

U. S. v. PARKER RUST-PROOF CO.

This cause having come on for hearing before this Court, and the Court having made and filed its findings of fact and conclusions of law herein on the 12th day of May, 1945, and in accordance therewith,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the agreement dated October 11, 1940, between defendant Parker Rust-Proof Company and American Chemical Paint Company, under the terms of which the American Chemical Paint Company gave Parker Rust-Proof Company an exclusive license on its patents and patent applications relating to chemical rustproofing and priming materials and the application of such materials to metal surfaces, together with any improvements invented or discovered in connection with the processes covered by the patents during the period of the agreement, had the effect of substantially lessening competition in the chemical rust-proofing and priming industry, and is hereby adjudged to be unlawful and a violation of Sections 1 and 2 of the Sherman Act.

2. That defendant Parker Rust-Proof Company, its directors, officers, agents or employees, their successors, transferees, or assigns, and all persons acting for it, are hereby perpetually enjoined and restrained from instituting or threatening to institute suits for patent infringement or suits to collect royalties which are based upon any of the United States letters patent numbered 1,805,982; 1,895,320; 1,980,518; 2,005,780; 2,114,151; 2,121,574; 2,132,438; 2,132,439; 2,132,883; 2,164,042; 2,186,177; 2,245,609; 2,298,312; 2,316,810; 2,316,811; 2,326,309; referred to in the agreement between Parker Rust-Proof Company and American Chemical Paint Company dated October 11, 1940, including renewals, extensions or reissues thereof.

3. That for the purpose of securing compliance with this judgment, duly authorized representatives of the Department of Justice shall, on written request of the Attorney General, or an Assistant Attorney General, be permitted access, during the office hours of Parker Rust-

U. S. vs. PARKER RUST-PROOF CO., ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Civil Action No. 3653.

UNITED STATES OF AMERICA, PLAINTIFF,

VS.

PARKER RUST-PROOF COMPANY, WILLARD M. CORNELIUS,
MARLIN C. BAKER, GLEN E. LUKE, ROBERT W. ENGLE-
HART, RUST PROOFING AND METAL FINISHING CORPO-
RATION, PYRENE MANUFACTURING Co., PARKER WOLV-
ERINE Co., WESTERN RUST PROOF COMPANY AND PAR-
KER RUST-PROOF COMPANY OF CLEVELAND,
DEFENDANTS.

JUDGMENT.

At a session of said court held in the Federal Building,
Detroit, this 28th day of May, 1945.

Present: HONORABLE ARTHUR F. LEDERLE,
District Judge

Proof Company, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in its possession or under its control, relating to any matters contained in this judgment, and to interview its officers or employees regarding any such matters: *Provided, however,* that information obtained by the means permitted in this paragraph shall not be divulged by any representative of the Department of Justice except in the course of legal proceedings for the purpose of securing compliance with this judgment in which the United States is a party or as otherwise required by law.

4. That jurisdiction of this cause is retained for the purpose of enabling any of the parties to this judgment to apply to the Court at any time for such further orders and judgments as may be necessary or appropriate for the construction or carrying out of this judgment, for modification or termination of any of the provisions thereof, or the enforcement of compliance therewith and for the punishment of violations thereof.

5. The compliant in said cause is dismissed with respect to all defendants in said cause other than said defendant, Parker Rust-Proof Company, and also with respect to said defendant, Parker Rust-Proof Company except with respect to the matters adjudged and decreed herein. No costs to be allowed to any party.

ARTHUR F. LEDERLE
District Judge

Filed May 29, 1945.