



PBIRG

Pharmaceutical Business
Intelligence & Research Group

BASIC GUIDELINES FOR REDUCING ANTITRUST RISKS IN PBIRG ACTIVITIES

ANTITRUST COMPLIANCE POLICY STATEMENT

The Pharmaceutical Business Intelligence and Research Group (PBIRG) places paramount importance on its members' full and complete compliance with the principles of the antitrust laws in every aspect of their participation in the activities and programs conducted or sponsored by PBIRG. As a cooperative association of firms and businesses dedicated to promoting the value and development of the best uses and techniques for market research, developing business information, and strategic planning in the pharmaceutical, healthcare, and biotechnology industries, PBIRG undertakes efforts and initiatives that mutually benefit all of its members and ultimately contribute to the welfare of the consumers that its members serve. To guard against potential misuse of the interactive forum provided by PBIRG or its specific activities or programs, PBIRG requires its members' unqualified commitment to conduct their activities free from any individual plans or objectives that might adversely affect competition among its members or within the global healthcare industry.



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The steps you should take to guard against creating a situation that might expose you, your firm, or PBIRG to a risk that something you may have done or said could involve activities prohibited by the antitrust laws can be stated at great length and with extensive explanations. That guidance can be summarized in relatively straightforward principles, as follows:

1. Develop a sensitivity within the PBIRG Executive Committee and among PBIRG member representatives to the ways that activities of PBIRG and its members might involve communications or actions that could raise antitrust issues.
2. Each PBIRG member representative should conscientiously follow his/her own company's antitrust compliance policy and guidelines.
3. For each meeting among PBIRG members, prepare an agenda to determine the scope and content of the discussion and activities that will be covered. The Executive Committee should review and approve the meeting topics in advance.
4. Whenever proposed topics or activities may involve competitive relationships among PBIRG members or firms providing services to them the Executive Committee should review them with PBIRG's counsel to see if the issues can be avoided or the course of the meeting or program can be restructured. Whenever a particular approved discussion topic or activity may involve antitrust-sensitive issues, experienced antitrust counsel should attend the session.
5. Do not add topics to an agenda or shift to other topics without prior approval of the PBIRG Executive Committee, or counsel when appropriate.
6. If a participant strays from the scheduled discussion topics identified in the agenda, object and insist that the discussion return to the agenda topics. Leave the meeting or conversation if others attempt to continue discussing a topic that involves antitrust-sensitive matters without obtaining proper approval to address them.
7. Never engage in any discussion of the prices that any firms in your industry will or may charge for products or services, or the mechanisms for determining such prices, including any business terms or conditions that may have a direct or

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indirect effect on prices. You may collect historical pricing data and discuss what trends may be inferred from it, so long as the information is available to all who may be affected by having such information, whether industry producers, service organizations, or customers. You may not engage in discussions about how any particular firm may use that information in its business planning or operations.

8. Never discuss products not released to the market, when a product may be released, or anything affecting the pricing of an unreleased product. Never discuss anything else relating to your company's business plans or strategies, or any other information that a particular company considers confidential, such as the identity of specific market research projects or specific agencies that have been engaged to perform such research.
9. Never engage in any discussion of who your firm or any other firm will do business with or will sell to, or who your firm or any other firm will not do business with or will not sell to. You may exchange information about past experience with particular service providers in a one-on-one discussion. You also may discuss potential business arrangements with a current or potential service provider on a one-to-one basis. Consistent with the educational goals of PBIRG, you may discuss the manner in which industry firms and market research service firms gather, develop, and organize data, including the details of specific methodologies and procedures.

10. In any social meetings or informal get-together, including playing golf, carefully follow the guidelines about inappropriate topics.
11. If someone attempts to engage you in any discussion about any issue affecting future products, future prices, competitive terms, or competitors, simply respond, "I never discuss those matters," and leave the discussion.
12. Do not adopt or implement any standards, or rules or codes of conduct, or codes of ethics governing the means or methods of collecting data and market research that will prevent some firms within the industry from competing on an equal footing. Differences in available skills, experience, training, and capabilities do not prevent firms from attempting to offer competitive alternatives. All standards adopted by any group must be grounded in objective criteria applied uniformly. The process through which standards are adopted by PBIRG must be transparent and memorialized in records maintained by it, and must allow all affected parties to participate in meaningful way.
13. Any time you feel the need for guidance, immediately contact an appropriate PBIRG Executive Committee member, or counsel for PBIRG, or counsel for your own firm.
14. Periodically conduct a review with antitrust counsel of the particular programs, activities, issues, and topics that PBIRG is handling to identify areas of potential antitrust sensitivity.