

Collaborative Composite Solutions Corporation and IACMI Antitrust Policy Statement

4/1/16

The following policy and rules (the “Antitrust Policy Statement”) are applicable to all Collaborative Composite Solutions Corporation (“CCS Corp.”) and Institute for Advanced Composite Materials Innovation (“IACMI”), which includes but is not limited to the IACMI Consortium and its Consortium Members, activities (collectively “IACMI Activities”) and must be observed in all situations and under all circumstances, without exception or qualification other than as noted below.

General Statement of Policy

Neither CCS Corp. nor IACMI nor any committee, conference or IACMI Activity shall be used for the purpose of bringing about, or attempting to bring about, any understanding or agreement, whether written or oral, formal or informal, expressed or implied, among competitors with regard to prices, terms or conditions of sale, discounts, distribution, volume of production, territories or customers.

Specific Rules and Guidelines

1. No IACMI Activity or communication shall include discussion or action, for the purpose of instituting limitations on either the timing or volume of production or of sales, or that involve allocation of territories or markets or customers in any way. Nothing in this rule shall be construed to limit the discussion of lowering the production costs or prices of carbon fiber or other advanced composite materials. Notwithstanding the preceding, this does not preclude negotiations of field limited intellectual property licenses that are consistent with relevant law.
2. No CCS Corp. and/or IACMI committee, or its members (including persons who are not representatives of IACMI Members), shall undertake any activity, which involves exchange or collection and dissemination among competitors, of any information regarding prices, pricing methods, costs of production or raw materials, pricing methods for services, or of sales or distribution or individual nonpublic company statistics of any kind, without first obtaining the advice of President of the CCS Corp., with the advice of counsel, or the President’s designee, as to those proper and lawful methods by which these activities may be pursued, as well as counsel from the counsel of CCS Corp. Notwithstanding the foregoing, benchmarking of production costs, cost modeling, and the sharing of production costs and related information for the purposes consistent with CCS Corp. and the IACMI Consortium’s goal of lowering costs related to carbon fiber and other advanced composite materials manufacturing is not prohibited under any rule herein.

3. No IACMI Activity or communication shall include any discussion or action which might be construed as an attempt to prevent any person or business entity from gaining access to any market or to any customer for goods or services, or to prevent or boycott any business entity from obtaining a supply of goods or otherwise purchasing goods or services freely in the market. Notwithstanding the foregoing, the grant of license including exclusivity or field of use limitations is not prohibited under this Antitrust Policy Statement.
4. No IACMI Activity or communication shall include any discussion or action which might be construed as an agreement or understanding violative of United States antitrust law to refrain from purchasing (or limit the prices paid for) any raw materials, equipment, services or other supplies from any supplier, producer, and/or manufacturer.
5. Neither CCS Corp. nor IACMI nor any committee of either (or members thereof), shall make any effort to bring about the standardization of any product or method of manufacture or certification of any product or program for the purpose of preventing the manufacture or sale of any product not conforming to a specified standard or which would tend to have the overall effect of either lessening competition or resulting in a degree of price stabilization. Notwithstanding the foregoing, adhering to or improving health and safety standards is not a prohibited activity under this Antitrust Policy Statement.
6. To minimize the likelihood behavior running afoul of this Policy Statement, all regularly scheduled meetings sponsored by CCS Corp. and/or IACMI shall be conducted in accordance with a written agenda and shall be documented in appropriate meeting minutes.
7. In informal or social discussions at the site of a CCS Corp. and/or IACMI meeting, which are beyond the control of its officers, president, or chairpersons, all representatives are expected to observe the same standards of personal conduct required of CCS Corp. and IACMI in its compliance with these antitrust guidelines except no formal agenda must be prepared and followed in informal or social discussions. In addition, copies of the foregoing Antitrust Policy Statement will be made available to all Consortium Members upon request and shall be provided to all new IACMI Consortium Members.