

ADVERTISING INJURIOUS TO INTERESTS OF PUBLIC OR AUDIONOW

Standard

AudioNow® retains the right to reject any advertising that is or might be injurious to AudioNow's listeners, prejudicial to the interests of the public, AudioNow® or honest advertising and reputable business in general.

ALCOHOL

Standard

Subject to broadcaster's prior approval, beer and wine advertising is acceptable.

AudioNow® will accept malt beverage advertising with appropriate scheduling restrictions, provided the advertising material is otherwise acceptable and the commercial clearly and conspicuously communicates in



audio that the product is an alcoholic malt beverage. See Distilled Liquor, etc. for details.

Alcohol advertising may air only between 9:00 p.m. and 4:59 a.m. and may not air in any broadcast content that AudioNow® believes is primarily targeted at persons under age 17, or any broadcasts that specifically opt out of this advertising category.

Current Restrictions:

Not permitted to air within any broadcast content that AudioNow® believes is targeted primarily at persons under the age of 17.

CONDOMS / OTHER SEXUALLY ORIENTED PRODUCTS

Standard

Subject to broadcaster's prior approval, AudioNow® may, on a case-by-case basis and subject to scheduling restrictions, accept advertising for condoms, erectile dysfunction treatments, birth control devices or methods, or remedies for sexually transmitted diseases, provided it is presented in good taste.

Any condom advertisements that are accepted will be restricted to hours or day parts and restricted from certain programming.

Current restrictions:

Condom advertisements may air only between 9:00 p.m. and 4:59 a.m. and may not air in any broadcast content that AudioNow® believes is primarily targeted at persons under age 17, or any broadcasts that specifically opt out of this advertising category.

DEFAMATORY, VIOLENT OR OBSCENE MATERIAL

Standard

AudioNow® will not accept any advertisement that contains material that is in whole or in part defamatory, obscene, profane, vulgar, repulsive or offensive or excessively violent, either in theme or in treatment or that describes or depicts repellantly any internal bodily function or symptomatic results of internal conditions, or refers to matters that are not considered socially acceptable topics. All advertising material will be reviewed on a case-by-case basis.

DRUGS, HABIT FORMING

Standard

AudioNow® does not accept advertising for any drug that is or may be habit forming. Prescription drug advertising is also subject to separate standards and guidelines (see Drugs, Prescription).

DRUGS, PRESCRIPTION / NON-FDA

Standard

Prescription drug advertisements must comply with FDA Guidelines. Under the FDA's guidelines, prescription drug advertising must:



- Be accurate.
- Balance the risk and benefit information.
- Be consistent with the prescribing information approved by FDA.
- Only include information that is supported by strong evidence from clinical studies. Non-FDA All Non-FDA approved drugs must be submitted to advertising@audionow.com in advance for review. All weight loss advertising must conform to FTC guidelines and documentation supporting any and all claims must be provided to advertising@audionow.com upon request. AudioNow® shall have sole discretion in determining what constitutes acceptable substantiation. FALSE, UNSUBSTANTIATED OR UNWARRANTED CLAIMS OR TESTIMONIALS THAT CAN NOT BE AUTHENTICATED

Standard

AudioNow® will not accept any advertisements that contain (i) false, unsubstantiated or unwarranted claims, (ii) false or ambiguous statements or representations that may be misleading to the audience or (iii) testimonials that cannot be authenticated. AudioNow® reserves the right to request an affidavit or notarized statement signed by the endorser attesting to the truthfulness of all testimonial representations as well as written evidence that the name or picture of the endorser is used with the specific consent of that person.

FIREARMS / FIREARM AMMUNITION

Standard

AudioNow® does not accept advertisements for handguns or handgun ammunition. Advertisements for rifles, shotguns and BB guns (rifle only) will be accepted on a case-by-case basis following approval. It is strongly recommended that all production elements (i.e., script or storyboard, rough cut, final version) be submitted as available. Tactical, assault or combat style rifles with high-capacity clips, flash suppressors and collapsing stocks will not be allowed. Advertisements for any product that show animals that have been killed or that are being shot or suffering are not acceptable. Requests for exceptions will be reviewed on a case by case basis, but generally wild fowl (e.g., ducks, geese) may be shown falling from the sky or after having been shot by hunters. Advertisements for any product that show children shooting are not acceptable.

