

EXHIBIT A

FINAL JUDGMENT AND MODIFICATIONS



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	Filed June 29, 1951
v.	:	
	:	Civil No. 32-394
THE PERMUTIT COMPANY and	:	
W. SPENCER ROBERTSON,	:	
	:	
Defendants.	:	

FINAL JUDGMENT

The plaintiff, United States of America, having filed its complaint herein on July 31, 1945, and defendants having appeared and filed their answer to such complaint denying any violation of law; and the parties by their respective attorneys herein having severally consented to the entry of this final judgment without trial or adjudication of any issue of fact or law herein, and without admission by the defendants in respect of any such issue; and the defendant, The Permutit Company, by certain agreements dated May 8, 1951 between it and The Permutit Company, Limited, Permutit Aktiengesellschaft, Societe Anonyme Etablissements Phillips & Pain of Paris, France, Societe Anonyme Des Etablissements Phillips & Pain of Bruxelles, Belgium, Purificadores De Agua, S. A. of Barcelona, Spain, and Permutit (Luxembourg) S. A., having, among other things, obtained and granted certain immunities from suit with respect to the exportation from or importation into the United States of water conditioning equipment and materials manufactured in the United States under the patents listed in Appendices A and B, or manufactured in foreign countries under corresponding foreign patents;

NOW, THEREFORE, without any testimony or evidence having been taken herein, and without trial or adjudication of facts or law herein, and upon consent of all parties hereto, it is hereby ORDERED, ADJUDGED and DECREED

I

That this Court has jurisdiction of the subject matter and of the parties hereto; that the complaint states a cause of action against the defendants under Section 1 of the Act of Congress of July 2, 1890, entitled "An Act to Protect Trade and Commerce Against Unlawful Restraints and Monopolies", commonly known as the Sherman Act, and acts amendatory thereof and supplemental thereto.

II

As used in this judgment:

A. "Defendant Permutit" means The Permutit Company, a corporation organized and existing under the laws of the State of Delaware, and having its office and principal place of business in New York City.

B. "The British company" means The Permutit Company, Limited, a corporation organized and existing under the laws of the United Kingdom, with its office and principal place of business at London, England.

C. "The German company" means Permutit Aktiengesellschaft, a corporation organized and existing under the laws of Germany, with its office and principal place of business at Berlin, Germany.

D. "The French company" means Societe Anonyme Etablissements Phillips & Pain of Paris, France, a corporation organized and existing under the laws of France, with its office and principal place of business at Paris, France, together with its wholly owned subsidiaries, Societe Anonyme Des Etablissements Phillips & Pain of Bruxelles, Belgium, a corporation organized and existing under the laws of Belgium, with its office and principal place of business at

Brussels, Belgium, and Purificadores De Agua, S. A. of Barcelona, Spain, a corporation organized and existing under the laws of Spain, with its office and principal place of business at Barcelona, Spain.

E. "American territory" means those countries in which the defendant Permutit had exclusive or non-exclusive rights under the agreements referred to in Section IV, subsection A hereof.

F. "British territory" means those countries in which the British company had exclusive or non-exclusive rights under the agreements referred to in Section IV, subsection A hereof.

G. "German territory" means those countries in which the German company had exclusive or non-exclusive rights under the agreements referred to in Section IV, subsection A hereof.

H. "French territory" means those countries in which the French company had exclusive or non-exclusive rights under the agreements referred to in Section IV, subsection A hereof.

I. "Water conditioning equipment and materials" includes natural and synthetic chemicals and the necessary machinery, equipment, and processes for their use, which are employed to purify water, eliminate, remove or counteract chemicals or substances in, or characteristics of water, or otherwise to treat water, so as to render such water suitable for household and industrial uses. Also included is the "Desalter" process for converting sea water into drinking water.

J. The terms "patent" and "patents" as used in this judgment include patents, applications, patents issuing on such applications and all divisions, continuations, reissues or extensions thereof.

III

The provisions of this judgment applicable to the defendant Permutit shall apply to each of its subsidiaries, successors, assigns and nominees and to each of its directors, agents,

and employees, and to any other person, firm or corporation acting or claiming to act under, through or for them.

