

Trade Regulation Reporter - Trade Cases (1932 - 1992), United States v. Magnaflux Corporation., U.S. District Court, N.D. Illinois, 1957 Trade Cases ¶68,707, (May 6, 1957)

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United States v. Magnaflux Corporation.

1957 Trade Cases ¶68,707. U.S. District Court, N.D. Illinois, Eastern Division. Civil Action No. 51-C-859. Dated May 6, 1957. Case No. 879 in the Antitrust Division of the Department of Justice.

Sherman Antitrust Act

Department of Justice Enforcement and Procedure—Consent Decrees—Specific Relief—Dedication of Patents to Public—Conveyance of Patent Rights—Equipment for Detection of Defects in Metals.—A manufacturer of equipment used for the detection of defects in metal parts was required by a consent decree to dedicate to public use specified patents. Also, the manufacturer was required to renounce its exclusive license under a patent and to convey to a specified person its rights under another patent.

For the plaintiff: Victor R. Hansen, Assistant Attorney General, and W. D. Kilgore, Jr., Baddia J. Rashid, and Earl A. Jinkinson, Attorneys, Department of Justice.

For the defendant: Richard K. Decker, Theodore C. Diller, and Carlton Hill.

For an opinion of the U. S. District Court, Southern District of New York, transferring the action to the U. S. District Court, Northern District of Illinois, Eastern Division, see [1950-1951 Trade Cases ¶ 62,836](#).

Final Judgment

WIN G. KNOCH, District Judge [*In full text*]: The plaintiff, United States of America, having filed its complaint herein on December 11, 1946; the defendant having appeared by its counsel; and the parties hereto, 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 any admission by any party hereto 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

[*Jurisdiction*]

The Court has jurisdiction of the subject matter of this action and of the parties hereto.

II

[*Dedication of Patents*]

Defendant is directed, within thirty (30) days from the date of entry of this Final Judgment, to:

A. Dedicate to public use the following patents:

U. S. Patent No.	Title	Issued
2,225,179	Magnetic Testing of Turbine Blades	12/17/40
2,236,373	Method of Permanently Recording Defects in Metals	3/25/41
2,257,736	Magnetic Inspection Unit	10/7/41

B. Renounce in writing to the licensor or its successor in interest the exclusive right and license of Defendant under U. S. Patent No. 2,267,999 for Magnetic Testing, issued December 30, 1941, retaining only a non-exclusive license thereunder; and

C. Convey and surrender to John C. Pruitt all right, title and interest and/or license rights now held by Defendant under U. S. Patent No. 2,428,471 for Magnetic Testing Method and Apparatus, issued on October 7, 1947.

III

[*Compliance*]

Defendant is directed, within forty-five (45) days from the date of entry of this Final Judgment, to file with the Court and to furnish to the Attorney General a statement showing compliance with the provisions of Section II of this Final Judgment.

IV

[*No Other Relief*]

Except as hereinabove provided, no further relief is directed.