

Advertiser & Agency Agreement

_____, referred to as ADVERTISER, and _____,
referred to as AGENCY, agree:

EMPLOYMENT OF AGENCY

ADVERTISER hereby permits the agency to render on an exclusive basis, and agency agrees to render to ADVERTISER, all the services customarily performed by an advertising agency within such budgets as ADVERTISER may set from time to time.

AGENCY'S COMMISSION

In consideration of the services rendered by the agency to advertiser, agency shall receive an amount equal to ____% of the gross charges of media advertising placed therewith by agency pursuant to this contract.

The following additional services will be rendered to ADVERTISER for the compensation stated:

BILLING

Agency shall bill advertiser every 30 days and all bills shall be due and payable by advertiser within 10 days from the date of receipt with interest at the highest legal rate due thereafter.

DISCOUNTS

Agency shall pass along all discounts it may receive when from the media to the advertiser.

ACCOUNTING UPON TERMINATION

On termination of this contract by either party, advertiser shall pay agency the cost of the material finished or in preparation, which advertiser has previously approved. Agency shall also be entitled to receive full commissions on any advertising that it has prepared and is eventually used by the advertiser. When all the agency's invoices are paid, agency shall deliver to advertiser all materials in its possession that were paid for by the advertiser. Advertiser shall assume Agency's responsibility for all outstanding contracts made on the advertiser's behalf.

NON-DISCLOSURE

From time to time ADVERTISER may provide certain confidential information to AGENCY regarding its business and prospects, which are trade secrets. As to such materials, ADVERTISER shall conspicuously mark the same with the term "CONFIDENTIAL" or "TRADE SECRET" and if not disclosed in writing, the same shall be promptly reduced to writing. AGENCY agrees not to disclose such confidential information.

Dated: _____

By Advertiser

By Agency

Advertiser & Agency Agreement Review List

This review list is provided to inform you about this document in question and assist you in its preparation. This formalizes the agreement between advertiser and agency. It provides clarity as to payments as well as discounts the advertiser is entitled to.

1. Make multiple copies. Give one original to each party.
2. You can adapt this agreement to other advertising and agency specialty agreements by limiting the area of the agreement (e.g., web banner ads; billboards; travel magazines; and so on and so on).