

U.S. Tooling Coalition (USTC)

Antitrust Policy (Draft Guidelines)

State and Federal antitrust laws are intended to protect the public from agreements between competitors that affect the price or distribution of products. USTC member companies are competitors in the market and it is understood that they will always act in their individual and competitive best interests.

USTC member companies and the Center for Automotive Research (CAR) shall comply with the letter and spirit of antitrust laws on all activities that are within the scope of their participation in the USTC. The general requirements of the antitrust laws prohibit any agreement that restrains trade. Specifically, USTC members and CAR shall strictly avoid any of the following activities or discussions relating to them:

1. agreeing to establish geographic trading areas, allocate markets or customers, or classify certain customers as being entitled to preferential treatment;
2. participating in any plan designed to induce any manufacturer or distributor to sell or refrain from selling, or discriminate in favor of or against any particular customer or class of customers;
3. agreeing to limit or restrict the quantity of supplier products;
4. participating in any plan that has the purpose or effect of discriminating against or excluding competitors;
5. agreeing or participating in any plan to refuse to deal with potential customers or suppliers without a sound business justification.

USTC member companies have agreed to cooperate as a group to provide tools, dies, fixtures, and related services (USTC Product) that no one individual company in USTC could provide alone. CAR and USTC member companies will collectively assemble a single, combined proposal for USTC Product. CAR will act independently from the USTC member companies, and collect and manage individual member quotes for the purpose of developing an aggregate quotation. The following steps will be followed.

1. The USTC and CAR will collectively define the specific scope of tools, dies, fixtures, and related services (USTC Product) that will be offered to a potential customer for a single, USTC price. The USTC Product will be partitioned into Product components.
2. USTC member companies will develop independent and individual quotations for Product components. All USTC members are invited to develop a quotation for the Product components that they wish to pursue for their business.
3. Individual component quotes from USTC member companies will be submitted directly to CAR for consideration in developing an aggregated USTC quote.
4. A heuristic will be developed by CAR and USTC that interprets individual USTC member quotes and generates an aggregate quotation. Individual USTC member

quotes are not disclosed to the USTC member companies. (See attachment describing heuristic methodology.)

At USTC meetings and functions, members are generally free to discuss collective USTC capabilities, marketing strategies, and general approaches for improving engineering and manufacturing efficiencies.

At USTC meetings and functions, members shall stay within the formal agenda, including any additions to that agenda, and avoid any informal or formal discussion relating to specific company plans.