



Unsolicited Idea Policy and Submission Agreement

POLICY STATEMENT

Thank you for expressing interest in submitting your idea to Sleep Number Corporation ("Sleep Number"). In all cases, ideas submitted in any form and in any medium will be considered non-confidential unless and until such time as Sleep Number determines to request additional information on a confidential basis. At that time, Sleep Number may execute a Non-Disclosure Agreement ("NDA") which will govern the disclosure of such additionally requested information. Any information provided to Sleep Number prior to the execution of such NDA will be considered non-confidential even if an NDA is later executed and information subsequently exchanged on a confidential basis. ***DO NOT SUBMIT YOUR IDEA IN ANY FORM (VERBAL, E-MAIL, LETTER, ETC.) UNTIL YOU HAVE READ THIS ENTIRE POLICY AND EXECUTED THE NECESSARY AGREEMENT.*** No edits to the Policy or Submission Agreement will be accepted by Sleep Number.

Continued Development: Sleep Number is dedicated to improving all aspects of sleep, comfort and personal adjustability for sleep systems. In that regard, Sleep Number is continuously developing new products and services, and improving upon its products and services using its team of employees and external consultants. In addition to many of the superior products that you see offered by Sleep Number, we have many other products and services in various stages of development. Moreover, we have other ideas that we have analyzed, but we have considered such ideas not ready for further development at this time for various reasons. As such, it is always possible that a Sleep Number employee or consultant is working on or has already developed the specific idea you would like to submit to Sleep Number. It is also possible that employees or consultants engaged by Sleep Number may later develop a similar idea to the one you submit to Sleep Number, even without having access to your submission. Your idea may have also been or will be suggested by another submitter. It is also possible that your idea may already be publically disclosed, described in prior publications or may already be in public use.

Non-confidential: Due to its continued development efforts, Sleep Number evaluates ideas by outside parties solely on the understanding that Sleep Number has no obligation of any kind to the submitter, namely no obligations of either confidentiality or payment. Sleep Number's policy is to not receive or consider any initial new product ideas or other submissions on a confidential basis. Furthermore, Sleep Number employees do not have the authority to enter into a verbal confidentiality or compensation agreement with you. This Policy governs all (or any portion of) information contained in your submission, as well as any subsequent communications (written, electronic or verbal) you may have with Sleep Number unless and until such time as additional agreements may be executed. We feel that this is very important in order to protect the interests of the company and to avoid potential misunderstandings related to such submissions.

Patents: Sleep Number may more strongly consider ideas that are described and claimed in an issued utility or design patent.

Marketing Ideas: Sleep Number will not consider suggestions for advertising, marketing campaigns, slogans, logos, brands, trademarks, or similar items.

Formal Agreement: After Sleep Number reviews your non-confidential submission, and if Sleep Number decides to consider your idea in more detail on a confidential and/or exclusive basis, then only a written agreement signed by a duly authorized Sleep Number officer will create an obligation on Sleep Number's part to maintain the confidentiality of any information, enter into exclusivity discussions and/or to pay for the use of such information.

Status Inquiries: Sleep Number will not reply to any inquiries regarding the status of your submission. Instead, Sleep Number will contact you if we decide that your submission may be novel and we decide to further consider your submission in more detail.

No Return of Materials: Sleep Number will not return any materials or documents you may choose to provide, so we encourage you to only submit copies of materials, or materials that you can easily duplicate or otherwise replace.

Advice of Counsel: Sleep Number highly recommends that you consult with a lawyer and have a lawyer review this Policy and Submission Agreement before submitting your idea to Sleep Number. Third party disclosure of ideas can trigger certain filing deadlines if you intend to ultimately seek patent protection for your idea.

Severability: If, for any reason, a court of competent jurisdiction finds any provision of this Policy and Submission Agreement, or portion thereof, to be unenforceable, that provision of this Policy and Submission Agreement shall be



enforced to the maximum extent permissible so as to affect the intent of the parties, and the remainder of this Policy and Submission Agreement shall continued in full force and effect.

