

## **Section E: Meetings**

### E-04 Suitcasing Policy

**Review Responsibility:** Executive Director and Board of Directors

**Policy Statement:** ASTA shall have a zero tolerance policy for suitcasing at the ASTA Annual Meeting or any other ASTA event.

**Purpose:** To continue to provide industry-wide access to the Annual Meeting for ASTA members and non-members but incentivize all companies to register for and pay applicable Annual Meeting registration fees for all employees attending the event by establishing a zero tolerance for suitcasing.

**Definition:**

1. Suitcasing: The practice in which companies gain access to an ASTA event, typically by either registering no company employee for the event or registering only one or some company employees for the event, and then such company representatives hold competing events or conduct business with legitimately registered event attendees at the event venue, whether in reserved venue space such as a hotel room or in other public spaces at the event venue.

**Prohibition Against Suitcasing:**

1. ASTA prohibits suitcasing at the ASTA Annual Meeting and all other ASTA events.

**Reporting Procedure:**

1. Prior to the beginning of the ASTA event, the ASTA Executive Director shall remind ASTA members and staff about the Suitcasing Policy and review the factors which might suggest active suitcasing is occurring at an ASTA event.
2. During an ASTA event, if an individual or individuals is/are suspected of or observed suitcasing by another event attendee and/or if a registered attendee participates in commercial meetings with a suitcasing violator, such report should be made to the Executive Director as soon as possible. Additionally, if prior to the event there is reasonable knowledge that a company may engage in suitcasing, ASTA members are encouraged to make such report to the Executive Director as soon as possible.
3. The Executive Director and General Counsel shall discuss all suitcasing reports prior to taking any action. Based on the nature of the suitcasing report, the Executive Director and/or the General Counsel may need to investigate the suitcasing report further, which may include meeting with the individual(s) reported to be suitcasing.
4. ASTA staff will also continually work with hotel and event venue locations that will support ASTA's suitcasing policy and work to include anti-suitcasing language in hotel contracts.

5. ASTA will include this suitcasing policy or an appropriate reference to this policy within all ASTA event registration form(s) to ensure that registrants are aware of and agree to this suitcasing policy prior to registering for events.

**Potential Penalties:** Where the Executive Director and General Counsel determine that an individual or individuals are suitcasing in violation of this policy, violators may be subject to the potential penalties below:

1. First Offense:
  - a. Individual(s) will be obligated to immediately pay the onsite registration fee(s) for the ASTA event. Violators refusing to immediately pay the onsite registration fee(s) must immediately leave the ASTA meeting space. However, non-payment of the onsite registration fee(s) will be noted on the company account information and all such outstanding fees due and owing to ASTA will preclude any individual, whether or not the individual violated this policy, representing that company from registering for or participating in any future ASTA event.
  - b. ASTA will issue a warning letter to the violator and the violator's company which describes the Suitcasing Policy and the penalties for violating it.
2. Second Offense:
  - a. Individual(s) will be obligated to immediately pay the onsite registration fee(s) for the ASTA event. Violators refusing to immediately pay the onsite registration fee(s) must immediately leave the ASTA meeting space. However, non-payment of the onsite registration fee(s) will be noted on the company account information and all such outstanding fees due and owing to ASTA will preclude any individual, whether or not the individual violated this policy, representing that company from registering for or participating in any future ASTA event.
  - b. Registered attendees from violating company may also forfeit their ASTA event registration and may be asked to leave the ASTA meeting space.
  - c. ASTA will issue a second warning letter to the violator and the violator's company which describes the Suitcasing Policy and the penalties for violating it, and further explains that multiple violations of this policy may preclude representatives from the company from registering for or participating in future ASTA events.
3. Third Offense:
  - a. Individual(s) will be obligated to immediately pay the onsite registration fee(s) for the ASTA event. Violators refusing to immediately pay the onsite registration fee(s) must immediately leave the ASTA meeting space. However, non-payment of the onsite registration fee(s) will be noted on the company account information and all such outstanding fees due and owing to ASTA will preclude any individual, whether or not the

individual violated this policy, representing that company from registering for or participating in any future ASTA event.

- b. Upon a third offense representatives of the company may be precluded from registering for or participating in future ASTA events for a period of time as reasonably determined by ASTA Executive Director and General Counsel.

- 4. Attendees Participating in Commercial Meetings with Suitcasing Violators: Registered attendees of ASTA events found to be engaging with or participating in commercial meetings with suitcasing violators at ASTA events will be considered in violation of this policy. In such an instance, ASTA will issue a letter to the individual(s) and to the individual's company describing the Suitcasing Policy.

**Recordkeeping:** ASTA will document in writing all reports of suspected suitcasing, actions taken to investigate reports of suspected suitcasing, communications regarding determinations of suitcasing violations as well as the potential penalties imposed and ASTA will maintain such records in accordance with its record retention policy.