

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 16 2007

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,
Department of Justice, Antitrust Division
325 7th Street, N.W., Suite 300
Washington, D.C., 20530,

Plaintiff,

v.

ICONIX BRAND GROUP, INC.,
1450 Broadway, 4th Floor
New York, New York 10018

Defendant.

Civil Action No.

07 1852

Filed:

Entered: October 16, 2007

COMPLAINT FOR CIVIL
PENALTY FOR FAILURE
TO COMPLY
WITH THE PREMERGER
REPORTING REQUIREMENTS
OF 15 U.S.C. § 18a
THE HART-SCOTT-RODINO ACT

FINAL JUDGMENT

Plaintiff, the United States of America (the "United States"), having commenced this action by filing its Complaint herein for violation of Section 7A of the Clayton Act, 15 U.S.C. § 18a, commonly known as the Hart-Scott-Rodino Antitrust Improvements Act of 1976, and the United States and Defendant, Iconix Brand Group Inc. ("Iconix"), by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence against or an admission by the Defendant with respect to any such issue:

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby

Ordered, Adjudged, and Decreed as follows:

I.

The Court has jurisdiction over the subject matter of this action and over the United States and the Defendant. The Complaint states a claim upon which relief can be granted against the Defendant under Section 7A of the Clayton Act, 15 U.S.C. § 18a.

II.

Judgment is hereby entered in this matter in favor of the United States and against the Defendant, and, pursuant to Section 7A(g)(1) of the Clayton Act, 15 U.S.C. § 18a(g)(1), the Debt Collection Improvement Act of 1996, Pub. L. 104-134 § 31001(s) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461), and Federal Trade Commission Rule 1.98, 16 C.F.R. § 1.98, 61 Fed. Reg. 54549 (Oct. 21, 1996), Defendant Iconix is hereby ordered to pay a civil penalty in the amount of \$550,000. Payment of the civil penalty ordered hereby shall be made by wire transfer of funds or cashier's check. If the payment is made by wire transfer, Defendant Iconix shall contact Janie Ingalls of the Antitrust Division's Antitrust Documents Group at (202) 514-2481 for instructions before making the transfer. If the payment is made by cashier's check, the check shall be made payable to the United States Department of Justice and delivered to: Antitrust Documents Group, Department of Justice, Liberty Place, 325 7th Street, Suite 200, N.W., Washington, D.C., 20530. Defendant shall contact Ms. Ingalls at least 48 hours prior to payment to confirm the mode of payment. Defendant shall pay the full amount of the civil penalty within thirty (30) days of entry of this Final Judgment. In the event of a default in payment, interest at the rate of eighteen (18) percent per annum shall accrue thereon from the date of default to the date of payment.

III.

Each party shall bear its own costs of this action.

IV.

Entry of this Final Judgment is in the public interest.

Dated: October 16, 2007.

Elmer S. Hucke

United States District Judge