



Department of Justice

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The Department of Justice today filed a civil antitrust suit alleging that the October 1982 acquisition by Cooper Industries, Inc., of Houston, of Westinghouse Electric Corporation's aviation lighting equipment business may substantially lessen competition in the manufacture and sale of aviation lighting equipment. The Department simultaneously filed a proposed consent decree which would terminate the suit.

J. Paul McGrath, Assistant Attorney General in charge of the Antitrust Division, said the complaint, which alleges a violation of Section 7 of the Clayton Act, and the proposed decree were filed in U. S. District Court for the District of Columbia.

Aviation lighting equipment consists of lights and related equipment used to guide airplanes in approaching airports, landing, and taxiing to and from passenger gates. Almost all equipment of this nature must receive Federal Aviation Administration approval prior to installation.

Cooper Industries, Inc., through its Crouse-Hinds subsidiary, is the major domestic manufacturer of aviation lighting equipment. The complaint alleged that just prior to its acquisition of Westinghouse's aviation lighting equipment

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business Cooper had a market share of 54%. The complaint alleged that prior to sale of its business to Cooper, Westinghouse was the second largest firm in the market with a 7% market share.

The complaint alleges that Cooper's acquisition substantially increased concentration and eliminated actual and potential competition in the manufacture and sale of aviation lighting equipment.

The proposed judgment would require Cooper to notify the government before consummating any future acquisition of any plant which had been producing aviation lighting equipment sold in the United States in the two-year period before the acquisition. The proposed judgment prohibits consummation of any such acquisition without the government's consent or, if the government refuses to consent, the court's consent, upon a showing that the acquisition will not harm competition.

If approved by the court, the judgment would be in effect for 10 years.

In accordance with the Antitrust Procedures and Penalties Act of 1974, a competitive impact statement has been filed with the court explaining the proposed decree. Copies of the complaint, proposed final judgment, and competitive impact statement are available on request from the Antitrust Division's Legal Procedure Unit, Room 7416, Department of Justice, Washington, D. C. 20530. They are also available for inspection in the office of the Clerk of the United States District Court for the District of Columbia.

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Comments to the Department and to the court regarding the judgment are invited from members of the public. They should be directed to Alan L. Marx, Chief, General Litigation Section, Antitrust Division, United States Department of Justice, Washington, D. C. 20530.

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