



## *Company & Culture*

# Ethics & Compliance

### Code of Conduct

Information Security Principle Translations

## Information Security, Trade Secrets, and Confidential Information Principle

### Principle Statement:

3M is committed to protecting 3M's confidential information, including trade secrets, from unauthorized disclosure, whether internal or external, deliberate or accidental. Employees must never disclose confidential information to anyone outside the company without explicit approval. Employees must use appropriate confidential disclosure agreements. Even inside 3M, employees must never share confidential information with people who lack a business "need to know."

Employees must know the classification of 3M information they create and to which they have access, the security precautions that apply to the information, how long to retain the information, and how properly to dispose of it.

Just as we expect others to respect our company's confidential information, 3M respects the confidential information of other parties. 3M is committed to using only legal and ethical means to collect and use business and market information in order to better understand our markets, customers and competitors. 3M will not collect or use another party's confidential information without that party's permission.

### Purpose:

3M's confidential information is a valuable asset. In the course of doing business, we must regularly exchange information with others, both inside and outside 3M. Safeguarding our ideas, technologies, processes, plans and other company information is essential for managing our business, maintaining competitive advantage, and complying with certain legal requirements.

This Principle applies globally to all employees and may apply to those acting on behalf of 3M. See the Compliance Principle for information on when a third party might be covered by the Code of Conduct Principles.

#### **Additional Guidance:**

- 3M information is classified as Public, General, Confidential, or Restricted. All information other than Public must be protected.
- Retain all 3M information in accordance with the applicable Records Retention Schedule. If you have received a preservation notice to preserve documents and records, immediately take steps to preserve all potentially pertinent records and files.
- Wear your 3M identification badge while at 3M facilities. Ensure that others are authorized to be in your area and are authorized to have access to 3M business information.
- Promptly report any actual or suspected unauthorized access or use of 3M systems or 3M information to any of the following resources:
  - Your manager
  - Corporate Security at 651-733-6100 (available 24 hours)
  - Information Security, Risk and Compliance
  - 3M Ethics & Compliance at 1-877-3METHICS in the U.S. or [3MEthics.com](http://3MEthics.com) ([https://secure.ethicspoint.com/domain/en/report\\_custom.asp?clientid=8897](https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=8897)) (for web reporting or worldwide telephone reporting)
  - The assigned 3M legal counsel for Information Technology

#### **Guidance Regarding 3M Confidential Information**

- Examples of 3M information that is confidential and must be protected include financial data; trade secrets; sales figures; information about employees, customers or suppliers; wage and salary data; capital investment plans; earnings projections; testing data; plans to improve products; intellectual property; documents containing product formulas or drawings; records of invention; unpublished patent applications, technical reports; proprietary manufacturing methods and processes; pricing and profit information; and information about future products, marketing, advertising programs or management changes. Contact your assigned 3M legal counsel if you need help determining whether certain information is 3M confidential information.
- Do not share 3M confidential information with friends or family.
- Do not talk about 3M confidential information in public places, such as elevators, airplanes, restaurants, or other places where you can be overheard.
- Do not leave 3M confidential information unattended on your desk, within 3M facilities, or in public areas.
- Do not copy 3M confidential information onto non-3M computers or systems, or access 3M confidential information through non-3M computers or systems.
- Do not disclose 3M confidential information to anyone outside 3M who does not have a confidential disclosure agreement protecting that information or to anyone inside 3M who does not have a need to know the information.
- Do not disclose information about a new product or service before any necessary patent applications have been filed.
- Do not disclose confidential information when retaining an outside consultant without first establishing a written, signed confidential disclosure agreement. Consult with your business unit's assigned legal counsel for help.

- Protect 3M confidential information regardless of the media in which the information is conveyed (e.g., printed, electronic files, e-mail, verbal conversation).
- Protect 3M confidential information for the entire life cycle of the information--from creation, storage, use, transmittal, retention through disposal.
- Do not infringe or use without permission intellectual property rights of others.

### **Guidance Regarding Trade Secrets**

- The duty to protect 3M confidential information includes trade secrets.
- Trade secrets are a subset of confidential information and are a legally recognized form of intellectual property. A trade secret is information that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, others who can obtain economic value from its disclosure or use, and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.
- Although some information may be designated trade secret, special designation is not required. Any information that falls within the definition of trade secret is a trade secret for as long as it fits the definition. The life of a trade secret can be indefinite and depends, to some degree, on the efforts to maintain secrecy. Keeping trade secrets secure maintains their viability as intellectual property giving 3M a competitive advantage.

### **Guidance Regarding the Confidential Information of Others**

- Do not accept another party's confidential information without a written, signed confidential disclosure agreement. These confidential disclosure agreements must be signed by a technical director or higher level executive.
- Unless you have another party's permission to use the party's information, make sure you can answer "no" to each of these questions before using the information:
  - Is the information actually confidential information?
  - Was the information obtained illegally or unethically?
  - Would using the information violate any other Business Conduct Principle?
- Contact your assigned 3M legal counsel before hiring or using a consultant or agent to obtain information for 3M or if you learn that an improper disclosure or improper use of another party's confidential information may have occurred.
- Avoid receiving confidential information from an employee about his or her former employer.
- Do not interview or hire employees or consultants of competitors without first contacting your assigned legal counsel.

### **Penalties**

Penalties to individuals and their companies can be severe, ranging from civil damages and injunctions against the company to criminal fines and imprisonment for individuals who steal trade secret information in an attempt to profit from it. In the United States, the Economic Espionage Act provides federal criminal penalties for trade secret misappropriation. The General Agreement on Tariffs and Trade (GATT) also provides enhanced trade secret protection in many countries. Violations of 3M's Code of Conduct will result in discipline, up to and including termination from employment.

### **Related Information and Links:**

- [Information Classification and Handling Standard \(/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=140&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read\)](https://skydrive3m.sharepoint.com/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=140&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read)
- [Intellectual Property Policy \(/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=772&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read\)](https://skydrive3m.sharepoint.com/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=772&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read)
- [Records and Information Management Policy \(/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=775&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read\)](https://skydrive3m.sharepoint.com/sites/PolCent/Policy%20Central/Forms/DispForm.aspx?ID=775&Source=https%3a//skydrive3m.sharepoint.com/sites/PolCent&InitialTabID=Ribbon.Read)
- [Information Technology Policies & Standards \(/sites/PolCent/SitePages/Home.aspx\)](https://skydrive3m.sharepoint.com/sites/PolCent/SitePages/Home.aspx)
- [Trade Secrets Site \(/sites/corpRC0018/Pages/Global/221.aspx\)](https://skydrive3m.sharepoint.com/sites/corpRC0018/Pages/Global/221.aspx)
- [3MEthics.com \(https://secure.ethicspoint.com/domain/en/report\\_custom.asp?clientid=8897\)](https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=8897)
- [Frequently Asked Questions \(http://legalapps.mmm.com/legal/portal/C%26BC/Code/FAQ-InfoSecurity.pdf\)](http://legalapps.mmm.com/legal/portal/C%26BC/Code/FAQ-InfoSecurity.pdf)