IV

A. Defendant Permutit is hereby enjoined and restrained from entering into, performing, enforcing, adopting, adhering to, maintaining or furthering, directly or indirectly, or claiming any rights under any contract, agreement, arrangement, understanding, plan or program for the purpose of or with the effect of continuing, reviving or renewing the agreement between it and the British company and the German company dated October 17, 1930, annexed as Exhibit "A" to the complaint herein, as amended by an agreement dated November 17, 1932, between the above mentioned parties and the French company, the same being Exhibit "B" to the complaint herein, and as extended by three agreements dated June 17, 1940 between defendant Permutit and one or more of the above named companies, the same being Exhibits "C", "D", and "E" to the complaint herein and the agreement between defendant Permutit and the British company, dated December 15, 1937, and any amendments, modifications or extensions of any of the aforesaid agreements.

B. Nothing contained in this judgment shall preclude the defendant Permutit from availing itself of any otherwise lawful patent and trademark rights upon termination which it may have under the agreements described in subsection A of this Section IV, and agreements entered into in accordance with Forms "A" to "F" inclusive attached to the agreement of October 17, 1930.

V

Defendant Permutit is hereby enjoined and restrained from entering into or performing, directly or indirectly, any contract, agreement, or understanding, with the British company, the German company, the French company or any subsidiary, successor, assign, agent, sales representative or distributor thereof:

A. To allocate or divide territories or markets for the production, sale or distribution of water conditioning equipment or materials in any part of the world;

B. To limit, restrain or prevent importation into or exportation from the United States of water conditioning equipment or materials;

C. To refrain from competing or to leave any person free from competition in the production, sale or other distribution of water conditioning equipment or materials in any territory or market, or with respect to any type of such equipment or materials;

D. To exclude any producer or distributor of water conditioning equipment or materials from any territory or market, or to interfere with or restrict any such producer or distributor in competing in any territory or market;

E. To receive, grant, disclose, render available or exchange, in such a way as to deny any third person access thereto, any assignment, license, or grant of immunity under a patent or patent application, relating to water conditioning equipment or materials;

F. To receive, grant, disclose, render available or exchange in such a way as to deny any third person access thereto, (1) information, advice, assistance or rights with respect to any invention, discovery, improvement, practice, formula, pattern, device, process, method, or other technical information, relating to the production of water conditioning equipment or materials, or (2) any material or machinery used in the production of water conditioning equipment or materials, or any information, advice, assistance or rights with respect to any such materials or machinery;

G. To restrict the use or disposition of any water conditioning equipment or materials bought from defendant Permutit.

VI

Defendant Permutit is hereby enjoined and restrained from:

A. Referring any order for or inquiry concerning water conditioning equipment or materials to the British company, the German company, the French company, or any subsidiary, agent, sales representative or distributor thereof;

B. Selling or offering for sale to, or purchasing or offering to purchase from the British company, the German company or the French company, water conditioning equipment or materials, at prices, discounts or terms and conditions of sale more favorable than those regularly charged, paid, or offered, under comparable circumstances, to buyers or sellers in American territory;

C. Offering or paying to or receiving or accepting from the British company, the German company, or the French company any commission, rebate, penalty, or other payment, except fees for the services of engineers or technicians and royalties or other compensation for patent licenses or assignments or technical information not violative of any provision of this judgment, in connection with the sale or other distribution of water conditioning equipment or materials to any other person in any territory or market;

D. Appointing, designating, or employing, or continuing the appointment, designation or employment of the British company, the German company, the French company or subsidiaries thereof, as an agent, sales representative or distributor of defendant Permutit in connection with water conditioning equipment or materials, or in any way selling or distributing water conditioning equipment or materials through the British company, the German company, the French company or subsidiaries thereof;

E. Acting for or representing as agent, sales representative, distributor, engineer or technician, in connection with water

conditioning equipment or materials, the British company, the German company, the French company, or any subsidiary thereof;

F. Reserving or protecting for the British company, the German company, the French company, or any subsidiaries thereof, any market or territory for the production, sale or other distribution of water conditioning equipment or materials.

