



Laser Illuminated Projector Association (LIPA) Antitrust Guidelines

INTRODUCTION

It is important to ensure that all LIPA meetings and programs are conducted so as not to raise any question as to compliance with antitrust laws and regulations. Accordingly, in an abundance of caution, these guidelines may go somewhat beyond the prohibitions of current law.

The penalties for violating anti-trust laws can be quite severe, including large fines and even imprisonment of individuals found guilty of illegal conduct. Contrary to the popular belief that governments have relaxed antitrust enforcement, in recent years many judicial authorities throughout the world have recommended prison sentences for the majority of persons convicted of violating antitrust laws. Moreover, the U.S. Supreme Court has ruled that a trade association may be held legally responsible for the unauthorized, as well as authorized, acts of its members. Accordingly, every effort must be made to avoid even the appearance of impropriety in all LIPA activity.

LAWFUL ACTIVITIES

As a basic premise, the goals and objectives of LIPA are clearly lawful. LIPA activity, if properly conducted, will not violate antitrust laws as they are pro-competitive.

LIPA relies heavily on the judgment of its management and members to ensure that topics which may give an appearance of a violation of the antitrust laws are not discussed at sponsored meetings. The presence of LIPA personnel at a meeting, however, should not invite probing to determine how far a discussion can proceed before it becomes apparent that it is improper and is cut off. Each LIPA member has the responsibility in the first instance to avoid raising improper subjects for discussion. These guidelines have been prepared to ensure that participants in LIPA meetings are aware of this obligation.

UNLAWFUL ACTIVITIES

The most common violations of the antitrust laws are agreements among competitors to fix prices or allocate customers. LIPA's purpose is to promote pre-competitive activities which benefit the entire industry. LIPA does not involve itself in individual member's activities or in the marketing of particular products. Accordingly, it is not the business of

LIPA to consider or discuss matters relating to product development, marketing, purchasing, or pricing decisions of individual companies.

The guidelines presented below highlight only the most basic antitrust principles. Participant(s) in LIPA meetings should consult with counsel whenever there is a question involving specific situations, interpretations, or advice.

DON'T

1. IN FACT OR APPEARANCE, discuss or exchange information regarding:
 - (a) Individual company current or projected prices, price changes, price differentials, markups, discounts, allowances, terms and conditions of sale, including credit terms, etc., or data that bear on prices, including profits, margins or cost.
 - (b) Industry pricing policies, price levels, price changes, differentials, or the like.
 - (c) Changes in industry production, capacity, or inventories.
 - (d) Individual company bids or intentions to bid for particular products, procedures for responding to bid invitations, or specific contractual arrangements.
 - (e) Plans of individual companies concerning the design, characteristics, production, distribution, marketing, or introduction dates of particular products, including proposed territories or customers.
 - (f) Matters relating to actual or potential individual suppliers or customers that might have the effect of excluding them from any market or of influencing the business conduct of firms toward such suppliers or customers.
 - (g) Individual company current or projected costs of procurement, development, or manufacture of any product.
 - (h) Individual company market shares for any product or for all products.
2. Discuss or exchange information regarding the above matters during social gatherings incidental to LIPA-sanctioned meetings, even in jest.

DO

1. Adhere to prepared agendas for all LIPA meetings.

2. Insist that meeting minutes be prepared and distributed to all participants and object whenever meeting minutes do not accurately reflect the matters which actually transpired.
3. Fully understand the purposes and authority of each LIPA committee or other group in which you participate.
4. Consult with LIPA's legal counsel or your company counsel on all antitrust questions related to LIPA meetings.
5. Protest against any discussions or meetings which appear to violate the antitrust laws and immediately disassociate yourself from any such discussions or activities, and leave any meeting in which they continue. Report the activity to the LIPA management so that similar conduct can be avoided in the future.

LIPA's policy is to discuss thoroughly with legal counsel any proposed programs or policy decisions before they are implemented. If any participant has any question as to the legality of a proposed course of action, the matter should be immediately referred to the LIPA management who will discuss it with legal counsel. In this manner, LIPA can ensure continued pursuit of its legitimate objectives with maximum protection for its members.

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