

Anti-Trust Guidelines

Kantara Initiative, Inc adheres to the Anti -Trust Guidelines as set forth in Section 19 of the By-Laws of the Kantara Initiative, Inc. The authoritative version is [here](#).

These Antitrust Guidelines are for the protection of Kantara Initiative, Inc and its programs on antitrust issues. All programs, working groups and discussion group must follow these Antitrust Guidelines.

Anticipate Risks

Meetings must be conducted in a manner that avoids even the appearance of conduct which might violate the antitrust laws. The criminal penalties in the antitrust laws, for individuals as well as organizations, the high costs of defending antitrust suits, the diversion of resources from our important missions, and the risk of liability together mandate an understanding of, and respect for, the antitrust laws. Our objective is to create a climate where antitrust risks are both anticipated and avoided.

Consult Counsel

Legal counsel should be consulted prior to any discussion of actions which Kantara Initiative, Inc and/or its members believes could raise antitrust issues, or which seem in any way to be questionable or out of the ordinary. It is counsel's job to advise on any matters that have legal significance. It is always better to ask.

Notice and Agenda

Each meeting must be preceded by a notice to the members of the committee with a draft agenda. The agenda must be approved at the beginning of the meeting and followed.

Conduct of Meetings

All participants should be afforded an opportunity to present their views. Acting on behalf of Kantara Initiative, Inc staff; contracted staff; officers or a Board Sub Committee or Group Chair has the responsibility to terminate any discussion, seek counsel's advice or, if necessary, terminate any meeting if the discussion might be construed to raise questions under the antitrust guidelines.

Minutes of Meetings

After each meeting, minutes must be prepared that accurately describe the actions taken, the justification for those actions, and where appropriate, additional pertinent discussion.

Sensitive Topics

With rare exceptions that should be made only upon the advice of counsel, there should never be discussion of the following topics at any meeting:

- Any company's prices or pricing policies;
- Specific R&D, sales and marketing plans;
- Any company's confidential product, product development or production strategies;
- Whether certain suppliers or customers will be served;
- Prices paid to input sources; or
- Complaints about individual firms or other actions that might tend to hinder a competitor in any market.

All relevant opinions should be considered and a sound technical basis for the position should be articulated. When participating in standard-setting bodies on behalf of Kantara Initiative, Inc, representatives should be guided by both the letter and the spirit of the established procedures, which are designed to ensure that the process is open to all interested parties and standards are based on objective technical factors. Participants should voluntarily disclose any proprietary interest they may have in a proposed standard in order to reduce the risk of antitrust liability.

Exchanging Proprietary Information in Presentations

Sharing non-proprietary information among competitors is generally lawful. Discussion should be limited to objectives, which promote overall consumer welfare. Exchanging proprietary information may not be appropriate, if the purpose or effect of the exchange is to lead to diminished competition in the marketplace.