VII

1. Defendant Permutit is hereby enjoined and restrained from entering into, performing, enforcing, adhering to, continuing, or renewing, directly or indirectly, any contract, agreement, combination, understanding or arrangement with the British company, the German company or the French company, or any subsidiary, successor, assign, agent, sales representative or distributor thereof which provides for:

A. An assignment, license or grant of immunity under any patent or patent application;

B. The receipt, grant, disclosure, rendering available or exchange of information, advice, assistance or rights with respect to any invention, discovery, improvement, practice, formula, pattern, device, process, method or other technical information relating to the production of water conditioning equipment or materials, or of any material or machinery used in the production of such water conditioning equipment or materials, or of any information, advice, assistance or rights with respect to any such material or machinery; or

C. The transfer of any right or immunity under a trademark or name, relating to the production of water conditioning materials;

upon the condition or requirement that the British company, the German company or the French company, or any subsidiary, successor, assign, agent, sales representative or distributor thereof shall:

(1) Allocate or divide territories or markets for the production, sale or other distribution of water conditioning equipment or materials;

(2) Limit, restrain or prevent importation into or exportation from the United States of water conditioning equipment or materials;

(3) Refrain from competing or leave any person free from competition in the production, sale or other distribution of water conditioning equipment or materials in any territory or market, or with respect to any type of such equipment or materials;

(4) Exclude any producer or distributor from any market for water conditioning equipment or material or interfere with or restrict any producer or distributor in competing in any such market;

(5) Receive, grant, disclose, render available or exchange, in such a way as to deny any third person access thereto, any assignment, license or grant of immunity under a patent or patent application, relating to water conditioning equipment or materials;

(6) Receive, grant, disclose, render available or exchange, in such a way as to deny any third person access thereto (a) information, advice, assistance, or rights with respect to any invention, discovery, improvement, practice, formula, pattern, device, process, method, or other technical information relating to the production of water conditioning equipment or materials, or (b) any material or machinery used in the production of water conditioning materials, or any information, advice, assistance or rights with respect to any such material or machinery.

2. Within ninety days from the date of this judgment defendant Permutit shall remove from any agreement or understanding,

entered into prior to the date of this judgment, relating to any assignment, license or grant of immunity, any condition or restriction described in paragraph 1 of this Section VII embodied therein.

VIII

A. Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before the ninetieth day after the expiration of United States Patent No. 2,205,635.

B. Defendant Permutit is hereby enjoined and restrained, without the prior consent of the Department of Justice, so long as it owns stock of Permutit (Luxembourg) S. A., from:

1. Acquiring, directly or indirectly, any additional shares of stock in or any control over, or any assets owned or controlled by, Permutit (Luxembourg) S. A., or any subsidiary, successor, or assign thereof except to maintain its relative stock holding in the event that, in compliance with law, a capital assessment be levied on stockholders;

2. Voting stock in or exerting influence or control over policies of Permutit (Luxembourg) S. A., or any subsidiary, successor, or assign thereof;

3. Causing, authorizing or knowingly permitting any officer, director, employee or agent of defendant Permutit to serve as an officer, director or employee of Permutit (Luxembourg) S. A., or any subsidiary, successor, or assign thereof;

4. Negotiating for or acquiring from Permutit (Luxembourg) S. A., its subsidiaries, successors, or assigns any rights in any inventions other than those under which the defendant Permutit is licensed by Permutit (Luxembourg) S. A., as of the effective date of this judgment.

C. Defendant Permutit is hereby enjoined and restrained from establishing with or participating with, the British company, the German company, or the French company, in any patent licensing or patent exploitation corporation or other business entity involving water conditioning equipment or materials, or from acquiring or holding, directly or indirectly, any stock or other financial interest, or any control over such a joint corporation or joint business entity.

D. Defendant Permutit is hereby enjoined and restrained from acquiring or holding, directly or indirectly, any ownership interest in (by purchase or acquisition of assets or securities, or through the exercise of any option, or otherwise), or any control over, or influence in, the British company, the German company or the French company, or any subsidiary, successor, or assign thereof, unless defendant Permutit shall, upon notice to the Attorney General, establish to the satisfaction of this Court that the effect of such acquisition may not be to substantially lessen competition.

