

Antitrust Reminder

The purpose of this reminder is to raise awareness of, and provide guidance on, compliance with antitrust law. Antitrust law generally prohibits any agreement or arrangement between undertakings that restricts or might restrict competition.

As the standardization process of ASAM and the related work necessarily involves communication and collaboration between competitors, it must be ensured that no breaches of antitrust law rules occur, which may lead to high fines, claims for damages by injured parties as well as other negative consequences such as reputation damage. This can affect ASAM, the executive staff and the involved companies.

In order to prevent a breach of antitrust law and the consequences which might arise therefrom, ASAM members commit themselves to act in accordance with antitrust law. This particularly includes to refrain from the conduct mentioned hereafter:

- **Exchange of strategic business information** (including but not limited to marketing or sales strategies, investment plans, know-how, customer data, product developments, sale and purchase prices, price lists, production costs, pricing policy and strategies, terms of sale) between members of the association or between members and non-members;
- **Agreements on prices** (maximum and minimum prices, price components, granting of discounts, the timing of price changes, terms and conditions of sale and measures accompanying the price);
- **Allocation** concerning products, sales territories and customers;
- **Tender arrangements** (manipulation of tender procedures or invitations to tender);
- Restrictions on production (Agreement to restrict output or to establish quota systems allocating a specific part of the total industry output amongst members);
- **Resale price maintenance** (setting binding minimum prices for resellers, distribution partners or retailers).

Please contact the ASAM Office if you are unsure whether any measure complies with antitrust law or a topic may involve the disclosure of strategic information.