

Trade Regulation Reporter - Trade Cases (1932 - 1992), United States v. Western Winter Sports Representatives Assn., Inc., U.S. District Court, N.D. California, 1983-1 Trade Cases ¶65,437, (Jun. 7, 1972)

United States v. Western Winter Sports Representatives Assn., Inc.

1983-1 Trade Cases ¶65,437. U.S. District Court, N.D. California, Civil No. 40567, Dated June 7, 1972 Case No. 1652, Antitrust Division, Department of Justice.

Sherman Act

Trade Associations: Participation in Trade Shows: Modification of Consent Decree.— A 1962 consent decree was modified in 1972 to allow non-members of a winter sports goods trade association to exhibit their goods at trade shows if their member-sponsors quit the association or ceased to sponsor them.

Modifying (by consent) 1962 Trade Cases ¶70,418.

Stipulation and Order Modifying Final Judgment

BURKE, D. J.: It Is Hereby Stipulated and Agreed by and between the respective attorneys for plaintiff, United States of America, and for defendant, Western Winter Sports Representatives Association, that Section V(C) of the Final Judgment entered herein on August 31, 1962, may be modified with the consent of the parties hereto, as follows:

1. Section V(C) of the Final Judgment now provides: Defendant is enjoined and restrained from:

(C) Refusing to accept as an exhibitor or otherwise preventing any manufacturer, wholesaler, importer or manufacturers' representative, their officers and employees, from exhibiting and selling a line or lines of winter sports goods at any trade show, except a manufacturer, wholesaler, importer or manufacturers' representative, their officers and employees, whose same line or lines of winter sports goods are to be or are being exhibited at that particular trade show by a member of defendant Association who is a manufacturers' representative.

2. The words "who is a manufacturers' representative" appearing at the end of this Section V(C) will be stricken, and the following language added thereto:

... providing, however, that any person so excluded under said exception may nevertheless exhibit and sell at such trade show as a non-member exhibitor if said member or members representing him have resigned from defendant Association or are no longer representing him.

3. Said Section V(C) as modified will read: Defendant is enjoined and restrained from:

(C) Refusing to accept as an exhibitor or otherwise preventing any manufacturer, wholesaler, importer or manufacturers' representative, their officers and employees, from exhibiting and selling a line or lines of winter sports goods at any trade show, except a manufacturer, wholesaler, importer or manufacturers' representative, their officers and employees, whose same line or lines of winter sports goods are to be or are being exhibited at that particular trade show by a member of defendant Association, providing, however, that any person so excluded under said exception may nevertheless exhibit and sell at such trade show as a non-member exhibitor if said member or members representing him have resigned from defendant Association or are no longer representing him.

4. All other provisions of the aforesaid Final Judgment shall continue in full force and effect and are unaffected by the modification herein.