IX

1. Defendant Permutit is hereby ordered and directed, in so far as it now has or may acquire the power or authority to do so, to grant to any applicant making written request therefor, for manufacture in the United States, a non-exclusive license to make, use and vend water conditioning equipment and materials under any, some or all United States patents and pending United States patent applications relating to water conditioning equipment and materials, owned or controlled by defendant Permutit, or under which it has the power to grant licenses or sub-licenses, at the date of this judgment, as listed in Appendices A and B hereof, without any limitation or condition whatsoever except that:

(a) A reasonable charge in the form of a royalty or otherwise, and non-discriminatory as among such

applicants, may be made in respect of any patents so licensed, except that sub-licenses granted under patents listed in Appendix B, or any of them, shall be without royalty;

(b) Reasonable provision may be made for periodic inspection of the books and records of the licensee by an independent auditor, who shall report to defendant Permutit only the amount of money due and payable;

(c) The license may be non-transferable; and

(d) Reasonable provisions may be made for cancellation of the license upon failure of the licensee to pay the royalties or to permit the inspection of his books and records as hereinabove provided.

Any license granted under this provision must provide that the licensee may cancel the license at any time after one year from the initial date thereof without showing cause by giving thirty (30) days' notice in writing to the licensor.

2. Upon receipt of written request for a license under the provisions of this Section IX, defendant Permutit shall advise the applicant in writing of the royalty or other charge which it deems reasonable for the patent or patents to which the request pertains. If the parties are unable to agree upon a reasonable royalty or charge within sixty (60) days from the date upon which such request for the license was received by defendant Permutit, the applicant therefor may forthwith apply to this Court for the determination of a reasonable royalty or charge, and defendant Permutit shall, upon receipt of notice of the filing of such application, promptly give notice thereof to the Attorney General. The reasonable royalty rates or charges, if any, as once finally determined by the Court, shall apply to the applicant and to all licenses of the same patent or patents thereafter granted, and any licensee

who, at the date of such determination by the Court, holds a license under the same patent or patents, shall have the right, at his option, to have such royalty rates or charges applied retroactively with respect to its operations, to the date of the application to the Court which resulted in such determination. Pending the completion of negotiations or any such proceeding, the applicant shall have the right to make, use and vend under the patents to which his application pertains without payment of royalty or other compensation, but subject to the provisions of paragraph 3 of this Section IX.

3. Where the applicant has the right to make, use, and vend under paragraph 2 of this Section IX, defendant Permutit may apply to the Court to fix an interim royalty rate pending final determination of what constitutes a reasonable royalty or charge, if any. If the Court fixes such interim royalty rate, defendant Permutit shall then issue and the applicant shall accept a license, or, as the case may be, a sub-license, providing for the periodic payment of royalties at such interim rate from the date of the filing of such application by the applicant. If the applicant fails to accept such license or fails to pay the interim royalty in accordance therewith, such action shall be ground for the dismissal of his application. Where an interim license or sub-license has been issued pursuant to this paragraph, reasonable royalty rates or charges, if any, as finally determined by the Court shall be retroactive for the applicant and all other licensees under the same patents to the date the applicant files his application with the Court.

4. Defendant Permutit is hereby enjoined and restrained from making any disposition of any patents or rights with respect thereto which deprives it of the power or authority to grant licenses as hereinbefore provided in this Section IX unless it requires, as a condition of such disposition, that the purchaser, transferee, assignee, or licensee, as the case may be, shall observe the requirements of Section IX hereof and such purchaser, transferee, assignee,

or licensee shall file with this Court, prior to the consummation of the transaction, an undertaking to be bound by said provisions of this judgment. Defendant Permutit is further enjoined and restrained from entering, performing or enforcing any exclusive license under any patents relating to water conditioning materials owned or controlled by any other person, unless the license gives it the right to grant licenses or sub-licenses under such patents in accordance with the requirements of this Section IX.

