



VisitTheUSA.com

August 16, 2021

Hugh McConnell  
Chief Financial Officer  
MMGY Global  
7309 West 80<sup>th</sup> St #400  
Overland Park, KS 66204

Dear Hugh,

This letter is intended to memorialize the commitment of Lee County Board of County Commissioners through the department of Visitor and Convention Bureau ("Partner") to the Corporation for Travel Promotion d/b/a Brand USA ("Brand USA"). In this regard, the following is agreed to by and between MMGY Global ("Agency") as the advertising agency of record for the Lee County Board of County Commissioners through the department of Visitor and Convention Bureau and Brand USA.

Brand USA is a District of Columbia nonprofit corporation organized and operated to grow incrementally international visitation to the United States, increasing America's share of the global travel market. Brand USA will engage in international marketing of travel to the United States by, among other things:

- a. Promoting travel on the Brand USA website,
- b. Public relations – messaging through Brand USA global PR network, including in market representation firms,
- c. Participating in international trade shows to promote travel to U.S. destinations and to encourage traffic to the Brand USA website,
- d. Undertaking consumer and trade advertising,
- e. Developing publications, websites, and other media for use in priority feeder markets,
- f. Undertaking strategic partnerships with companies in the travel business, trade associations representing companies in the travel industry, U.S. travel destinations for marketing activities to drive inbound business from international feeder markets to the USA, including participating in joint trade missions and other events to target potential travelers, travel agents and other travel companies.
- g. Sponsoring of trade events or activities conducted or managed by companies in the travel business, trade associations representing companies in the travel industry and/or travel destinations, and by government offices or sponsored entities operated to promote travel to a U.S. destination.

The Agency on behalf of the Partner agrees to contribute One Hundred Eighty-Nine Thousand Eight Hundred Dollars (\$189,800) to Brand USA to support the international marketing activities of Brand USA. Brand USA agrees that the contribution will be used for





VisitTheUSA.com

the benefit of the parties to this agreement in a variety of advertising mediums, targeting travelers in Germany, Canada, the UK during Fall of 2021 through Fall of 2022 ("general limitations").

Any limitations on cash contributions must be consistent with the Travel Promotion Act of 2009 (P.L. 111-145), as amended, and any other applicable Federal statute. In addition to the general limitations, the Partner recommends that Brand USA use the contribution for cooperative advertising ("recommendations"). Brand USA will consult with Partner regarding these recommendations, but Brand USA may, at its sole discretion, elect to not use the contribution in accordance with these recommendations.

The contributed funds are nonrefundable, unless they cannot be used for their intended purpose. Contributions to Brand USA are not tax deductible as charitable contributions. The Partner may provide additional funds in the future, but is not obligated to do so.

By signing below the Partner grants a limited, nonexclusive, nontransferable, nonassignable, and nonsublicensable license to Brand USA to use the Partner logos, trademarks, and service marks (collectively the "Marks") in the Sponsored Marketing Program pursuant to the brand guidelines to be provided by Partner.

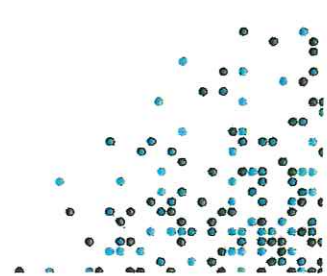
Brand USA acknowledges that it shall have no rights or interest in the Marks except as described in this letter. Brand USA may not use the Marks in any manner that is disparaging or that otherwise could reasonably be expected to have an adverse impact on the Partner goodwill, diminish its value, or the corporate image, business or reputation of the Partner. Brand USA will use the Marks in its international marketing of travel to the United States. The Partner shall have the right to terminate the license for violation of the brand guidelines.

This letter agreement is intended to constitute a binding agreement between the Agency on behalf of the Partner and Brand USA. By signing below, the Agency affirms that, with regard to this contribution to the Corporation for Travel Promotion, there are no restrictions on how the Corporation may use the contribution, or any agreement or expectation of a specific benefit in return, except as stated herein.

Sincerely,

Christopher L. Thompson  
President & CEO  
Brand USA

Date: 08.20.21





VisitTheUSA.com

ACKNOWLEDGED AND AGREED PARTNER

By   
Hugh McConnell, CFO, MMGY Global

Date: 8/30/21

By   
Lee County Board of Commissioners Chair

Date: 09222021

Approved as to Form for the  
Reliance of Lee County Only

By:   
Office of the County Attorney

