

Corporate Forms and Policies

Business & Personal Conduct Antitrust Policy

Geographic Coverage	Global
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Policy Philosophy & Purpose

Antitrust laws forbid any business practice that reduces competition, either through collusive activity among competitors or through the use of a strong market position to exclude rivals. In the US, these laws are referred to as “Antitrust laws”; outside of the US, they are referred to as “Competition laws”. Gartner expects its associates and clients participating in Gartner Peer Activities (as defined below) to comply with Antitrust and Competition laws in all regions in which the company does business.

Scope & Applicability

Various Gartner product offerings contain a Peer Activity component where Gartner convenes clients and other third parties with similar job roles within a client organization, in the same or different industries, to exchange knowledge, impart insights and share best practices related to their mission-critical priorities, key initiatives and challenges. These offerings, in which Gartner often serves as moderator to facilitate discussion include, but are not limited to, Research Board, Peer Connect, Global Peer Industry Forums, Conferences (Break-Out Sessions such as negotiation clinics) and EXP Academies (collectively “Peer Activities”). During Peer Activities, all participants must be sensitive to discussion topics that might implicate Antitrust and Competition laws.

This policy applies to Gartner associates and to all individuals who participate in Peer Activities.

Gartner reserves the right to add, modify or delete any provisions of this policy without advance notice, subject to the requirements of local law, where applicable.

Policy

While Gartner has developed this Policy to help associates understand their obligations under Antitrust and Competition laws, all participants are expected to escalate to Gartner Legal & Compliance (LegalCompliance@gartner.com) any specific situation that may pose antitrust risks for Gartner or our clients. In light of the substantial penalties and attendant reputational harm resulting from Antitrust violations, any Gartner associate who commits or knowingly condones a violation of this Policy may be subject to disciplinary action up to and including termination.

Participant Compliance and Guidelines

At Gartner, every Peer Activity participant holds some responsibility for antitrust compliance. As such, all participants must comply with this Gartner Antitrust Policy and all applicable Antitrust and Competition laws when participating in Gartner Peer Activities.

Gartner assumes no responsibility for ensuring that Peer Activity discussions are appropriate and not in violation of any Antitrust or Competition laws. If you have any questions or are in doubt about your specific situation, please consult your own legal counsel before engaging in any Gartner Peer Activities.

The below list outlines some key ways that Gartner Peer Activity participants may avoid engaging in or furthering anticompetitive conduct:

1. Do Not Discuss or actively set prices or production capacity.
2. Do Not Discuss or disclose customer-specific information.
3. Do Not Discuss or actively divide or allocate markets or customers.
4. Do Not Discuss or actively engage in boycotts or refusals to deal.
5. Do Not Discuss or take joint action against a customer, supplier, distributor, or competitor.

Please note the above list is not comprehensive and that your approach to mitigating antitrust risk will vary depending on the nature of the situation and the discussions.

Antitrust Guidelines

Gartner often brings together companies to share best practices and common experiences.

During these Peer Activities, all participants are expected to comply with these Guidelines. Participants who are in doubt about the matrix below should consult with their own legal counsel.

Here are some recommended Dos and Don'ts when it comes to Antitrust compliance:

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- DO make sure that you receive and review the meeting agenda, which should be circulated in advance of the meeting to all participants. Feel free to share it with your legal counsel.
- DO confirm the meeting has a designated moderator to ensure that discussions adhere to the agenda and to redirect discussions if they veer off track or toward topics that may violate antitrust law.
- DO alert the moderator if you feel the discussion is heading in a direction that may violate antitrust law (or if you are the moderator, take action to redirect or end the discussion yourself). If the moderator fails to take action, participants are within their rights to leave the meeting and ask that their departure be recorded in the meeting minutes/notes. The matrix below describes at a high level the discussion topics that must be avoided.
- DO consult the matrix below for a summary of the key discussion topics that should be avoided when participating in Gartner Peer Activities. Participants are encouraged to consult their own legal counsel with questions.

Key topics that **should not** be discussed at Gartner Peer Activity gatherings may include:

SUBJECT	DON'T	IN PRACTICE
Price Fixing	<p>Do not engage in discussions regarding specific prices, fees or rates.</p> <p>For example, do not say, "Something needs to be done about low prices," which may be interpreted as an invitation to the group to raise prices.</p> <p>Do not discuss company-specific price-setting methodologies, make comments regarding past, current or future pricing for specific companies unless this information is</p>	<p>Price-fixing is one of the most frequently prosecuted violations under Antitrust law.</p> <p>Keep an ear open for any conversation that involves or could be perceived to involve agreement on pricing.</p> <p>Avoid any discussions where participants agree not to pay more than a certain amount for a certain product.</p>

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	publicly available or generally known, or discuss/agree on prices that specific companies will charge their customers.	
Allocation, Demand & Refusal to Deal	<p>Do not make any agreements regarding allocation of customers or geographic territories or markets.</p> <p>Do not disclose expansion or retraction plans or production capacity or forecast future ability to meet market demand.</p> <p>Do not agree to fix product quality or quantities.</p> <p>Do not disclose revenues attributable to specific customers or refuse to deal with a specific customer or supplier.</p> <p>Do not make any agreement regarding a joint action that may be taken against a customer, supplier, distributor, or competitor, or jointly attempt to prevent a supplier from selling to your competitor(s).</p> <p>Do not make any statements that could be</p>	<p>DO discuss:</p> <p>General industry interests, experiences or opinions.</p> <p>Effects of government legislation.</p> <p>Historic, aggregated and statistical market data.</p> <p>DO NOT discuss:</p> <p>Strategies to refrain from competing for certain customers or in certain countries in exchange for not having to face competition from another customer or in another country.</p> <p>Future plans to fix production capacity.</p> <p>Opportunities to win specific customers.</p>

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	<p>interpreted as an invitation to coordinate behavior, such as collectively agreeing not to do business with a certain customer or competitor.</p>	
<p>Strategies</p>	<p>Do not disclose your company's commercial strategy (which may be interpreted as an invitation to coordinate strategies or to otherwise enable a coordination of strategies).</p> <p>Do not agree on a joint strategy relating to the operation of your business.</p>	<p>Avoid discussing commercially sensitive, strategic or confidential information.</p>
<p>Entering New Markets</p>	<p>Do not agree to forego entering new lines of business because a participant's competitor dominates them.</p> <p>Do not, if your company is entering into a new industry, discuss with another company in that same industry the terms on which you should or should not compete in that market.</p>	<p>Keep your discussions high-level and focused on general tips and advice about entering new markets.</p>
<p>Press Releases and Communication to the Public</p>	<p>Do not discuss press releases since they may be interpreted as an invitation to coordinate</p>	<p>Avoid statements like this:</p> <p>"Let's meet next week to send out press releases regarding our capacity."</p>

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	announcements with other participants.	
Terms and Conditions	Do not agree with other participants to coordinate and align legal terms and conditions, including license provisions, as a means of dealing with certain customers or suppliers that you have in common.	Never share or compare company-specific legal or contract templates or company-specific contractual provisions that are not publicly available or generally known.
Confidential Client Information	Do not disclose any confidential, client-specific information. For example, IT end users should not disclose specific contractual terms they have negotiated with a particular supplier.	Never share any information intended to be confidential between a supplier and its customers.

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