

## RetailMeNot Defends Against Mary Kay's Attack on Free Speech and the Fair Use of Publicly Available Information on the Internet in Answer Filed in Federal District Court

AUSTIN, Texas, May 21, 2015 /PRNewswire/ -- RetailMeNot, Inc., the world's largest digital offers marketplace, today filed its answer to the lawsuit brought by Mary Kay Inc. in which Mary Kay Inc. attempts to restrict information about it on RetailMeNot.com and other websites owned by RetailMeNot, Inc. ([www.retailmenot.com](http://www.retailmenot.com)).

The company issued the following statement:

"RetailMeNot, Inc. rejects Mary Kay's attack on the rights of Americans using its websites to freely exchange publicly available information over the Internet. By filing this answer to Mary Kay's complaint, RetailMeNot believes it is protecting the interests of consumers in a case that could have a negative impact on online content and service providers. Mary Kay's attempt to use trademark law in a manner that is inconsistent with fundamental principles of free speech should alarm consumers because it would deprive them of access to information about digital offers for their favorite retailers and brands.

In its lawsuit filed in March 2015 against RetailMeNot, Inc., Mary Kay Inc. asked the court to prohibit all references to Mary Kay by name on RetailMeNot.com. If Mary Kay's legal theories in the lawsuit were correct, the operator of a website like RetailMeNot.com could not use the Mary Kay name in order to refer to Mary Kay or report on information about digital offers for Mary Kay products without Mary Kay Inc.'s permission. Mary Kay Inc. has brought the lawsuit against RetailMeNot, Inc. to stop it from referring to Mary Kay by name and reporting on publicly available information about offers for products on the MaryKay.com website. The lawsuit comes despite the fact that RetailMeNot, Inc. shares this publicly available information with consumers without receiving any revenue as a result and there is only nominal traffic to RetailMeNot.com involving Mary Kay.

Despite RetailMeNot, Inc.'s good faith attempts to resolve concerns raised by Mary Kay, the cosmetics company continues to press forward with its use of trademark law to stifle the free flow of online information about Mary Kay on RetailMeNot.com. RetailMeNot, Inc. has therefore been forced to litigate this case and defend its right to continue to play an important role in a free and open Internet.

As a leading source of information for consumers about offers for more than 70,000 retailers and brands, RetailMeNot, Inc. believes it operates in compliance with all applicable laws and intends to continue to empower consumers in the digital age by protecting their right to access this information."

For a copy of RetailMeNot Inc.'s answer to the Mary Kay complaint, visit:

<http://retailmenot.mediaroom.com/courtfilling>

Case Reference: Civil Action No. 3:15-cv-00825-L

### **About RetailMeNot, Inc.**

RetailMeNot, Inc. (<http://www.retailmenot.com/corp/>) operates the world's largest marketplace for digital offers. The company enables consumers across the globe to find hundreds of thousands of digital offers for their favorite retailers and brands. During the 12 months ended March 31, 2015, RetailMeNot, Inc. experienced more than 720 million visits to its websites, and during the three months ended March 31, 2015, monthly mobile unique visitors totaled 18.4 million. In 2014, RetailMeNot, Inc. estimates \$4.4 billion in paid retailer sales were attributable to consumer traffic from digital offers in its marketplace. The RetailMeNot, Inc. portfolio includes RetailMeNot.com, the largest digital offer marketplace in the United States; RetailMeNot.ca in Canada; VoucherCodes.co.uk, the largest digital offers marketplace in the United Kingdom; Deals.com in Germany; Actiepagina.nl, a leading digital offers site in the Netherlands; Bons-de-Reduction.com and Ma-Reduc.com, leading digital offers sites in France; Poulpeo.com, a leading digital offers site with cash back in France; and Deals2Buy.com, a digital offers site in North America. RetailMeNot, Inc. is listed on the NASDAQ stock exchange under the ticker symbol "SALE." Investors interested in learning more about the company can visit <http://investor.retailmenot.com>.

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