5. Defendant Permutit is hereby ordered and directed, in so far as it has the power or authority to do so, to grant upon written request to any applicant licensed under the provisions of Section IX of this judgment or under any patent listed in Appendix B and licensed by the Attorney General, with respect to any products manufactured in the United States pursuant to such license, a non-exclusive grant of immunity from suit under foreign patents, or patents to be issued on foreign applications for patents, corresponding to any United States patent under which the applicant is licensed.

6. Defendant Permutit is hereby enjoined and restrained from assigning or licensing any patent or patents issued or to be issued in foreign countries within ten years from the date of this judgment (or issued thereafter on foreign patent applications filed within said ten year period) and relating to water conditioning equipment and materials, to any foreign competitor, without reserving to itself both the right to import into such foreign country and use and sell therein, articles manufactured in the United States under the corresponding United States patent or patents and the right to confer similar rights on other manufacturers in the United States.

X

A. Defendant Permutit is hereby ordered and directed:

(1) To designate and adopt a trademark for use in the export of water conditioning equipment and materials which will be separate and distinct from the mark or name "Permutit" or other marks or names owned or controlled by the British company, the French company, or the German company, and which will neither be similar to nor likely to be confused with the mark or name "Permutit" or any other mark or name owned or controlled by the British company, the French company, or the German company;

(2) To take all steps necessary to register or secure the right to use such mark, to use such mark after 1951, on all water conditioning equipment and materials customarily bearing defendant Permutit's trademark, and to make such changes as will be necessary in defendant Permutit's containers, packages, wrappers, labels, tags, displays, advertising or other methods of marking or designating water conditioning equipment or materials to insure lawful ingress of such equipment or materials, -- in countries where the use of the mark "Permutit" or any other mark or name owned or controlled by the British company, the French company, or the German company would bar or hinder ingress of such equipment or materials or would subject defendant Permutit or any purchaser from defendant Permutit to judicial or administrative proceedings based upon confusion, deception, infringement or any other proceeding based upon a form of unfair competition.

B. Defendant Permutit is hereby enjoined and restrained from assigning, granting, or licensing the British company, the French company, or the German company, or any successor, subsidiary, or agent thereof, any rights for any country in the world in the new trademark designated, adopted, or registered by defendant Permutit pursuant to Paragraph A of this Section X.

C. Defendant Permutit is hereby enjoined and restrained from refusing, under circumstances comparable to those under which

it will sell water conditioning equipment and materials in American territory, to sell such equipment and materials for export to any person desiring to purchase such equipment and materials upon terms and conditions of sale comparable to the terms and conditions of sale established by defendant Permutit in American territory.

D. Defendant Permutit is hereby ordered and directed:

(1) To take such actions and perform such duties required by the law or by regulation, the non-performance of which on defendant Permutit's part would prevent or impede the exportation of the products of defendant Permutit, or of any purchaser from defendant Permutit, from the United States;

(2) Beginning three (3) months from the date of the entry of this judgment, and for a period of six (6) months thereafter, to insert at reasonable intervals in trade journals of appropriate circulation in English territory, French territory, and German territory, advertisements advising the purchasing public of water conditioning equipment and materials of the nature of this judgment in so far as it concerns the removal of the restrictions which had previously prevented the sale of water conditioning equipment or materials in such territories, and advising such purchasing public of defendant Permutit's availability as a source of such equipment and materials;

(3) To give similar notice in writing to all persons who have made written inquiry to defendant Permutit regarding the purchase or distribution of water conditioning equipment or materials for export since January 1, 1947;

(4) For a period of five (5) years from the date of the entry of this judgment, to make available upon request to any bona fide prospective purchaser for export or foreign user of water conditioning equipment and materials produced by defendant Permutit, services and assistance comparable to the services and assistance,

if any, made available to bona fide prospective purchasers or foreign users of such equipment and materials in American territory under comparable circumstances. Defendant Permutit's charges, or absence of charges, for such services and assistance, shall be consistent with prevailing practice in American territory under comparable circumstances.

