§ 1160.24 Antitrust considerations.

(a) The Department of Commerce will offer no opinion on the antitrust merits of the formation of any proposed Strategic Partnership. The Department may seek an opinion from the Antitrust Division of the Department of Justice as to whether a proposed Strategic Partnership would raise antitrust issues. Furthermore, the role played by the Department of Commerce confers no special immunity to any given Strategic Partnership.

(b) Strategic Partnerships may be formed without any consultation with or involvement by the Department of Commerce; the purpose of the Strategic Partnership Initiative is to make the private sector aware of this vehicle and, where requested, conduct workshops to discuss the formation of such partnerships in general. Commerce will not select the technologies, the number of partnerships, or the specific firms in a given partnership.

§ 1160.25 Coordination/cooperation with other Federal agencies.

Where relevant, the Department may seek the cooperation of other Federal agencies and laboratories that may be of assistance to Strategic Partnerships.

§ 1160.26 Proprietary data.

All persons making a request under this part are cautioned that data submitted to the Department may be available for dissemination under the Freedom of Information Act. The Department, however, would withhold any information it deemed proprietary (confidential commercial or financial) on the basis of 5 U.S.C. 552(b)(4). The Department will consult with the submitter of any data requested under the Act, prior to release of such information, if the data is clearly marked “Company Confidential.” (See 15 CFR 4.7).

§ 1160.27 Amendment of procedures.

The right to amend or withdraw these procedures is expressly reserved.