

Corporate Forms and Policies

Business & Personal Conduct Antitrust & Competition Law Policy

Geographic Coverage	Global
Document Owner	EVP, General Counsel & Corporate Secretary MVP, Ethics & Compliance
Last Reviewed	April 2024

Policy Philosophy & Purpose

Antitrust laws are intended to promote competition and are designed to prevent business practices that reduce competition, either through collusive activity among competitors or using a strong market position to exclude rivals. In the US, these laws are referred to as “Antitrust laws”; outside the US, they are often referred to as “Competition laws”. When companies compete based on price, product quality, and innovation, consumers are better off.

Scope & Applicability

Gartner expects its associates to comply with applicable Antitrust and Competition laws everywhere we do business. This policy applies to Gartner associates and all individuals participating in Gartner-hosted peer activities.

Policy

This Policy helps associates and individuals who participate in Gartner-hosted peer activities understand their obligations under global antitrust and competition laws. All associates are expected to escalate to Gartner Legal & Compliance (legalcompliance@gartner.com) any specific situation that may pose antitrust risks for Gartner or our clients. If any non-associate has any questions or is in doubt about a specific situation, they are encouraged to consult their own legal counsel before engaging in Gartner Peer Activities.

Page 1

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.

© 2024 Gartner, Inc. and/or its affiliates. All rights reserved. Gartner is a registered trademark of Gartner, Inc., or its affiliates. Version 2.0 Last updated March 2024



Associates who violate this policy may be subject to disciplinary action up to and including termination of employment.

General Compliance and Guidelines

The following are examples of common behaviors to avoid; it is **not an exhaustive list**. Even if a particular situation is not expressly mentioned, it may violate global antitrust and competition laws:

1. Collusion: coordination among competitors regarding prices, fees, terms, bids, customers or boycotts.
 - a. Price Fixing: agreements among competitors on any element of price or price terms (e.g., discounts, rebates, pricing formulas, credit terms);
 - b. Bid-Rigging: agreements among competitors to influence an otherwise competitive bidding process; and/or
 - c. Group boycotting: agreements among competitors not to do business with targeted individuals or businesses.
2. Hub-and-Spoke Conspiracy: a common party (the “hub”) facilitates illegal agreements (such as price fixing, bid-rigging, market allocation, or group boycotting) among competitors (the “spokes”).
3. Market Allocation: agreements among competitors to divide territories, customers, suppliers, products, or levels of output.
4. Non-Poaching or Wage Fixing Agreements: suggesting or agreeing with another company not to hire each other’s employees, or to set specific wages or terms of employment.

To protect against the possibility of engaging in anticompetitive behavior, when engaging in meetings that include Gartner competitors, associates should (1) speak up if the discussion touches on any of the subjects outlined above, (2) leave the meeting, and (3) alert Legal & Compliance (legalcompliance@gartner.com) immediately. See the appendix for a [Quick Reference Guide](#).

Peer-Facilitated Activities

Various Gartner product offerings contain a peer activity component where Gartner brings together clients and other third parties with similar job roles. They may be in the same or different industries and are brought together to exchange knowledge, impart insights, and share best practices related to their mission-critical priorities, key initiatives, and challenges. Sometimes, associates moderate or facilitate these discussions (i.e., during Gartner Research Board, Peer Community, Global Peer Industry Forums, Conferences, and EXP Academies (collectively “Peer Activities”)).

Page 2

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.

© 2024 Gartner, Inc. and/or its affiliates. All rights reserved. Gartner is a registered trademark of Gartner, Inc., or its affiliates. Version 2.0 Last updated March 2024



During Peer Activities, all participants must be sensitive to discussion topics that might implicate antitrust and competition laws.

To remind clients and third parties of their responsibilities as Peer Activity participants, the [Antitrust & Competition Guidelines](#) should be displayed prominently at the beginning of every Peer Activity. This slide also contains the QR Code and link to this Policy. If this slide is visible to all participants, there is no need to read aloud the information; however, the host should draw attention to the slide before moving on to subsequent material.

Every Gartner Peer Activity participant is responsible for complying with applicable antitrust and competition laws.

Trade Associations

From time to time, associates attend trade association meetings. In those situations, associates should be careful not to share competitively sensitive information with other participants. They must be mindful that when attending a trade association meeting, they are not engaging in any of the prohibited activities listed in this Policy.

