

SYMPOSIUM on POLYMERS FOR MICROELECTRONICS ANTITRUST GUIDELINES

This biannual Symposium's activities are a coordinated educational effort among businesses that may also be competitors and are, therefore, subject to antitrust laws. Although this coordination is perfectly legal under antitrust laws, we want to make sure that no antitrust risks are raised by the manner in which this Symposium is conducted. Accordingly, these guidelines may go somewhat beyond the prohibitions of the law, which is prudent.

The penalties for violating antitrust laws can be quite severe, including large fines and even imprisonment of individuals found guilty of illegal conduct. In recent years the Justice Department has recommended jail sentences for the majority of persons convicted of violating antitrust laws. Virtually all developed countries have laws prohibiting the behaviors prohibited by U.S. antitrust law. As a result, questionable conduct is likely to be investigated and prosecuted by every affected country. Accordingly, every effort must be made to avoid even the appearance of impropriety.

LAWFUL ACTIVITIES

As a basic premise, the goals of this Symposium are clearly lawful. The proposed activities, if properly conducted, will not be found to violate the antitrust laws because they will not have an adverse effect on the competitive market place.

In creating the agenda of the Symposium, the Program Board limits it to technical information and innovations for the use of thin-film polymeric materials in contemporary microelectronic and new application areas. Limiting discussion to the agenda subjects also means that topics that give an appearance of an agreement that would violate antitrust laws are not discussed. Each participant in the Symposium has the responsibility to avoid raising improper subjects for discussion. This reminder has been prepared to ensure that participants 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. The sole purpose of this Symposium is to be the foremost comprehensive technical meetings for the integration and processing of polyimides and new polymeric films for advanced microelectronic applications. The Symposium does not market particular products for advanced microelectronic applications. Accordingly, it is not the business of the Symposium to consider or discuss matters relating to prices, customers, product development, marketing, purchasing, or pricing decisions of individual companies.

The Do's and Don'ts presented below highlight only the most basic antitrust principles that apply to the Symposium and to social meetings among the Symposium participants. Participants in Symposium meetings should consult their legal counsel for specific advice.

DO NOT IN FACT OR APPEARANCE:

1. 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 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 cost of procurement, development, or manufacture of any product.

(h) Individual company market shares for any product or for all products.

DO NOT discuss or exchange information regarding the above matters during social gatherings incidental to the Symposium, even in jest.

DO

1. Adhere to prepared agendas for all Symposium 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 transpired.

3. Understand the purposes and authority of the Program Board, which is the only committee or sub-group of the Symposium) if you participate in it.

4. Consult with your legal counsel or your company counsel on all antitrust questions related to Symposium meetings.

5. Protest against any discussions or meetings which appear to violate the antitrust laws, disassociate yourself from any such discussions or activities, leave any meeting in which they continue and report the activity to the Symposium Program Board Chair so that similar conduct can be avoided in the future.