

## CONFIDENTIALITY AND NONDISCLOSURE AGREEMENT

**WHEREAS, K2 Restaurants, Inc.** agrees to furnish "**Franchisee Applicant**" certain confidential information relating to income, products and procedures for the purposes of determining an interest in developing a business relationship with "**Franchisee Applicant**";

**WHEREAS, "Franchisee Applicant"** agrees to review, examine, inspect or obtain such confidential information only for the purposes described above, and to otherwise hold such information confidential pursuant to the terms of this Agreement.

**BE IT KNOWN**, that **K2 Restaurants, Inc.** has or shall furnish to "**Franchisee Applicant**" certain confidential information and may further allow "**Franchisee Applicant**" the right to discuss or interview representatives of **K2 Restaurants, Inc.** and/or **Keke's Breakfast Cafe Franchisees** with the following conditions:

1. "**Franchisee Applicant**" agrees to hold confidential or proprietary information or trade secrets ("confidential information") in trust and confidence and agrees that it shall be used only for the contemplated purposes, shall not be used for any other purpose, or disclosed to any third party.
2. No copies will be made or retained of any written information or prototypes supplied without the permission of **K2 Restaurants, Inc.**
3. At the conclusion of any discussions, or upon demand by **K2 Restaurants, Inc.**, all confidential information, including: e-mail, written notes, photographs, sketches, models, memoranda or notes taken shall be returned to **K2 Restaurants, Inc.**
4. Confidential information shall not be disclosed to any employee, consultant or third party unless they agree to execute and be bound by the terms of this Agreement, and have been approved by **K2 Restaurants, Inc.**
5. This Agreement and its validity, construction and effect shall be governed by the laws of Florida.

Dated: \_\_\_\_\_

### AGREED AND ACCEPTED BY:

**Franchisee Applicant**

By: \_\_\_\_\_

**Franchisee Applicant**

By: \_\_\_\_\_

**Franchisee Applicant**

By: \_\_\_\_\_

**Franchisee Applicant**

By: \_\_\_\_\_

**RETURN ORIGINAL TO K2 RESTAURANTS, INC.**