

[Trade Regulation Reporter - Trade Cases \(1932 - 1992\), United States v. Slide-Rite Mfg. Corp., Pilling Chain Co., Inc., and Acme Associates Inc., U.S. District Court, S.D. New York, 1976-1 Trade Cases ¶¶60,785, \(Mar. 16, 1976\)](#)

Federal Antitrust Cases

Trade Regulation Reporter - Trade Cases (1932 - 1992) ¶¶60,785

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United States v. Slide-Rite Mfg. Corp., Pilling Chain Co., Inc., and Acme Associates Inc.

1976-1 Trade Cases ¶¶60,785. U.S. District Court, S.D. New York. Civil Action No. 74 Civ. 3927. Entered March 16, 1976.(Competitive impact statement and other matters filed with settlement: 40 Federal Register 59605). Case No. 2408, Antitrust Division, Department of Justice.

Headnote

Sherman Act

Price Fixing—Zipper Slider Manufacturers—Agreements Between Competitors—Consent Decree.—

Zipper slider manufacturers were enjoined by consent decree from entering into or maintaining any agreement, understanding or arrangement with any other seller or manufacturer of sliders to fix or maintain the prices for the sale of zipper sliders to any third person.

Exchange of Information—Zipper Slider Manufacturers—Price Information—Consent Decree.—Zipper slider manufacturers were enjoined by consent decree from communicating to or exchanging with any other seller or manufacturer of sliders any data concerning any actual or proposed price, price change or discount at which any slider item is to be, or has been, sold to any third person prior to communication of such information to customers generally.

For plaintiff: Thomas E. Kauper, Asst. Atty. Gen., Baddia J. Rashid, Charles F. B. McAleer, Bernard Wehrmann, Mary K. Smith, Samuel London, and Erwin L. Atkins, Attys., Dept. of Justice.

For defendants: Guggenheimer & Untermeyer, New York, N. Y., for Slide-Rite Mfg. Corp.; Abedon, Stanzler & Biemer, Providence, R. I., for Pilling Chain Co., Inc.; Fried, Frank, Harris, Shriver & Jacobson, New York, N. Y., for Acme Associates Inc.

Final Judgment

CARTER, D. J.: Plaintiff, United States of America, having filed its complaint herein on September 10, 1974, and defendants having appeared by their attorneys and the plaintiff and the defendants Slide-Rite Mfg. Corp., Pilling Chain Company, Inc. and Acme Associates Incorporated, 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 evidence or an admission by any party with respect to any issue of fact or law herein;

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, Adjudicated and Decreed as follows:

I.

This Court has jurisdiction of the subject matter herein and of the parties hereto., The complaint states claims upon which relief may be granted against the defendants under Section 1 of the Act of Congress of July 2, 1890, as amended (15 U. S. C., § 1), commonly known as the Sherman Act.

II.

As used in this Final Judgment:

- (A) "Slider" means the component of a zipper which is attached to and slides on a zipper chain;
- (B) "Person" means any individual, partnership, corporation, or other business or legal entity.

III.

The provisions of this Final Judgment shall apply to each defendant, its officers, directors, agents and employees and to each defendant's subsidiaries, affiliates, successors and assigns, and to each of their respective officers, directors, agents and employees, and to all other persons in active concert or participation with any of them who receive actual notice of this Final Judgment by personal service or otherwise.

IV.

Each defendant is enjoined and restrained directly or indirectly from entering into, adhering to, maintaining or engaging in any agreement, understanding, arrangement, plan or program with any other seller or manufacturer of sliders to fix, determine, establish, maintain or stabilize the prices for the sale of sliders to any third person.

V

Each of the defendants is enjoined and restrained directly or indirectly from communicating to or exchanging with any other seller or manufacturer of sliders, any actual or proposed price, price change or discount at which any slider item is to be, or has been, sold to any third person prior to the communication of such information to the public or to customers generally.

VI

Each defendant is ordered and directed to:

- (A) Serve within sixty (60) days after the date of entry of this Final Judgment a conformed copy of this Final Judgment upon each of its officers and directors, and each of its employees who have any responsibility for the sale of sliders by said defendant;
- (B) Serve a conformed copy of this Final Judgment upon each successor officer and director, and each successor employee having any responsibility for the sale of sliders by said defendant; and
- (c) Within ninety (90) days after the date of entry of this Final Judgment, to file with this Court and to mail to the plaintiff, an affidavit setting forth the fact and manner of compliance with subsection (A) of this Section VI.

VII.

(A) For the purpose of securing or determining compliance with this Final Judgment and for no other purpose, each of the defendants shall permit any authorized representative or representatives of the Department of Justice upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice, subject to any legally recognized privilege:

- (1) Access, during the regular business hours of each of the defendants, to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of each of the defendants which relate to any matters contained in this Final Judgment;
- (2) Subject to the reasonable convenience of each of the defendants, and without restraint or interference from them, to interview each of their officers and employees, who may have counsel present, regarding any such matters.

(B) Upon the written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, each of the defendants shall submit such reports in writing to the Department of Justice with respect to any matters contained in this Final Judgment as from time to time may be requested.

No information obtained by the means provided in this Section VII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

VIII

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification of any of the provisions hereof, and for the enforcement of compliance therewith and punishment of violations thereof.

IX

Entry of this Judgment is in the public interest.