

Marketing Research Association, Inc.
ASSOCIATION POLICY

Antitrust Statement

Legal Counsel for the Marketing Research Association reminds all Association members that certain topics are not proper subjects for discussion and consideration at any Association meeting of members, officers, directors, or committees, whether formal or informal.

While it is entirely appropriate to meet as an Association to discuss common problems and areas of interest, it must be kept in mind that the members are competitors and any action taken to eliminate, restrict, or govern competition among members is a violation of the antitrust laws. If there is any discussion at our Association meetings relating to significant factors of competition among our members, an inference may be raised that such a discussion among competitors is for the purpose of agreeing upon a common course of business conduct.

Rationale

To ensure Association compliance with federal regulations and guard against liabilities.

Members should remember that the Association's only proper interests under the antitrust laws are:

- To prevent any situation from which collusion, anti-competitive activity, or concerted action can fairly be inferred.
- To keep members fully informed and oriented regarding our Association's compliance with the antitrust laws.
- To promote individual determinations regarding company policies. Any policies which members have adopted as their company policies must never be referred to as an "association" policy, even though it may be recognized as common practice in the industry.
- To avoid referring to nonmembers of the Association as "the competition". Members competition is any firm, whether inside our Association or not, competing for the same business.
- To avoid member complaints about companies going direct, price cutting or other trade policies which should not be aired or permitted at any meeting of our Association.

- To avoid discussion of members' and nonmembers' selling practices which should not be discussed at trade or professional association meetings where competitors are in attendance.
- To discourage gossip and careless talk concerning matters that have to do with competitors.

Rationale - continued

- To be of assistance to our members and our industry, including providing useful business information, statistics, opportunities for members to network and lawfully exchange information, and to promote their businesses and industry.

General Procedures

All MRA members must adhere to the following procedures.

- "Price" is a forbidden subject at any Marketing Research Association meeting. This includes terms and discounts, because these are substantial elements of price structure. To avoid any problems, members of our Association should not participate in any meeting for the purpose of discussing methods of fixing, establishing, maintaining, or discounting prices, or terms or conditions of sale, for services or products. Should such discussions start, members should do their best to stop them; if they continue, they should get up and walk out.
- Among the subjects which should never be discussed at Association meetings are Cost Per Interview (CPI), conditions, terms and prices of service, allocating or sharing of customers, and refusing to deal with a particular provider or customer. Agreements among competitors relating to any of these subjects are per se violations of the antitrust laws, and can lead to severe and civil penalties.
- Territorial limitations are not to be discussed at any Marketing Research Association meeting. No arrangements where one research company or data collection company agrees to confine its sales to its own city or county, if a neighboring company agrees to follow similar limitation, must be discussed or considered. What the research company or data collection company does individually is its own business. A trade or professional association has no interest in that subject, and members should not, therefore, enter into such discussion.
- No association's rules or regulations should exist which in any way affect the freedom of any member to adopt any company policy so desired and to choose those with whom it wants or doesn't want to deal. Members should avoid such "policy" discussion at Marketing Research Association meetings.
- Members must compete in every sense of the word under the American system of competitive enterprise. Members should not wait for a Marketing Research Association meeting to see what others are going to do. That could involve concerted action which is forbidden by the antitrust laws when such

action restrains trade. Members should strive to give the best service possible at a price as determined by their own business judgment. Members should recognize that one reason for association membership is to use it as a medium through which they can become a tougher competitor by becoming more efficient.

- Members should not encourage others not to do business with certain providers nor enter into any agreement to boycott any provider or customer, nor should they ever discuss such an activity at any Marketing Research Association meeting.
- The Association Antitrust Statement is included in our conference program booklets.