

# PUG Stock Market Analysis, LLC Terms of Service (TOS)

(Revision Date: Dec 31st, 2016)

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PUG Stock Market Analysis, LLC ("PUG") provides a website known as PUG Stock Market Analysis, LLC and other information, including e-mail newsletters and website premium content (PUG SMA Premium Service and Add-On Service), subject to your compliances with the terms and conditions set forth in this Agreement. Collectively, your use of the website and other information, including e-mail newsletters and website premium content, shall be referred to as the "Services".

By using the Services, you agree to be bound by these terms and conditions. If you do not agree to these terms and conditions, you may not use the Services.

You must be at least 18 years of age to use the Services. If you are not a least 18 years old, you may not access or use the Services.

This Agreement is made between PUG Stock Market Analysis, LLC and you, the user and/or member of the Services ("you").

PUG reserves the right at any time to: Change the terms and conditions of the this Agreement. Change the Services, including eliminating or discontinuing any content on or feature of any of the Services. Or change any fees or charges for use of the Services. Any change we make will be effective five (5) days after notice of any change is provided to you, which may be done by any means including, without limitation, posting on the Services or via e-mail. Your use of the Services after such notice will be deemed acceptance of such changes.

The Services is provided for general informational purposes only. None of the Services is intended as investment, tax, accounting or legal advice, as an offer or solicitation of an offer to sell or buy, or as an endorsement, recommendation or sponsorship of any company, security, or fund. The Services should not be relied upon for purposes of transacting securities or other investments. PUG cannot and does not assess or guarantee the suitability or profitability of any particular investment, or potential value of any investment or information source. You bear responsibility for your own investment research and decisions, and should seek the advise of a qualified securities professional before making any investment decisions.

## **Registration for Membership:**

To have access to the Services and become a member you must read, print, initial (each page), sign/date (final page) of this Agreement and provide accurate, current and complete information (full name and e-mail) about yourself. The Agreement can be returned via e-mail to [pug.sma.llc@gmail.com](mailto:pug.sma.llc@gmail.com) or mailed to PUG Stock Market Analysis, LLC PO Box 1034 Mokena, IL 60448.

## **Payment:**

Payment will be done via the Authorize.net e-billing system or via mailing a check made out to PUG Stock Market Analysis, LLC PO Box 1034 Mokena, IL 60448. Payment must be received before midnight of the first trading day of the month in order to have access to the Services.

**Cancellation and Refunds:**

Cancellation for the next month of service must be provided at least five (5) days prior to the end of the current month. Refunds will be made on remaining whole monthly subscription fees. There are no refunds on partial monthly subscription fees. For quarterly subscriptions, cancellation refunds will be based on the monthly rate (eg. if canceling a quarterly subscription after 2 months, the refund will be based on the monthly rate for 2 months). For annual subscriptions, cancellation refunds will be based on the monthly and quarterly rates. Delinquent unpaid amounts must be paid in full before you re-subscribe.

**Termination:**

This agreement shall remain effective until terminated in accordance with its terms. PUG may terminate this Agreement and/or your access to and use of the Services or any portion thereof, immediately, in the event PUG determines, in his sole discretion, that you have breached this Agreement. In addition, PUG reserves the right, upon five (5) days notice and the reimbursement of any whole months remaining on your subscription, to terminate this Agreement without cause.

**Code of Conduct:**

The Services are intended for your sole use only. The Services may not be shared with anyone else in any manner. Also, there will be blog comment rules posted that must be followed. Sharing the Services or violating the comment rules will result in immediate cancellation of the Services without refund.

**Disclaimers:**

The bottom line is that trading is a risky endeavor - if it were so easy, everyone would be doing it and making money. Please read this disclaimer very carefully and consult with your financial professional or adviser before making any trading or investment decision.

GOVERNMENT REGULATIONS REQUIRE DISCLOSURE OF THE FACT THAT WHILE THESE METHODS MAY HAVE WORKED IN THE PAST, PAST RESULTS ARE NOT NECESSARILY INDICATIVE OF FUTURE RESULTS. WHILE THERE IS A POTENTIAL FOR PROFITS THERE IS ALSO A RISK OF LOSS. A LOSS INCURRED IN CONNECTION WITH TRADING FUTURES CONTRACTS CAN BE SIGNIFICANT. YOU SHOULD THEREFORE CAREFULLY CONSIDER WHETHER SUCH TRADING IS SUITABLE FOR YOU IN LIGHT OF YOUR FINANCIAL CONDITION SINCE ALL SPECULATIVE TRADING IS INHERENTLY RISKY AND SHOULD ONLY BE UNDERTAKEN BY INDIVIDUALS WITH ADEQUATE RISK CAPITAL.

THERE IS SUBSTANTIAL RISK IN TRADING. A LOSS INCURRED IN CONNECTION WITH TRADING CAN BE SIGNIFICANT. NEITHER PUG NOR PUG STOCK MARKET ANALYSIS, LLC MAKES NO CLAIMS WHATSOEVER REGARDING PAST OR FUTURE PERFORMANCE. ALL EXAMPLES, DIAGRAMS, DISCUSSIONS, LESSONS, OR RECOMMENDATIONS ARE FOR EDUCATIONAL OR ENTERTAINMENT PURPOSES ONLY.

