

POLICY REGARDING HYPERLINKS TO OR FROM NON-ABA WEB SITES  
(November 2007)

I. THE ASSUMPTIONS AND GOALS UNDERLYING THE PROPOSED POLICY

- The Section of Antitrust Law and its Committees have invested heavily in developing web pages containing information and materials of interest to their members.
- Other sites on the World Wide Web also may contain information and materials useful to the Section's members.
- The Section desires to make easily accessible to members certain useful web sites, but desires to do so in a way that does not diminish the integrity, usability, functionality, or aesthetic appearance of its own web sites.
- The Section has a long standing policy against corporate sponsorship or corporate affiliations.

II. THE SECTION'S HYPERLINKS POLICY

A. The Section's Home Page

- The Section's home page may contain a links section that (i) may provide members with direct links to the home (and related) pages of the U.S. Federal Trade Commission, the Antitrust Division of the U.S. Department of Justice, the Antitrust Committee of the National Association of Attorneys General, the International Competition Network, and potentially other government or government related pages, and (ii) may provide indirect access through an "other links" icon which connects to a different page containing links to additional materials which otherwise comply with this policy.
- The Section's home page shall not directly contain advertisements for or links to any other web page of another organization, with the following exceptions.
  - The Secretary and Communications Officer may approve links to programs and other events or materials co-sponsored by the Section.
  - The Secretary and Communications Officer may approve links to programs, events, or materials of the U.S. Federal Trade Commission and the Antitrust Division of the U.S. Department of Justice.
  - Any other exceptions or amendments to this policy must be approved by the Section's Chair, and only after a showing that the exception or amendment will result in substantial net benefits to the Section's members.

- The Section home page shall provide links only to web pages of or by governmental organizations, professional associations, academic institutions, and other not-for-profit entities, and shall not provide links to web sites maintained for or by for profit enterprises.

- However, this policy does not apply to electronic versions of the Section's publications, which may contain links to primary or secondary reference materials cited in those publications.

- All linked pages (i) must contain content which would be of interest and useful to the Section's members; (ii) must maintain comparable standards of professionalism, decorum, and collegiality; and (iii) must not contain content that Section members may find offensive or scandalous. The Secretary and Communications Officer has discretion to exclude or remove content that does not satisfy these criteria.

- The Section shall not maintain any links which violate copyright or other laws. The Section's policy as to copyrighted materials is to provide links to those materials where otherwise consistent with this hyperlinks policy, but not to reprint or reproduce those materials on the Section's web pages or in electronic memoranda distributed on Section list serves. The Secretary and Communications Officer has discretion to exclude or remove content that does not satisfy these criteria.

- The Section will not require that any linked sites reciprocate and provide a link from their web site to any web page of the Section.

- Other organizations may provide a link from their web site to a Section web page, even if the Section does not or would not maintain an outbound link to that transferring page.

B. The Committee Home Pages

- The Section's Committee web pages also shall follow the foregoing policies, except that Committees may post links on their main page rather than in a links sub page if the Committee Chair and Vice Chairs objectively find that such links would be of substantial interest and net benefit to the members of that Committee.

C. The List Serves

- All links attached to electronic memoranda circulated on the Section's general list serves (currently known as AT-Conversation and AT-Announcements) and the Committee list serves shall comply with the foregoing policies applicable to the Section home page except as follows:

- Links to non-Section web pages, even those maintained for or by for-profit organizations, such as news media sites, are permitted for the purpose of providing members with access to newsworthy or other valuable information and/or fostering a meaningful policy dialogue.

However, the Section's list serves should not be used for the purpose of promoting the accomplishments of the poster or colleagues at his or her law firm, and links to material for the purpose of self promotion should be discouraged.

- Links attached to electronic memoranda circulated on the Section's list serve known as AT-Announcements for the purpose of informing members of upcoming programs and publications may include those maintained for or by the sponsor of the program or the publisher of the publication.

D. Interpretation and Enforcement

- All disputes regarding posted hyperlinks and interpretations of this policy shall be resolved by the Secretary and Communications Officer of the Section of Antitrust Law.
- Any party may ask the Section Chair to review a decision by the Section's Secretary and Communications Officer, and if the Section Chair agrees to such a review then the Section Chair's decision shall be final.