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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: MarsVenusCoaching.com
Mars Venus Coaching Global, Inc.
Rich Bernstein, President
5940 S Rainbow Blvd.
Las Vegas, NV 89118

DESIST AND REFRAIN ORDER
(For violations of section 31110 of the Corporations Code)

The Commissioner of Corporations finds that:

1. Mars Venus Coaching Global, Inc. (“Global”) is a Nevada corporation, organized in 2008, with its principal place of business at 5940 S Rainbow Blvd., Las Vegas, Nevada 89118.

2. At all relevant times, Richard Bernstein was the President of Global.

3. Global used the website <http://marsvenuscoaching.com> to offer franchises to California residents since at least April 2012. Global offers franchises in the “coaching business” based upon books written by John Gray, PhD., including Men Are From Mars, Women Are from Venus.

4. A business agreement that is defined as a “franchise” under the California Franchise Investment Law, California Corporations Code section 31000 et seq. (“FIL”), is subject to registration under the FIL. Section 31153 of the FIL states that the burden of proving an exemption or an exception from the FIL is upon the person claiming it.

5. Global and Richard Bernstein have not been registered to offer or sell franchises under the FIL and are not excepted or exempted under that law.

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1 6. In its “Memorandum of Understanding” (“MOU”) agreement with each franchisee,
2 Global states that the agreement “allows” the franchisee “to run a coaching business or businesses in
3 the territory, under the trademarks and brand and program systems and proprietary information of
4 Mars Venus Coaching”.

5 7. The MOU requires franchisees to engage in the coaching business under the marketing
6 Plan or “System” that is prescribed in substantial part by Global in its confidential operation manuals.
7 These manuals “set forth the practices, procedures, and methods to be utilized in operating a Mars
8 Venus Coaching business”.

9 8. The operation of the franchisee’s business is required by Global to be substantially
10 associated with Global’s “Proprietary Marks”, which identify the franchisee as an affiliate of Global.
11 under the MOU, the franchisee may use these commercial symbols “only in the manner Global
12 authorizes the permit”.

13 9. Global franchisees are required to pay a fee of five thousand six hundred dollars
14 (\$5,600) for “Induction Training” fees, prior to being allowed to enter into the business. In addition,
15 franchisees must pay Global four thousand six hundred dollars (\$4,600) for the “Key Managers”
16 induction training, prior to any training.

17 10. In addition to the “Induction Training” fees, the franchisee must pay Global four
18 thousand one hundred and sixty five dollars (\$4,165) for the right to do business under the Global
19 “Brand and System”.

20 Based upon the foregoing findings, the Commissioner of Corporations is of the opinion that
21 Mars Venus Coaching Global, Inc. and Richard Bernstein have offered and/or sold franchises in
22 California that were subject to registration under the Franchise Investment Law without the offers
23 and/or sales first being registered, in violation of Corporations Code section 31110. Pursuant to
24 section 31402 of the Corporations Code, Mars Venus Coaching Global, Inc. and Richard Bernstein
25 are hereby ordered to desist and refrain from the further offer or sale of Mars Venus Coaching
26 franchises unless and until the offers have been duly registered under the Franchise Investment Law
27 or are exempt.

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