openDAQ Antitrust Policy

openDAQ is committed to promoting fair competition and fostering an environment where innovation can thrive. This Antitrust Policy outlines the principles and guidelines that openDAQ, its members, and participants must adhere to in order to comply with antitrust laws and ensure the integrity of the open-source community.

Policy Statement

openDAQ is dedicated to conducting its activities in compliance with all applicable antitrust laws and regulations. openDAQ prohibits any conduct that could restrain competition, including but not limited to price-fixing, market allocation, boycotts, and other concerted actions that may inhibit fair and open competition.

Key Principles

1. **Compliance with Laws**: openDAQ and its members, bodies and employees, shall comply with all applicable antitrust laws, including but not limited to the Treaty on the Functioning of the European Union, Sherman Antitrust Act, the Clayton Act, the Prevention of the Restriction of Competition Act, and other relevant laws and regulations in the jurisdictions where openDAQ operates or is applied.

2. **Promotion of Fair Competition**: openDAQ promotes fair competition and encourages innovation within the open-source community. Members and participants shall refrain from engaging in any activity that may unfairly restrict competition or harm consumers.

3. **No Collusive Practices**: openDAQ prohibits any agreements, discussions, or conduct among its members and participants that may result in anti-competitive behaviour, such as price-fixing, bid-rigging, or market allocation.

4. **Avoidance of Exclusionary Conduct**: openDAQ members and participants shall avoid engaging in exclusionary conduct that may foreclose competition or limit market access for competitors, suppliers, or customers.

5. **Transparency and Disclosure**: openDAQ encourages transparency and the exchange of information that is necessary and appropriate for the advancement of open-source projects. However, members and participants must refrain from exchanging competitively sensitive information that may facilitate anti-competitive behaviour. When uncertain about compliance members will seek legal advice.

Reporting Violations

Any member or participant who becomes aware of conduct that may violate this Antitrust Policy must promptly report such conduct to the openDAQ legal department at legal@openDAQ.com. Reports will be presented to the openDAQ Board of Directors in a

confidential way. Reports will be treated confidentially and investigated promptly and thoroughly.

A report on violations of antitrust policy should comprehensively demonstrate how the reported behaviour violates antitrust laws. It should outline the alleged anti competitive behaviour, supported by evidence such as documents, communications, and/or data analysis. It should identify the parties involved and describe the impact of the conduct on competition in the relevant market. If possible, the report should offer recommendations for appropriate action to address the violations.

openDAQ will strive to provide protection against retaliation for individuals who report violations in good faith, to the extent permitted by applicable laws and circumstances.

Enforcement

Violation of this Antitrust Policy may result in civil, criminal and disciplinary action, up to and including termination of membership or participation in openDAQ. openDAQ reserves the right to take appropriate legal action against individuals or entities that engage in anti-competitive conduct.

Conclusion

openDAQ is committed to upholding the principles of fair competition and compliance with antitrust laws. This Antitrust Policy reflects openDAQ's dedication to maintaining a level playing field within the open-source community and fostering innovation for the benefit of all stakeholders. It will be periodically reviewed and updated as necessary to reflect changes in antitrust laws or organisational practices.