XI

The defendant Permutit is hereby ordered and directed within ninety days from the date of this judgment to furnish copies thereof to the English company, the German company and the French company and to all their directors, officers, subsidiaries, agents, sales representatives and distributors of whom defendant Permutit has knowledge; and to all directors, officers, subsidiaries, agents, sales representatives and distributors of defendant Permutit.

XII

For the purpose of securing compliance with this judgment and for no other purpose, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General, or an Assistant Attorney General and on reasonable notice to the defendant Permutit, to its principal office, be permitted, subject to any legally recognized privilege, (1) access during the office hours of said defendant Permutit to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of said defendant Permutit relating to any matters contained in this judgment and (2) subject to the reasonable convenience of said defendant Permutit and without restraint or interference from it, to interview officers or employees of said defendant Permutit, who may have counsel present, regarding any such matters, and upon request said defendant Permutit shall submit such reports as might from time to time be reasonably necessary to the enforcement of this judgment. No information obtained

by the means provided in this Section XII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of such Department, except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this judgment or as otherwise required by law.

XIII

Jurisdiction is retained for the purpose of enabling any of the parties to this 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 judgment, for the modification or termination of any of the provisions thereof, and for the purpose of the enforcement of compliance therewith and the punishment of violations thereof.

s/ Henry W. Goddard
United States District Judge

June 29th, 1951

APPENDIX A

United States Letters Patent, and Patent
Applications Relating to Water Conditioning
Equipment and Materials, Owned or Controlled
by The Permutit Company.

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
1,976,439	10/9/34	A. J. Dotterweich	Water Softening Apparatus
1,977,781	10/23/34	E. Staegemann	Dispensing Apparatus
1,980,161	11/13/34	S. B. Applebaum	Improved Water Softening Apparatus
1,996,136	4/2/35	A. C. Zimmerman	Apparatus for Producing Soft Boiler Water
2,003,739	6/4/35	T. B. Clark	Water Softening Apparatus
2,003,757	6/4/35	E. Pick	Continuous Automatic Water Softening
2,003,760	6/4/35	O. R. Sweeney & T. B. Clark	Indicator for Zeolite Softeners
2,003,762	6/4/35	E. T. Turner	Water Treating Apparatus
2,012,194	8/20/35	W. J. Hughes	Water Softening Apparatus
2,021,672	11/19/35	C. H. Spaulding	Method & Apparatus for Conditioning Precipitates and Separating Same from Liquids
2,036,634	4/7/36	A. C. Inch	Water Treating Apparatus
2,051,155	8/18/36	E. Staegemann	Water Treating Apparatus
2,052,515	8/25/36	E. Pick	Water Softening Apparatus
2,059,645	11/3/36	K. P. McElroy	Standardizing Water for Mashing Processes
2,061,714	11/24/36	E. Pick	Water Treating Apparatus
2,061,715	11/24/36	E. Pick	Water Treating Apparatus
2,061,722	11/24/36	H. L. Tiger	Hydrometer
2,065,962	12/29/36	H. L. Bowers	Brine Recovery Apparatus for Water Softeners
2,067,302	1/12/37	E. Pick	Water Treating Apparatus

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,069,564	2/2/37	H. L. Tiger & P. C. Goetz	Stabilizing Base Exchanging Humates
2,071,990	2/23/37	H. L. Tiger	Standardizing Water for Carbonated Beverages
2,071,997	2/23/37	F. N. Bard	Water Softening Apparatus
2,076,321	4/6/37	E. Pick	Plural Valve Actuation and Control
2,076,322	4/6/37	E. Pick	Water Filter Battery Control
2,076,443	4/6/37	W. M. Bruce	Altering Glaucinite
2,088,104	7/27/37	A. C. Zimmerman	Water Softener
2,091,002	8/24/37	G. A. Lewis	Water Softening Device
2,098,893	11/9/37	E. Staegemann	Automatic Multiple Valve Control
2,099,623	11/16/37	R. Riley & W. M. Bruce	Cupriferous Fungicides
2,111,169	3/15/38	T. B. Clark	Valve
2,112,476	3/29/38	H. L. Bowers & R. Riley	Sterilizing Water by Chloramines
2,114,576	4/19/38	E. P. Schinman	Treatment of Contaminated Water
2,122,824	7/5/38	E. Pick	Hardness Testing in Water Softeners
2,127,310	8/16/38	R. Riley	Hydrogen Zeolite Water Treatment
2,127,314	8/16/38	C. H. Spaulding	Apparatus for Conditioning Precipitates and Separat- ing Same from Liquids
2,139,227	12/6/38	P. C. Goetz	Removing Fluorides from Water
2,139,299	12/6/38	W. M. Bruce & R. Riley	Altered Glaucinite and Method of Altering
2,146,983	2/14/39	E. Pick	Valved Water Softener
2,155,964	4/25/39	H. L. Bowers & N. E. Brice	Insulated Strainer and Method of Fabricating Same
2,170,065	8/22/39	R. Riley	Making Carbonaceous Zeolites