Any trades or hedges you make are taken at **your own risk** for your own account. Past performance is no guarantee of future results. While there is great potential for reward trading commodity futures, stocks, ETFs, options, and FOREX, there is also substantial risk of loss in all types of market trading. You must decide your own suitability to trade. Future trading results can never be guaranteed. This is not an offer to buy or sell futures, options or commodity interests. PUG is **not** a licensed investment adviser or commodity trading adviser nor is licensed as such with any federal or state regulatory agency. **PUG does not manage client assets in any way.** PUG Stock Market Analysis, LLC is an educational service, not an advisory or stock recommendation service. At times, PUG will analyze the technical structure (chart) of

various stocks or financial markets, but he is in no way compensated by the companies he analyzes either in reports or daily commentaries. All examples are provided for educational purposes.

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A portion of text is hereby included from the Securities and Exchange Commissions description of “Newsletters:”

However, expressly excluded from the definition is “the publisher of bona fide newspaper, news magazine or business or financial publication of general and regular circulation.”

Section 401(f) of the Uniform Securities Act, upon which the majority of state securities laws are based, similarly excludes from the definition of investment adviser “a publisher of any bona fide newspaper, news column, newsletter, news magazine, or business or financial publication or service, whether communicated in hard copy form, or by electronic means, or otherwise, that does not consist of the rendering of advice on the basis of the specific investment situation of each client.”

Since a bona fide newsletter publisher is not an investment adviser, registration as such is not required. However, Section 17(b) of the Securities Act of 1933 (15 U.S.C. 77q(b)) prohibits any person from publishing, giving publicity to, or circulating any notice, circular, advertisement, newspaper, article, letter, investment service or communication which describes a security for a consideration received or to be received, directly or indirectly, from an issuer, underwriter or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof.

To restate: Futures trading involve substantial risk. You agree that PUG and PUG Stock Market Analysis, LLC its parent company, subsidiaries, affiliates, officers and employees, **SHALL NOT BE LIABLE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES.**

Members and readers agree to indemnify and hold PUG and PUG Stock Market Analysis, LLC, subsidiaries, affiliates, officers and employees harmless from any claim or demand, including reasonable attorneys’ fees, made by the member or any third party due to or arising out of a member’s use of the service.

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### **Additional Disclaimer for the Services:**

All information is from sources deemed to be reliable, but there is no guarantee to the accuracy. Information is for educational purposes only and is not intended to give specific trading advice. Past performance is no guarantee of future performance. Investment/ trading carries significant risk of loss and you should consult your financial professional before investing or trading. Your financial adviser can give you specific financial advice that is appropriate to your needs, risk-tolerance, and financial position. Neither PUG or PUG Stock Market Analysis, LLC was compensated in any way by any of the broad markets, stocks, or securities discussed in this report. PUG is compensated by the sale of this e-mail newsletter and website premium content and not by any underwriter or dealer associated with these markets. Opinions are based on widely-accepted methods of technical analysis including the Elliott Wave Principle, Trend-Line Charting Analysis, Candle Stick Charting Analysis, Oscillators/Indicators, Volume, Fibonacci, and other methods of analysis. No specific recommendation is given to buy, hold, or sell any of these markets/securities or exchange traded funds related to these markets. Neither PUG nor PUG Stock Market Analysis, LLC is a Registered Investment Adviser. Long-term investment success relies on recognizing probabilities in price action for possible future outcomes, rather than absolute certainty – risk-management is critical for success. Error and uncertainty are part of any form of market analysis.

### **Service of Description:**

#### **What is the PUG SMA Premium Service?**

The Premium Service uses [Elliott Wave](#) Theory, channel analysis, momentum oscillators and chart pattern recognition to help forecast market directional moves in the SP-500. Based on PUG's own charts, trend lines and price movement projections, PUG will provide technical analysis updates.

- Focused on the **SP-500 forecast** using PUG charting and technical analysis.
- Website daily updates with password protected premium content. (Note: Updates are for days in which USA markets are open).

#### **What is the PUG SMA Add-On Service?**

The Add-on Service uses [Elliott Wave](#) Theory, channel analysis, momentum oscillators and chart pattern recognition to help forecast directional moves in various stocks, bonds and commodities beyond the Premium Service focus on the SP-500 Index. Based on PUG's own charts, trend lines and price movement projections, PUG will provide technical analysis updates.

- Focused on the price forecast for various stocks, bonds and commodities using charting and technical analysis.
- Website updates twice per week (typically on Tuesday/Thursday) with password protected content (Note: updates are for days in which USA markets are open).
- Which charts are chosen and updated each week is entirely up to PUG's discretion based on significant price movement changes of importance.

Premium and Add-On Service Fee: Monthly, Quarterly paid for 3-months, Semi-Annually paid for 6-months or Annually paid for 12-months. Note: The service period is based on 1st day to the last day of the month, quarter, half-year or year. All subscriptions are non-recurring.

This PUG SMA Premium Service and Add-On Service are provided on a "best effort" basis. All updates will be made based on PUG's judgment on what is important. There can be "acts of God" and other circumstances that occasionally occur that could prevent PUG from making updates. Additionally there maybe a few trading days throughout each month, where PUG can not provide the updates. Those days will be announced at least one (1) day ahead of time.

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Printed Name

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E-Mail

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Signature

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Date