

Dear USB Developer,

The Board of Directors of the USB-IF adopted Antitrust Guidelines intended to educate and to govern the conduct of members and participants at USB-IF sponsored activities. A copy of the Guidelines is attached for your review and continuing reference. Please make sure that all of your company's representatives to the USB-IF are aware of these Guidelines. Your cooperation in adhering to the Guidelines is appreciated.

Yours truly,
Jeff Ravencraft
President, USB Implementers Forum

USB Implementers Forum, Inc.
Antitrust Guidelines

USB Implementers Forum, Inc. (“USB-IF”) intends to conduct its affairs in compliance with the antitrust laws of the United States and, as applicable, the antitrust laws of the states within the United States and the antitrust/competition laws of other countries (generally, "Antitrust Laws"). The Antitrust Laws are intended to preserve and promote free, fair and open competition. This competition benefits consumers and companies that are innovative and efficient. A violation of the Antitrust Laws can have serious consequences for USB-IF and for participating companies. Accordingly, USB-IF hereby issues the following guidelines for itself and its members, attendees, licensees, customers, and participants (collectively “Participants”), as guidance in connection with participation in USB-IF's activities.

1. USB-IF and its committees or activities shall not be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, express or implied, between and among competitors with regard to their prices, terms or conditions of sale, distribution, volume of production, territories, customers, or credit terms.
2. In connection with participation in USB-IF, there shall be no discussion, communication, agreement or disclosure among Participants that are actual or potential competitors, regarding their prices, discounts or terms or conditions of sale or licensing of products or services, pricing methods, profits, profit margins or cost data, production plans, market shares, sales territories or markets, allocation of territories or customers, or any limitation on the timing, cost or volume of their research, production or sales.
3. Each Participant in USB-IF is obligated and expected to exercise its independent business judgment in pricing its services or products, dealing with its customers and suppliers, and choosing the markets in which it will compete.
4. USB-IF and its Participants, in connection with their participation in USB-IF, shall not enter into any agreement or understanding among themselves to refrain, or to encourage others to refrain, from purchasing any raw materials, product, equipment, services or other supplies from any supplier or vendor or from dealing with any supplier or vendor.
5. USB-IF and Participants, in connection with their participation in USB-IF, shall not attempt to prevent any person from gaining access to any market or customer for goods and services, or attempt to prevent any person from obtaining a supply of goods or services or otherwise purchasing goods or services freely in the market. (This paragraph is not intended to preclude USB-IF or a Participant from disclosing and asserting its intellectual property rights.)
6. The qualifications for participation in USB-IF are as established by the Board of Directors of USB-IF. No applicant for participation, which meets the qualifications therefor, shall be denied participation for any anti-competitive purpose. No Participant shall be excluded from a working group of USB-IF for an anti-competitive reason.

7. To the extent that USB-IF develops, administers or approves standards, specifications or test procedures, or a certification program, a Participant's decision to adhere to or participate therein shall be voluntary on the part of Participants, and shall in no way be compelled or coerced by USB-IF.
8. Specifications, standards, test procedures, and a certification programs, which may be developed, administered, approved, or adopted by USB-IF, shall be based upon appropriate technical, business and consumer considerations, and shall not be based upon any effort or purpose to unreasonably reduce or eliminate competition in the sale, supply and furnishing of products and services.
9. USB-IF and its committees shall not impose sanctions for the violation of, nor shall they enforce compliance with, standards, specifications, or test procedures developed or approved by USB-IF. Provided, however, USB-IF may condition use of its trademark(s) on compliance with terms and conditions developed to regulate the use of and to protect such mark, and otherwise to maintain and enforce a compliance certification program in accordance with agreed terms and conditions and in conformity with the antitrust laws. USB-IF also reserves the right to take appropriate action against any person or entity which engages in false or misleading advertising regarding the use of or compliance with standards, specifications, or test procedures of USB-IF or with USB-IF's certification program.
10. No person is authorized to make an official or a public statement on behalf of USB-IF regarding whether a particular product complies or does not comply with an approved standard specification or test procedure, unless such authority is specifically conferred in writing by the Board of Directors.
11. In conducting any meeting of the Board of Directors, the membership, or any committee, the Chair or Secretary of each such meeting shall prepare and follow a formal agenda. Minutes of all such meetings shall be maintained, accurately reflecting the subjects discussed and action taken at such meetings.
12. During the course of the activities of or sponsored by USB-IF, Participants should refrain from disclosing information to any other Participant that is not reasonably related the legitimate purposes of such activities.
13. USB-IF and each Participant, in connection with the activities of USB-IF, shall use their best reasonable efforts to comply in all respects with the Antitrust Laws.
14. These Guidelines are conservative and intended to promote compliance with the Antitrust Laws, not to create duties or obligations beyond what the Antitrust Laws actually require. In the event of inconsistency between these Guidelines and the Antitrust Laws, the Antitrust Laws shall control.
15. These Guidelines shall be promulgated to all Participants in USB-IF. All Participants shall abide by these Guidelines.

Duly adopted by the Board of Directors of USB-IF on September 25, 2002.