

PSCI Anti-trust Statement

While some activities among competitors are both legal and beneficial to the industry, group activities of competitors are inherently suspect under the antitrust/anti-competition laws of the US, UK and other countries in which our companies do business. Agreements between or among competitors need not be formal to raise questions under antitrust laws, but may include any kind of understanding, formal or informal, secretive or public, under which each of the participants can reasonably expect that another will follow a particular course of action or conduct. Each of the participants in this meeting is responsible for seeing that topics which may give an appearance of an agreement that would violate the antitrust laws are not discussed. It is the responsibility of each participant in the first instance to avoid raising improper subjects for discussion, such as those identified below.

It is the sole purpose of this meeting to provide a forum for expression of various points of view on topics described in the agenda and participants should adhere to that agenda. Under no circumstances shall this meeting be used as a means for competing companies to reach any understanding, expressed or implied, which tends to restrict competition, or in any way to impair the ability of members to exercise independent business judgment regarding matters affecting competition.

Topics of discussion that should be specifically avoided are:

- i. Price fixing;
- ii. Product discounts, rebates, pricing policies, levels of production or sales and marketing terms customer and territorial allocation;
- iii. Standards setting (when its purpose is to limit the availability and selection of products, limit competition, restrict entry into an industry, inhibit innovation or inhibit the ability of competitors to compete);
- iv. Codes of ethics administered in a way that could inhibit or restrict competition;
- v. Group boycotts;
- vi. Validity of patents;
- vii. On-going litigation;
- viii. Specific R&D, sales or marketing activities or plans, or confidential product, product development, production or testing strategies or other proprietary knowledge or information.

PSCI

PHARMACEUTICAL SUPPLY CHAIN INITIATIVE

PSCI Anti-trust Statement

虽然竞争对手之间的一些活动既是合法的，也对行业有利，但在我们公司业务的美国、英国及其他国家的反垄断/反竞争法下，竞争对手的集体行动天生会受到怀疑。竞争对手之间的协议不需是正式的以造成反垄断法下的问题，但可包括任何正式或非正式，隐秘或公开形式的谅解，从而使得每位参与者都有理由期望，其他参与者将遵循一个特定的行动或行为路线。本次会议的每位参与者有责任注意，对任何看起来有可能像是违背反垄断法的协议的主题都将不予讨论。每位参与者也有责任，在第一时间避免提起不当的、如以下所指定的讨论主题。

本次会议的唯一目的是，提供一个对议程中所列出的主题表达各种观点的论坛，并且参与者应紧紧围绕这一议程进行讨论。在任何情况下，都不许将本次会议作为一种手段，让竞争公司之间达成任何明示或暗示的谅解，从而趋向于限制竞争，或以任何可能的方式削弱成员就影响竞争的事宜行使其独立的业务判断能力。

应当特别避免的讨论主题是：

- (一) 限价；
- (二) 产品折扣、回扣、定价政策、生产水平或销售和市场营销条款、以及客户和地域分配；
- (三) 标准设置（如果其目的是限制产品的供应和选择，限制竞争，限制进入某一行业，阻碍创新或抑制竞争对手的竞争能力）；
- (四) 以一种可能抑制或限制竞争的方式管理道德准则的实施；
- (五) 集体抵制；
- (六) 专利有效性；
- (七) 正在进行的诉讼；
- (八) 特定的研发、销售和市场营销活动或计划，或保密产品、产品开发、生产或测试策略或其它专有知识或信息。

PSCI

PHARMACEUTICAL SUPPLY CHAIN INITIATIVE