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,170,975	8/29/39	E. Pick	Water-Treating Apparatus
2,179,246	11/7/39	S. B. Applebaum	Water Treating Apparatus
2,179,271	11/7/39	E. Pick	Agitator
2,180,320	11/14/39	E. A. Hansen	Valve
2,190,853	2/20/40	W. Vaughan	Conditioning Water
2,191,063	2/20/40	Smit	Manufacture of Absorbent & Ion Exchanging Materials
2,198,874	4/30/40	E. L. Holmes	Preparation of Synthetic Resins and Use Thereof
2,204,062	6/11/40	S. B. Applebaum	Water Deaerator and Purifier
2,204,072	6/11/40	J. G. Dean	Separation of Isotopes
2,204,097	6/11/40	J. M. Montgomery	Volumetric Feeder
2,205,635	6/25/40	Smit	Method of Changing the Character of Sols by Base Exchange
2,226,743	12/31/40	R. Riley	Method of and Apparatus for Treating Water
2,227,520	1/7/41	H. L. Tiger	Purifying Water
2,240,116	4/29/41	E. L. Holmes	Method of Purifying Gelatin
2,240,119	4/29/41	J. M. Montgomery & E. Pick	Adjustable Venturi Tube
2,240,163	4/29/41	E. Pick	Valve Apparatus for Controlling Hydraulic or Pneumatic Machines
2,240,164	4/29/41	E. Pick	Chemical Feed
2,240,171	4/29/41	N. E. Brice & C. M. Guldner	Automatic Backwash Variation in Water Softeners
2,240,182	4/29/41	C. M. Guldner & E. Pick	Apparatus for Desludging Settling Tanks
2,241,873	5/13/41	J. D. Yoder	Water Deaerating & Purifying
2,241,887	5/13/41	E. Pick	Regenerative Water Softener for Automatic Washing Machines
2,244,188	6/3/41	H. M. Danner	Filter
2,259,717	10/21/41	E. Zentner	Process of Softening Water

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,260,971	10/28/41	P. C. Goetz	Process of Making Ion-Exchanging Preparations and Product Thereof
2,264,139	11/25/41	J. M. Montgomery & W. W. Aultmann	Apparatus for Conditioning Precipitates and Separating Same from Liquids
2,267,841	12/30/41	R. Riley	Method of and Apparatus for Treating Water
2,272,026	2/3/42	C. H. Spaulding	Separating Impurities from Water
2,281,194	4/28/42	E. L. Holmes, L. E. Holmes & W. G. Prescott	Water Treatment Process and Material
2,295,714	9/15/42	B. J. Clark	Water Treating Apparatus
2,328,323	8/31/43	H. L. Bowers & E. Pick	Valve Mechanism for Water Softeners
2,347,318	4/25/44	W. B. Gurney	Method of and Apparatus for Treating Liquid
2,351,835	6/20/44	E. Pick	Water Treating Apparatus
2,355,402	8/8/44	S. Sussman	Resinous Products
2,360,195	10/10/44	W. E. Brittin	Water Conditioning Product and Process
2,361,235	10/24/44	E. Pick	Turbidity Detector
2,364,775	12/12/44	N. E. Brice	Strainer System
2,366,898	1/9/45	W. B. Gurney	Liquid Treating Apparatus
2,370,772	3/6/45	H. L. Bowers	Apparatus for Removing Iron Dissolved in Water
2,371,427	3/13/45	J. G. Dean & R. Helligman	Manufacture of Zeolitic Materials
2,372,391	3/27/45	E. Pick	Container Closure
2,382,334	8/14/45	R. Riley & F. C. Nachod	Ion Exchange Products and Their Preparation
2,392,105	1/1/46	S. Sussman	Amination of Amine-Saccharide Resins
2,393,249	1/22/46	E. L. Holmes	Sulphited Cation Exchangers
2,393,269	1/22/46	W. Rudolfs & H. W. Gehm	Coagulant Composition for Removal of Suspended or Dissolved Materials from Liquids

