

Digital Trust Forum

Antitrust Code of Conduct

Preamble

The Digital Trust Forum (hereinafter referred to as “DTF”) is a global, open and independent initiative with a focus on enabling trusted digital solutions for connected, intelligent, physical products, utilizing AI and the Internet of Things (collectively hereinafter referred to as “AIoT”). DTF is working on public policies and guidelines and represents the interests of its participants with regard to new legislative initiatives on EU or national level in the field of AIoT. This Antitrust Code of Conduct provides rules for the collaboration within DTF in more detail.

I. General Rules and Governance

1. The DTF is not aimed at providing a platform for any kind of conduct resulting in restricting or distorting competition in any way.
2. The DTF participants are committed to comply with all applicable antitrust and competition laws and regulations and therefore to strictly adhere to these laws and regulations. Each DTF participant acknowledges that non-compliance may result in exclusion of the respective participant from the DTF.
3. The participation in DTF is open to all industrial companies, academic institutions and other research institutions interested in.
4. All policies and guidelines published by DTF are recommendations. The DTF participants remain free to participate in alternative initiatives or to develop products that do not comply with the DTF policies and guidelines.
5. In the event that any activities by DTF could lead to an industrial standard involving intellectual property rights, the DTF participants shall agree on a clear and balanced IPR-Policy separately.
6. DTF participants shall inform their employees and representatives participating in DTF about this Antitrust Code of Conduct. Each DTF participant shall assure that its representatives are duly sensitized to antitrust issues and that they understand any associated risks and therefore conduct their participation in DTF in compliance with antitrust and competition laws and regulations.
7. A detailed agenda shall be established and circulated prior to any DTF meetings (in person or over the phone). Any antitrust / competition law concerns with respect to topics on the agenda, shall be addressed to DTF and/or the participant in charge of organizing the respective meeting. If the concerns may not be resolved prior to the meeting, the respective agenda topic shall be taken from the agenda until compliance with antitrust /competition laws is established. DTF participants shall hold their meetings in strict

accordance with the agenda; deviations should be mirrored in the meeting minutes. Minutes reflecting the essence of the discussions shall be drawn-up for each meeting and circulated to the DTF participants in due course for approval.

8. DTF participants shall immediately and openly raise their concerns if certain discussions may, in their view, entail a risk of non-compliance with antitrust and/or competition laws and regulations. Such concerns shall be reflected in the meeting minutes. If the concerns may not be resolved in the meeting, the topic shall be postponed until compliance with antitrust /competition laws is established.
9. In case of doubt about compliance of any DTF matter with antitrust / competition laws, the DTF participants shall involve their respective legal department for advice and assistance.

II. Anti-competitive Conduct and Exchange of Information

1. Certain conduct is considered inherently harmful to competition, and applicable antitrust and competition laws and regulations regularly prohibit such conduct. Such conduct includes agreements or concerted practices between competitors and even the exchange of information with respect to:
 - a. Development, market strategy and intended market entries regarding new products in the field of AIoT (unless already publicly known)
 - b. Planned internal R&D projects in the field of AIoT
 - c. All price related information (e.g. purchase, sales and resale prices including list prices, price components, price calculation, pricing policy, price changes)
 - d. Capacities and quotas (e.g. production quotas, restriction on production, capacity shortages)
 - e. Sales policy, sales territories, customers (e.g. customer lists, current orders and invitations to order or requests for quotation, customer and market sharing, market exits, boycotts)
 - f. Terms and conditions agreed with customers/suppliers (e.g. warranty)
 - g. Information related to personnel recruitment of experts for AIoT or other experts (e.g. salary, salary components, salary ranges, bonuses, monetary incentives or no poach agreements)
2. The DTF participants will neither encourage, nor facilitate or favor in any way such conduct or any communication of sensitive, confidential and strategic business information among DTF participants.