SUBMISSION AGREEMENT

By submitting your idea and any subsequent materials to Sleep Number via email, mail or in any other written, electronic or verbal form, you specifically represent or agree that:

1. You are at least 18 years of age.
2. You have read, understood and agree to the terms of this entire Unsolicited Idea Policy and Submission Agreement.
3. Your submission is an original idea and that you are the owner of all right, title and interest in the idea.
4. You had the opportunity to consult with an attorney regarding this Policy and Submission Agreement, if desired.
5. You have not relied, and will not rely, on representations by any Sleep Number employee that contradict the terms of this Policy and Submission Agreement.
6. This Policy and Submission Agreement applies to all or any portion of your initial submission, and all other information you have provided or will later provide to Sleep Number in any form, unless and until Sleep Number decides to enter into a Mutual Confidentiality and Non-Disclosure Agreement with you in which case such Agreement will govern the submission of additional information beginning on the date of execution of such Agreement.
7. No effect will be given to the marking of any information submitted as "Confidential" or "Proprietary" or the like.
8. Sleep Number has no confidentiality obligations, payment obligations or other obligations of any kind to you.
9. Sleep Number is free to test, evaluate, use and commercialize any or all of the ideas in your submission for any purpose whatsoever and without compensation to you, except as restricted by any valid patent, or except as otherwise separately agreed to in writing by a duly authorized Sleep Number officer as provided herein or therein.
10. You acknowledge that, after your submission, you are not able to retract your ideas, nor prevent Sleep Number from fully exploiting the ideas in your submission.
11. You do not have a confidential, fiduciary or other relationship with Sleep Number, and no such relationship shall arise, in the absence of a separate written agreement signed by a duly authorized Sleep Number officer.
12. No Sleep Number employee has authority to enter into a verbal confidentiality agreement or otherwise vary the terms of this Policy and Submission Agreement, except through a writing signed by a duly authorized Sleep Number officer.
13. Sleep Number is not obligated to return to you any documents, items or other materials you submit to Sleep Number.
14. Your submission does not infringe on or misappropriate the intellectual property rights of others. Further, you represent and warrant that you are not under any obligation of confidentiality to any other party with respect to the ideas, information and/or documents which you submit to Sleep Number in connection with this Policy and Submission Agreement.
15. No other person or entity is owed compensation or has any rights related to your submission or that would arise from Sleep Number's use of your submission.
16. Any disputes that arise between Sleep Number and you regarding this Agreement or Sleep Number's use of your submission will be governed by Minnesota law (without regard to its conflicts of laws provisions) and venued in the state or federal courts of Minnesota.

By your signature below, you acknowledge that you have read, understand and agree to the terms of the Unsolicited Idea Policy and Submission Agreement outlined above.

Signature: _____

State of _____

Printed Name: _____

County of _____

Title: _____

Subscribed to before me this ____ day of _____, 2021.



Company: _____
Date: _____
Notary Public
Printed Name: _____
My Commission expires: _____

SUBMISSION FORM

After reviewing and executing the Unsolicited Idea Policy and Submission Agreement, if you would still like to submit your idea to Sleep Number for possible consideration on a non-confidential basis, please complete the form below.

Name:			
Address:			
Company (if applicable):			
E-mail Address:			
Phone Number:			
Date you created your idea:			
Have you submitted your idea to other companies?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
If "Yes", please identify these companies and related outcome of such submission:			
<input type="checkbox"/> additional information attached			
Have you filed for or have you obtained an issued patent related to the submission?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	Patent/Application No.:
If "Yes", please submit a copy of the patent application or issued patent.			
Brief Description of your idea:			
<input type="checkbox"/> additional information attached			
Attach such other additional information as you feel necessary to appropriately describe your idea in sufficient detail to allow us to consider it. Keep in mind that the submission of this information is optional and governed by the terms of this Unsolicited Ideas Policy and Submission Agreement and WILL NOT be treated confidentially. If this concerns you, you should consult with a lawyer BEFORE submitting your idea under this Policy.			

Executed agreements, completed submission forms and supporting information can be mailed, faxed or e-mailed (in PDF form) as follows:

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