



Antitrust Policy

Updated and Revised May 2005

The International Reprographic Association (IRgA), like all businesses, is subject to the antitrust laws of the United States. Unlike most private businesses, however, the very nature of a trade association makes it necessary to maintain constant vigilance to prevent activities that could result in illegal restraint of trade or commerce.

Any failure on the part of the IRgA to comply strictly with the antitrust laws could result in severe penalties. Treble damages for successful litigants, fines and possible jail terms for individuals involved in any illegal activities, and even the dissolution of the association itself, are harsh remedies of the law. These penalties manifest the law's strong public policy in favor of free and unfettered competition as the rule of trade.

Two laws of the United States that define antitrust liabilities of trade associations, Sections 1 and 2 of the Sherman Antitrust Act and Section 5 of the Federal Trade Commission Act are both very general in their wording and broad in their scope.

Over the years, the courts have interpreted the broad language of the statutes and have provided specific examples of unlawful conduct which violate the principles set down in the law. The IRgA recognizes that so long as it strives to conduct itself in accordance with such guidance, antitrust problems will be avoided.

In as much as it is the policy of the IRgA to comply fully and in all respects with the antitrust laws, the following basic principles are endorsed by the Board of Directors as a guide for all members serving in some official capacity for the association:

1. The IRgA and its members shall make every effort to ensure that all of their actions comply with both the letter and the spirit of the antitrust laws of the United States.
2. Any firm meeting the requirements of the membership as set forth in the bylaws shall be welcomed into the IRgA on a non-discriminatory basis. Once a firm becomes a member, it shall be entitled to the same services that are available to other members on a non-discriminatory basis. No firm shall be expelled except for just cause, and in such manner as established in the bylaws to ensure that the expulsion is fair, objective, reasonable and non-discriminatory.
3. The IRgA will not indulge in, or sanction, any discussions of current or future prices of reprographic products and services. IRgA meetings and publications will never be a forum for the exchange of information which could lead to activities in violation of the antitrust laws.
4. The IRgA will conduct all statistical functions on a voluntary basis, and all proprietary, company-identifiable data collected from individual companies will be treated confidentially. Non-members who desire to participate or receive the results of statistical surveys shall be permitted to do so. Any statistical reporting of past transactions will be reported in composite form and will be clearly spelled out as to its purposes, limitations and proper usage, in terms compatible with the antitrust laws.
5. The IRgA will never enter into or sanction any agreements that tend to restrict competition between members or within the industry, generally. Any standards established by the IRgA shall be formulated by a broad consensus of the membership to ensure that there is no anti-competitive effect on the members or on the industry itself.
6. Trade shows sponsored by the IRgA shall be conducted in a manner which complies with the antitrust laws.

The IRgA and its members subscribe to the basic philosophy that free trade and interaction of competitive forces yield the best allocation of economic resources, the lowest prices to customers, the highest quality and the greatest progress. The IRgA Policy on Antitrust reaffirms a commitment to conduct the association's affairs in a manner conducive to the attainment of these goals.