PUBLIC SERVICE ANNOUNCEMENTS

AudioNow's Public Service Announcement Policy

AudioNow® limits the distribution of PSA's (to include but not limited to all charitable requests, promotions, and initiatives) on its platform to those announcements that have been carefully reviewed and approved on a case-by-case basis.

Standard

- No solicitation of funds, absent special public interest considerations.
- Permissible to say "support/call for more information or to learn more" or "log on to _____ for more information or to learn more."
- No solicitation of volunteer efforts (e.g., "give your time") or petitions for adoption.
- No 1-800 numbers.
- URLs acceptable if other content restrictions adhered to (No 800 numbers).
- "Appreciation" spots acceptable on a case-by-case basis (e.g., we appreciate the Virginia State Police efforts).
- Not permissible in sponsorship elements.



Non-Profit PSAs

PSAs submitted for free airing by or on behalf of non-profit organizations (e.g., the Red Cross), governmental agencies or via the Ad Council must be reviewed and approved by AudioNow's Marketing Department.

Cause-Related Marketing/Paid For PSAs

Spots submitted by or on behalf of traditional marketers (e.g., American Express on behalf of the Statue of Liberty restoration effort or McDonalds on behalf of the Ronald McDonald House charity) as well as packagers must be reviewed and approved by AudioNow® Legal and Marketing Departments. This includes trade association or institutional advertisements (e.g., Office of National Drug Control Policy), as well as advertisements purchased by public service organizations or governmental or quasi- governmental organizations. AudioNow® requires not only that the name of the sponsor be clearly disclosed, but that the words "paid for" or "Sponsored by" be used.

CASINO ADVERTISING

Standard

AudioNow® will distribute advertising for casinos or other places of gambling (including travel services or tourist destinations that directly or indirectly promote gambling), under the following standards and guidelines:

- The advertisement does not in any way promote sports wagering or race book services, including references to odds, horse racing "tout" boards, betting slips, etc.
- Advertisements for casinos may promote the gambling amenities of the casino, and may include audio references to gambling or gambling paraphernalia (e.g., dice, roulette wheels, "slot machine" type sounds).
- Advertising for casinos will be subject to any restrictions or prohibition required by programming rights-holders during applicable programming.
- Advertising for programming that incidentally makes audio references to gambling or gambling paraphernalia (e.g., a Las Vegas, Nevada-based police show, or "Tilt") is acceptable.

Current Restrictions:

Not permitted on any audio content that AudioNow® believes is primarily targeted to persons under age 17. Additional restrictions subject to AudioNow's discretion.

LOTTERY / GAMBLING

Standard

Other than as noted in these Advertising Standards & Guidelines, AudioNow® does not accept advertising constituting or relating to a lottery, a contest of any kind in which the public is unfairly treated or any enterprise, service or product which would tend to encourage, aid, abet, assist, facilitate or promote illegal gambling.

Current Restrictions:

Audio: Not permitted on any broadcast content that AudioNow® believes is primarily targeted to persons under age 17. Additional restrictions subject to AudioNow®'s discretion.

ILLEGAL PRODUCTS OR SERVICES



Standard

AudioNow® will not accept any advertisement for a product or service which is illegal per se or has no legal use in any state, county or municipality in which the advertisement is distributed.

MOTION PICTURE MARKETING

Standard

Movies: StandardNC-17: Will be considered on a case-by-case basis. Subject to time-of-day restriction as well as more restrictive program schedule guidelines. Plan and Schedule as well as commercial must be reviewed prior to air.

G, PG and PG-13 Rated movies are all acceptable for air anytime subject to review of content. We recognize that in some cases AudioNow® will have to exercise judgment in situations as to which the application of the policy may be ambiguous, or as to which it does not fully cover or even contemplate. In these cases, we will look to the intended effect of these policies and act in accordance with its spirit. In addition, any commercial may be reviewed and temporarily suspended from air when the national or world events change the environment.

All commercials submitted to AudioNow® are subject to a standard review regardless of rating. The outcome of any specific review supersedes any general guidelines that may be in place.

Current Restrictions:

Approved material for R-rated movies is not permitted in any broadcast content that AudioNow® believes is targeted primarily to persons under the age of 17 or anything else AudioNow® deems to be youth-oriented content.

Additional restrictions applicable at AudioNow's discretion.

