



Audio Publishers Association

QUICK ANTITRUST GUIDELINES

The Audio Publishers Association (“APA”) is committed to full compliance with the antitrust laws. Failure to comply with the antitrust laws can have severe consequences, including significant fines for the APA and its member companies and jail time for individual participants. The antitrust laws prohibit competitors from reaching an agreement on price and other competitively-impactful terms. But because an unlawful agreement can be inferred from communications, it is also impermissible for competitors to even discuss (formally or informally) such terms.

The APA has thus adopted the following guidelines for all APA-sponsored activities:

- **DON'T AGREE** with competitors on minimum or target prices or any element of price
- **DON'T ASK** for or accept price lists from competitors
- **DON'T ATTEND** meetings with competitors involving pricing discussions
- **DON'T DISCUSS** with competitors the merits of reducing output or restricting supply
- **DON'T AGREE** with competitors to withhold a bid or on the amount of a bid
- **DON'T AGREE** to restrict the territory or product markets in which you or a competitor sells.
- **DON'T DISCUSS** or disclose competitively sensitive information such as prices, specific customers, terms of sale or purchase, discounts, credit or freight terms, return policies, advertising or promotional assistance policies
- **DON'T ENGAGE** in informal or social conversation about the competitively sensitive issues mentioned above
- **DO** stop such discussions if they occur; if others continue the discussion, leave, clearly state your reason for doing so, and report the incident to APA’s legal counsel or professional staff
- **DO** participate in APA activities; let your voice be heard in program planning and in policy formulation; contribute your knowledge and experience to the interchange and collection of information that are the legitimate and valuable functions of a strong trade association

For a more thorough discussion of the antitrust laws and the APA’s antitrust policy, we refer you to the APA Antitrust Compliance Policy. If you are aware of any antitrust violations in connection with APA activities, please immediately contact: Michele Cobb, Executive Director – Audio Publishers Association mcobb@audiopub.org 401-354-9100