

PlayStation®Home Content Guidelines – Age Gated Material

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1 Purpose

Sony Computer Entertainment America LLC ("SCEA") has created these Content Guidelines ("Guidelines") for application to content distributed in PlayStation®Home **behind an age gate that precludes consumers under the age of 17 from accessing said content**. The purpose of the Guidelines is to provide guidelines, restrictions and requirements for providing content for distribution in PlayStation®Home. All partners ("Partners") seeking to place content in PlayStation®Home should review these Guidelines carefully.

Examples of content governed by these guidelines include:

- Public games (age-gated)
- Private games (age-gated)
- Public events (age-gated)
- Private events (age-gated)
- Public spaces (age-gated)
- Private spaces (age-gated)
- Videos (age-gated)
- Music (age-gated)

2 Guideline and Rights

General Guidelines and Substantiation

All content submitted for distribution in PlayStation®Home must conform to these Guidelines, applicable agreements, SCEA's standards and policies and governmental laws and regulations.

The basic principles that apply to all content in PlayStation®Home include the following:

- (a) Content that depicts or references the intellectual property of others will not be permitted without the consent of the rights holder;
- (b) Content should be appropriate, interesting and relevant to the PlayStation®Home audience; and
- (c) Content elements (e.g., graphic design, video, audio, motion graphics, editing) should be the highest quality possible.

Reservation of Rights

SCEA reserves the right to accept or reject content at any time for any reason; or require revision of content at any time for any reason.

3 Entertainment Software Ratings Board (ESRB)

Application of ESRB Rules, Principles and Guidelines. The Entertainment Software Ratings Board (“ESRB”) is the nonprofit, self-regulatory body that assigns ratings to videogames and enforces advertising guidelines for the entertainment software industry.

Content containing ESRB-Rated Products. When the ESRB has rated a product featured in content or based upon a game rated by the ESRB, proper ESRB rating icons and content descriptors should be displayed as indicated by ESRB guidelines. Content should also conform to the ESRB’s Principals and Guidelines for Responsible Advertising Practices. Please see the Advertising Review Council Manual located at the ESRB website (<http://www.esrb.org/>) for details. When applicable, SCEA may ask Partners to confirm compliance with ESRB guidelines.

4 Restrictions

Content that SCEA will not distribute in PlayStation®Home includes the following:

Religious or Political Belief Systems – SCEA will not accept content that espouses religious or political doctrine, utilizes religious music, offers religious or political publications for sale or solicits funds for religious or political organizations.

Drug References – SCEA will not accept content that shows or promotes illicit drug usage.

Pornography, “Adult” Services – SCEA will not accept adult or erotic content including graphic or prolonged depictions of nudity, explicit depictions of sexual behavior, or sexual violence.

Animal Torture – SCEA will not accept content that shows animals that have been killed, are being intentionally injured or are suffering.

Platforms Competitive to PlayStation® – SCEA will not accept content that shows video game titles or video game platforms that compete with the PlayStation® brand.

PlayStation® Video Games – SCEA will not accept content showing video games that are available on the PlayStation® platform that do not accurately represent the actual content of the game. Depictions of prolonged, intense violence or graphic sexual content and nudity – even if from actual game content – are unacceptable.

Content Injurious to Interests of Public or SCEA – SCEA will not accept content that might be injurious or prejudicial to the interests of the public, SCEA, its affiliates, the PlayStation® platform or honest advertising and reputable business in general.

Defamatory or Obscene Material – SCEA will not accept content that contains material that is in whole or in part defamatory, obscene, repulsive, or excessively violent, either in theme or 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.

False or Misleading Claims – SCEA will not accept content that contains (i) false, unsubstantiated or unwarranted claims; or (ii) false or ambiguous statements or representations that may be misleading.

5 Clearance of Third-Party Rights

SCEA will not accept content that includes any intellectual property for which the Partner has not obtained the owner's consent to use. At SCEA's request, Partner may be required to provide a copy of documentation evidencing the assignment of rights to the Partner. Matters requiring a third party's clearance include music, copyrights, trademarks, logos, designs, insignias and master, mechanical, performance and synchronization rights. Submission of content constitutes the Partner's warranty that all elements have been cleared for placement into PlayStation®Home with respect to all third-party intellectual property rights and that SCEA's subsequent use of content will not violate any agreement or understanding in place with another party, including other organizations and former or current employers, or their policies and procedures that govern Partner. Submitted content cannot be subject to any obligation of confidentiality.

IF A PARTNER MISREPRESENTS THAT ITS CONTENT IS NON-INFRINGEMENT, PARTNER AND PERHAPS SCEA MAY BE SUBJECT TO CIVIL PENALTIES. THESE PENALTIES INCLUDE MONETARY DAMAGES, COURT COSTS AND POSSIBLY ATTORNEYS FEES INCURRED BY SCEA, BY A COPYRIGHT OWNER, OR BY A COPYRIGHT OWNER'S LICENSEE.

All individuals appearing in content who are recognizable must sign an image release. If there is no signed image release waiver, the recognizable individual must be blurred in content.

6 Parody and Satire

In some situations, use of copyrighted material in a work of parody or satire does not constitute copyright infringement because it is fair use. Because the determination of what constitutes fair use is fact intensive and specific, SCEA reserves the right to not distribute content that a Partner feels is parodic or satirical if SCEA determines that the risk of infringement is unacceptable.

7 Further Guidance

SCEA will evaluate the content on a case-by-case basis. Partners should exercise caution and raise all issues proactively with SCEA.