

Monday, April 23, 2007

Hawai'i Forest Industry Association Bidding and Member Non Competition Policy

The Bidding and Non Competition Policy was adopted by the HFIA Board of Directors at its regularly scheduled meeting on April 24, 2007.

- 1. Article III (Corporate Purposes and Powers); Section 3.1 (Purposes) states that among the seven (7) purposes of the Corporation are:**
 - a. “to manage and encourage sound forestry practices for the benefit of the forests and the forest product industry of Hawaii;”**
 - b. “to promote and endeavor to assure the health of Hawaii’s forests as a recognized eco-system”**

- 2. Article III (Corporate Purposes and Powers), Section 3.2 (Restrictions) states that:**
 - a. “The activities of the Corporation shall not be directed to the conduct of a regular business of a kind ordinarily carried on for profit and no part of the net earnings or activities of the Corporation shall inure to the benefit of any individual member.”**

- 3. HFIA, through its activities over nearly two (2) decades as a 501(c) 6 has developed certain capabilities, which the Corporation considers as its intellectual property, including, but not limited to:**
 - a. grant acquisition and administration**
 - b. natural resource demonstration project management and administration**
 - c. educational conference, symposium and workshop management and administration**
 - d. industry marketing, public information, industry brand and product promotion management and administration**
 - e. other such capabilities as they may from time to time be recognized to be intellectual properties by the Corporation**

- 4. HFIA will consider and actively pursue projects allied with the purposes stated in Section 1 a & b above that clearly and consistently utilize the Corporation’s intellectual property as described above in Section 3 a - e.**

5. **As part of the Corporation’s due diligence process prior to entering into any project, HFIA will deliberate the effect that the Association’s initiation of this particular project will have on the business of its members and other for profit businesses, both as a group and individually. Projects that fail to overcome the restrictions outlined in Section 2a above shall not be considered or continued by the Association.**
6. **This policy is intended to detect, prevent, or mitigate the Corporation from competing with its individual members and members of the public in their “conduct of a regular business of a kind ordinarily carried on for profit.”**
7. **HFIA believes that accepting projects based on sound intellectual property policies, and avoiding potential non-competition-related projects will help foster innovation, enhance its economic growth and result in fulfilling the Corporation’ purposes and goals.**