

ANTITRUST GUIDELINES

The CloudFoundry.org Foundation, Inc. (the “Foundation”) and its Members (as defined in the Foundation Bylaws) (the “Bylaws”) agree to abide by the following guidelines:

1. All Foundation Members are committed to fostering competition in the development of new products and services that may be based on the industry standard Platform-as-a-Service (“PaaS”) open source technology. The Members acknowledge that they may compete with one another in various lines of business and that it is therefore imperative that they and their representatives act in a manner which does not violate any applicable antitrust or competition laws and regulations.

2. All Foundation Members and participants agree to conduct all meetings, discussions, communications and other interactions in compliance with all applicable antitrust and competition laws. Each Member assumes responsibility to provide appropriate legal counsel to its Foundation representatives regarding the importance of limiting their discussions and activities to subjects that relate to the purposes of the Foundation, whether or not such discussions or activities take place during formal meetings, informal gatherings, or otherwise.

3. Foundation activities will not be conducted for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, express or implied, among and between competitors with regard to prices, terms or conditions of sale, distribution, volume of production, territories, customers and competitors, credit terms marketing practices, business plans or strategies.

4. The Members shall not, in the process of conducting Foundation activities, discuss, communicate or engage in any other exchange with regard to prices, pricing methods, production quotas or other limitations on the timing, costs or volumes of production or sale, or allocation of territories or customers.

5. The Members shall not engage in any activity or communication that might be construed as an attempt to prevent any person or business entity from gaining access to any market or customer for goods and services, or to prevent any business entity from obtaining a supply of goods or services or otherwise purchasing goods or services freely in the market.

6. The qualifications for membership in the Foundation are set forth in the Bylaws. No applicant for Foundation membership who otherwise meets the qualifications in the Bylaws will be rejected for any anti-competitive purpose or for the purpose of denying such applicant the benefits of membership.

7. Use of software developed or stewarded by the Foundation will be voluntary. The Foundation shall not compel, direct or coerce such use.

8. To the extent that Members cooperate on development activities in connection with the Foundation, Members shall not:

a) engage in any conduct restricting, requiring, or otherwise involving the production or marketing by any Member of any product, process or service; or

b) engage in any conduct restricting or requiring the sale, licensing or sharing of inventions or developments not developed via the Foundation, or restricting or requiring participation by any Member in other research and development activities.