Speak Up

If you are concerned that the law or this policy has been or may be violated, it is important that you speak up. If you have a question, are confused, or a situation “just doesn't feel right,” it is always better to ask for help.

Speak Up Reporting Channels

These are the reporting channels to use to raise a question or concern. Feel free to choose the channel with which you are most comfortable:

- 1. Talk to your manager.** associates may start by talking to their manager. If unable to provide an answer, it's the manager's job to help Gartner associates find one or escalate a complaint.
- 2. Talk to someone outside your team.** associates may always talk with any other manager in their business unit, their (or any other) [Human Resources partner](#), or [Legal & Compliance](#).
- 3. Contact the Gartner Helpline.** Our third-party helpline allows anyone (associates and non-associates) to report anonymously 24 hours a day, 7 days a week, in many different languages. Contact the

[Gartner Ethics Helpline](#) — you will find a link to toll-free numbers and a way to report online.

Associates who violate this policy may be subject to disciplinary action up to and including termination of employment.

We do not tolerate retaliation

Gartner does not tolerate retaliation of any kind against anyone who reports a concern in good faith. Associates that engage in retaliatory behavior will be subject to disciplinary action, up to and including termination of employment.

Appendix A

Quick Reference Guide

Use the below guidance to remain compliant with this policy and antitrust and competition laws.

Allocation, Demand & Refusal to Deal

Avoid

- Agreeing to fix product quality or quantities.
- Agreeing to future plans to fix production capacity.
- Agreeing to opportunities to win specific customers.
- Making any agreements regarding allocation of customers or geographic territories or markets.
- Disclosing expansion or retraction plans or production capacity or forecast future ability to meet market demand.
- Disclosing revenues attributable to specific customers or refusing to deal with a specific customer or supplier.
- Implementing 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.
- Making any agreements regarding a joint action that may be taken against a customer, supplier, distributor, or competitor, or jointly attempting to prevent a supplier from selling to your competitor(s).
- Making any statements that could be interpreted as an invitation to coordinate behavior, such as collectively agreeing not to do business with a certain customer or competitor.

Discuss

- Effects of government legislation.
- General industry interests, experiences or opinions.
- Historic, aggregated, and statistical market data.

Bid Rigging

Avoid

- Agreeing in advance that a company will win a bid, taking turns being the lowest bidder, intentionally sitting out of a bidding round, or providing intentionally high bids to cover up a bid-rigging scheme.
- Engaging in any discussions where participants agree not to pay more than a certain amount for a certain product.

Page 5

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.

© 2024 Gartner, Inc. and/or its affiliates. All rights reserved. Gartner is a registered trademark of Gartner, Inc., or its affiliates. Version 2.0 Last updated March 2024

Client Confidential Information

Avoid

- Disclosing any confidential, client-specific information to a third party.

Entering New Markets

Avoid

- Agreeing to forego entering new lines of business because a participant's competitor dominates them.
- If your company is entering into a new industry, discussing with another company in that same industry the terms on which you should or should not compete in that market.

Discuss

- Keeping your discussions high-level and focused on general tips and advice about entering new markets.

Press Releases and Communications to the Public

Avoid

- Discussing press releases since they may be interpreted as an invitation to coordinate announcements with other participants. Ex.: "Let's meet next week to send out press releases regarding our capacity."

Price Fixing

Avoid

- Discussing company-specific price-setting methodologies, making comments regarding past, current or future pricing for specific companies unless this information is publicly available or generally known, or discussing/agreeing on prices that specific companies will charge their customers.
- Engaging in discussions regarding specific prices, fees, or rates.
- Having any discussions where participants agree not to pay more than a certain amount for a certain product.
- Saying, "Something needs to be done about low prices," which may be interpreted as an invitation to the group to raise prices.

Strategies

Avoid

- Agreeing on a joint strategy relating to the operation of your business.
- Disclosing your company's commercial strategy (which may be interpreted as an invitation to coordinate strategies or to otherwise enable a coordination of strategies).
- Discussing commercially sensitive, strategic, or confidential information.

Terms and Conditions

Avoid

- Agreeing with other participants to coordinate.
- Aligning legal terms, conditions, including licenses or provisions, as a means of dealing with certain customers or suppliers that you have in common.
- Sharing or compare company-specific legal or contract templates or company-specific contractual provisions that are not publicly available or generally known.

Additional Resources

[Department of Justice Tip Sheet](#)

[Federal Trade Commission - Competition Guidance - Guide to Antitrust Laws](#)