

Date: [Insert Date]

To: [Insert Name of Management/Board of Directors]

From: [Insert Name/Title of Legal Counsel]

Subject: Legal Opinion: Antitrust Risk Clearance for [Insert Project Name]

1. Introduction

This memorandum provides a formal legal opinion regarding the proposed collaboration between [Your Company Name] and [Name of Competitor] (the "Parties") concerning [Briefly Describe Project/Joint Venture].

2. Scope of Review

In rendering this opinion, we have reviewed the following documents:

- The proposed Memorandum of Understanding (MOU) or Joint Venture Agreement.
- Market share data and competitive landscape analysis.
- Information exchange protocols and "clean team" procedures.
- Stated pro-competitive justifications for the collaboration.

3. Antitrust Analysis

We have evaluated the collaboration under applicable antitrust and competition laws. Our analysis focused on:

- **Horizontal Restraints:** Whether the collaboration involves price-fixing, market allocation, or output restriction.
- **Information Exchange:** The measures in place to prevent the sharing of competitively sensitive information (CSI).
- **Efficiency Gains:** The potential for research and development breakthroughs or cost reductions that benefit the consumer.

4. Risk Assessment

Based on the current structure of the proposal, we categorize the legal risk as: **[Low / Moderate / High]**.

[Insert detailed reasoning for risk level here].

5. Conditions for Clearance

This clearance is contingent upon the following safeguards:

- Adherence to the attached Information Exchange Protocol.
- Strict limitation of the collaboration to [Specific Product/Geographic Area].

- Monitoring of all joint meetings by legal counsel.

6. Conclusion

It is our professional opinion that the proposed collaboration, if executed within the parameters defined above, does not violate current antitrust statutes. We hereby grant legal clearance for the Parties to proceed with the execution of the agreement.

Signature:

[Name of Lead Counsel]

[Law Firm/Legal Department Name]