VIDEO GAME MARKETING

Standard

M-Rated games (including RP-Rated = Not Yet Rated) are subject to Entertainment Software Ratings Bureau (ESRB) audience guidelines as well as review prior to consideration for air.

A-Rated: Considered on a case-by-case basis, and plan/schedule as well as commercial must be reviewed prior to consideration for air. E, EC and T-Rated games are all generally acceptable for air anytime subject to review of content. We recognize that in some cases AudioNow® will have to exercise judgment in situations as to which the application of the policy may be ambiguous, or as to which it does not fully cover or even contemplate. In these cases, we will look to the intended effect of these policies and act in accordance with its spirit. In addition, any commercial may be reviewed and temporarily suspended from air when national or world events change the environment.

All commercials submitted to AudioNow® are subject to standard review regardless of rating. The outcome of any specific review supersedes any general guidelines that may be in place.

Current Restrictions:



Approved material for R-rated movies is not permitted in any broadcast content that AudioNow® believes is targeted primarily to persons under the age of 17 or anything else AudioNow® deems to be youth-oriented content.

Additional restrictions applicable at AudioNow's discretion.

SPECULATIVE INVESTMENTS

Standard

1. Foreign Currency Exchange Trading. AudioNow® will not accept advertising for trading companies that utilize the "interbank market" for currency trading. (Interbank trading generally involves trading between large institutions such as banks and corporations, rather than trading via a recognized futures exchange such as the Chicago Mercantile Exchange.) Fraudulent currency trading firms often tell customers that their trading is done on the "interbank market." AudioNow® Advertising Sales, prior to even sending these ads to Legal for review, will determine if a currency trading advertiser is using interbank trading. In addition, AudioNow® will not accept advertisements for foreign currency trading that utilize numbers to promote their offerings (either actual or predicted), e.g., "\$10,000, properly positioned, in Deutschmarks last August would be worth \$20,000 today."
2. Commodities. Reputable commodities traders belong to the National Futures Association (NFA) and adhere to NFA Compliance Rule 2-29 which strictly governs how a trader may advertise to the public. AudioNow® Advertising Sales will require proof of membership to the NFA and/or compliance with the standards set forth in NFA Compliance Rule 2-29. Alternately, a commodities trading advertiser may submit a written explanation to Advertising Sales as to why membership is unavailable to it and/or why NFA Compliance Rule 2-29 is inapplicable. These explanations will be scrutinized carefully.
3. Credit Applications. AudioNow® Advertising Department will require a credit application for each advertising agency as well as each advertiser in this category. In addition, we will require a list of the principals in the trading firm seeking to advertise. AudioNow® Advertising Department will also require a potential advertiser to sign a form acknowledging that AudioNow® may submit information requests regarding the firm and/or its principals to the NFA, the Commodities Futures Trading Commission and/or the offices of various attorneys general.
4. Commercial Review. Advertisers that pass the above tests may submit advertising for Legal review. We will continue to apply strict scrutiny to these advertisements. For example, whenever advertising includes any prediction of potential investment results, risk factors must be disclosed. Copies of NFA Compliance Rule 2-29 will be available to the Legal Department for reference. In addition, due to the very risky and often misunderstood nature of these ventures, we will not accept advertising for leveraged investments (e.g., "give us \$3,000.00 and we'll invest \$10,000.00 on your behalf").

SUBMISSION DATES / TIMING

Standard

Submission of a commercial constitutes the agency/client warranty to AudioNow® that all elements have been cleared for air with respect to intellectual property rights: this includes, but is not limited to, rights of privacy and master, mechanical, performance and synchronization rights for music.

THIRD PARTY RIGHTS



Standard

AudioNow® will not accept advertising that includes any element of intellectual property for which the advertiser has not obtained the owner's consent to use, including but not limited to music master, mechanical, performance and synchronization rights.

AudioNow® will not accept advertising that gives rise to any other colorable claim of infringement, misappropriation or other form of unfair competition. Submission of a commercial constitutes the agency's and the advertiser's warranty to AudioNow® that all elements have been cleared for air with respect to intellectual property rights, including music rights. Advertiser and/or its agency must submit proof of clearance immediately upon request by AudioNow.

TOBACCO

Standard

AudioNow® does not accept advertisements for tobacco products or products which promote smoking, as regulated by the FDA Center for Tobacco Products (CTP).