

# Antitrust Policy

## 1. Compliance with Antitrust Laws

Bizagi is committed to complying with all relevant antitrust laws and regulations in every jurisdiction where we operate. Our employees, officers, and directors must be aware of and adhere to antitrust laws, which include but are not limited to laws prohibiting collusion, price-fixing, market allocation, and other anti-competitive practices.

## 2. Prohibited Practices

In furtherance of our commitment to fair competition, Bizagi strictly prohibits the following anti-competitive practices:

**Price Fixing:** Any agreement or understanding, formal or informal, with competitors regarding prices or pricing strategies is strictly prohibited. This includes agreements to fix, increase, or stabilize prices, discounts, or terms of sale.

Price-Fixing includes not only agreements on specific prices, but also agreements among competitors on maximum or minimum prices, discounts, rebates, or credit terms. Agreements among buyers of a product or service as to the prices they will pay are as illegal as agreements among sellers of a product or service as to the prices they will charge.

The mere existence of such agreements is illegal, even if the companies involved did not act upon them or even if their action improved rather than harmed competition.

Many countries' competition laws also consider agreements between suppliers and resellers concerning the resale price of their products to be harmful to competition. Such conduct is sometimes called "resale price maintenance" or "vertical price-fixing."

Even when the laws of a particular jurisdiction do not expressly condemn inherently anti-competitive activities, Bizagi's employees, including its officers and directors, and independent contractors must not engage in such conduct unless they have obtained prior written approval from the Legal Department.

**Market Allocation:** Agreements with competitors to allocate markets, customers, or territories are strictly prohibited. This includes agreements to refrain from competing for certain customers or in certain geographic areas. This does not restrict Bizagi from refraining from doing business in certain geographic areas for other ethical or legal purposes.

**Collusion:** Employees, independent contractors, officers, and directors of Bizagi must not engage in any form of collusion with competitors, including sharing sensitive information such as pricing, sales, or marketing strategies.

Any form of bid rigging or collusion in connection with competitive bidding processes is strictly prohibited. This includes agreements with competitors to submit non-competitive bids or to refrain from bidding.

### 3. Potentially Sensitive Areas

**Interaction with Customers:** There are other types of conduct that may restrain trade in some respects but that are not considered harmful to competition in all situations. Those situations are evaluated considering the specific facts and circumstances to determine whether they present significant antitrust risk.

Consideration is given to whether the conduct would likely have anti-competitive effects and whether the risk of anti-competitive harm is outweighed by the pro-competitive benefits.

All matters that may be antitrust sensitive should be reviewed in advance with the Legal Department. The Legal Department can often suggest measures to eliminate or greatly reduce the antitrust risk associated with a proposed activity.

**Interaction with Partners:** In many jurisdictions, once Bizagi sells a product it cannot control the price at which the partner resells it or the product's destination. Bizagi representatives may counsel or advise individual partners to aid them with their own business operations but should be cautious about conduct that might be construed as coercive or threatening. Review with the Legal Department in advance any proposal to restrict the price, use, or further disposition of a product after it has been sold. This does not prevent Bizagi from restricting the resale of its products and services to geographic regions where the export of the same is prohibited under law, or to areas that have been exclusively reserved to other resellers via written agreement.

**Interaction with Competitors:** Except in those situations where a competitor is a customer or a supplier, avoid conversations or communications with competitors concerning prices, costs, terms and conditions of sale, business plans, suppliers, customers, territories, capacity, production, or any other subject that could be commercially important unless approved by the Sales Team and the Legal Department.

This rule applies to contacts of any kind, including trade association activities, meetings of government-sponsored groups, and social gatherings. If such a subject arises in the presence of a competitor, you should tell everyone present that discussing this matter is improper and see that the subject is immediately dropped. Otherwise, you must leave the discussion.

### 4. Training and Awareness:

Bizagi is committed to providing regular training to employees, officers, and directors to ensure awareness and understanding of antitrust laws and the importance of preventing anti-competitive practices. Training programs will be designed to cover key principles, legal requirements, and real-world scenarios.

### 5. Reporting Mechanism:

Employees, officers, and directors are encouraged to report any concerns or potential violations of this policy through the company's designated reporting mechanism.

The Company has an open-door communications procedure set out in the Whistleblowing Policy that encourages employees to ask questions, voice concerns, and make appropriate suggestions regarding the business practices of Bizagi.

Employees are encouraged to report violations without fear of retaliation. Employees are advised regularly that they should discuss any compliance concerns with their supervisor, and that if a matter is not being properly addressed at the supervisor level, they should request further reviews. Reviews should continue to the level of management appropriate to resolve the issue.

Bizagi will investigate all reports promptly and take appropriate action to address any violations.

## **6. Consequences of Violations:**

Violations of this policy may result in disciplinary action, up to and including termination of employment or contractual relationship. In addition, individuals involved in anti-competitive practices may be subject to legal action and prosecution.

In some countries violations of antitrust laws are crimes. Prosecutors frequently seek substantial fines from companies and may request jail sentences for individuals. For instance, in the United States, these fines can be as high as twice the gain from the violation or twice the loss imposed on its victims. Injunctions limiting a company's future conduct may also be ordered by a court. In addition, prosecutors actively seek to enforce criminal penalties even against foreign nationals for activities outside their country if the activities impact that country's commerce. Finally, injured parties may sue and obtain damages equal to three times ("treble damages") the amount of any financial loss resulting from a violation of the antitrust laws in some jurisdictions.