



National Semiconductor Technology Center (NSTC)
Antitrust Policy

Revision History

Date	Author	Change
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Contents

Purpose3
Antitrust and competition policy statement3
Guidelines for participants3



Purpose

The purpose of Natcast and the NSTC is to support and extend U.S. leadership in semiconductor research, design, engineering, and advanced manufacturing through collaboration between public and private stakeholders to better integrate research and development and workforce efforts across the semiconductor ecosystem, thereby promoting economic and national security. Among other benefits, these activities are pro-competitive when properly conducted.

The membership of NSTC includes academia, government representatives, private and public companies in the semiconductor industry and related industries such as supply chain, semiconductor design companies and end users of semiconductors, and those involved with workforce development in the United States. The work of NSTC and Natcast reflects many different viewpoints, not just those of direct competitors.

Nevertheless, NSTC meetings and other activities necessarily involve participation by industry competitors and therefore can attract antitrust / competition law enforcement scrutiny if they appear to violate applicable laws. It is important that all NSTC participants avoid being party to any activities that are prohibited under the antitrust or competition laws of any applicable jurisdiction.

This document explains NSTC's antitrust and competition policy, which incorporates general guidelines for members. Please note that this policy is not intended to serve as legal advice or to definitively protect against liability. Natcast encourages members to forward all questions relating to antitrust and competition law compliance to their own legal counsel.

Antitrust and competition policy statement

All NSTC activities should be conducted strictly in accordance with the antitrust and competition laws of all relevant jurisdictions.

All persons participating in NSTC activities have a duty to ensure that their behavior is compliant with the guidelines below, along with applicable antitrust and competition law.

Guidelines for participants

The following summary outlines general guidelines that all members must follow in connection with NSTC-sponsored activities, programs, meetings, or events (“Activity” or together “Activities”). This is not a complete or authoritative guide.

1. Always conduct interactions with competitors as if they were in the public view; avoid even the appearance of impropriety.

2. Do not discuss (even in jest) or exchange non-public information regarding, or agree upon (whether verbally, in writing, informally, or by implication), any of the following with any actual or known potential competitor while engaged in any NSTC Activity:
 - (a) Information, strategies, or policies about past, current or future pricing by an industry or individual company, including without limitation: actual or anticipated prices, price changes, price differentials, price formulas, methods of determining or implementing prices, mark-ups, discounts, rebates, warranties, allowances, credit terms, costs, sales, profits, margins, or other competitively sensitive information.
 - (b) An individual company's market share for any product or service or for all products and/or services. Note that this does not prohibit discussing the market's features overall.
 - (c) An individual company's bids or intentions to bid for particular products or customers, their procedures for responding to bid invitations, specific contractual arrangements, or terms of customers or suppliers.
 - (d) An individual company's current or projected costs of product procurement, development, or manufacture.
 - (e) Individual company marketing plans, strategies, or market division, including without limitation, plans regarding geographic territories, demographic groups, individual customers to be targeted or ignored by that company, or planned introduction dates or "appropriate levels" of output of particular products, technologies, or services by an individual company.
 - (f) Non-public changes in individual company or industry-wide production, capacity, or inventories.
 - (g) Decreasing or eliminating competition, including without limitation:
 - proposing or engaging in boycotts
 - "cornering" the market
 - excluding any person or entity from any NSTC activity
 - excluding any person or entity from any given market or from competition
 - influencing the business conduct of other firms to adversely affect any third person or entity (including actual and potential suppliers, resellers or customers), or
 - encouraging or forcing others to modify a business relationship with third parties. Note that this does not prohibit defining best practices.

- (h) Information, strategies, or policies about an individual company's wages, salaries, and benefits for employees.
 - (i) Individual company product design, characteristics, production, capacity, supply, or distribution, except where necessary to achieve interoperability in fact, create benchmarks or tests, and define standards.
- 3. If you are part of a meeting or discussion that appears to violate this advice, bring your concern to the attention of the meeting chair and/or ask that the topic be changed. If this does not happen, excuse yourself and immediately bring the situation to the attention of the General Counsel of Natcast.