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,397,575	4/2/46	H. L. Tiger & P. C. Goetz	Method for Recovering Copper Value from Dilute Solutions of Copper Salts
2,401,924	6/11/46	P. C. Goetz	Removal of Silica from Water
2,422,054	6/10/47	H. L. Tiger	Method of and Apparatus for Treating Aqueous Solution of Electrolytes
2,428,418	10/7/47	P. C. Goetz & H. L. Tiger	Removal of Silica and Other Impurities from Water by Precipitation
2,431,251	11/18/47	E. L. Holmes	Anion Exchange Resin Prep- pared with Urea, Paraformal- dehyde, and Aniline Hydro- chloride and Process of Removing Acids from Liquids Therewith
2,442,584	6/1/48	C. Calmon	Removal of Impurities from Liquids by Contact with Dolomitic Lime Calcined for 10 to 120 Minutes at a Temperature of 300 ⁰ C. to 700 ⁰ C., and Product Therefor
2,442,989	6/8/48	S. Sussman	Anion Exchange Resins
2,447,135	8/17/48	E. Pick & J. J. Carlson	Strainer
2,463,304	3/1/49	E. Pick	Salt Level Indicator for Brine Tanks
2,469,472	5/10/49	F. C. Nachod & W. Wood	Cation Exchange Materials
2,472,616	6/7/49	W. G. Prescott, E. I. Akeroyd & E. L. Holmes	Treatment of Water
2,494,784	1/17/50	H. L. Tiger	Briquette for Desalting Sea Water
2,505,916	5/2/50	C. S. Salvesen	Apparatus for Treating Liquids
2,512,053	6/20/50	C. Calmon	Alumino Silicate Cation Exchangers
Des.159,225	7/4/50	E. Pick	Water Softening Unit

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,518,956	8/15/50	S. Sussman	Anion Exchange Resins
2,524,635	10/3/50	E. Pick	Apparatus for Treating Aqueous Solutions of Electrolytes
2,535,181	12/26/50	A. D. Way	Turbidity Detector

Patent Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Title</u>
691,152	8/16/46	R. T. Pemberton & E. L. Holmes	Method & Apparatus for Conditioning Liquids
713,386	11/30/46	E. L. Holmes & L. E. Holmes	Ion Exchange Material & Preparation and Use Thereof
754,985	6/16/47	E. Pick	Valve Mechanism for Controlling Flow Through Ion Exchange Apparatus
762,396	7/21/47	E. Pick & G. R. Carlson	Volumetric Feeder
786,229	11/15/47	E. Pick	Liquid Treating Apparatus
9,302	2/18/48	B. A. Sard	Regeneration of Ion Exchange
40,528	7/24/48	E. Pick	Apparatus for Treating Water and Method of Operating Same
43,550	8/10/48	T.R.E. Kressman	Anion Exchange Materials, Their Preparation & Use
49,305	9/14/48	S. Waisbrot	Conditioning Hard Water Containing Alkalinity
79,389	3/3/49	E. Pick	Apparatus for Treating Water
79,498	3/3/49	J. B. Davis & E. Pick	Diaphragm Valves
93,671	5/17/49	A. D. Way	Flow Control
99,602	6/17/49	N. Cooperson & A. W. Kingsbury	Filter and Method of Backwashing Same
99,634	6/17/49	D. Miller	Filter Tube
104,375	7/12/49	T.R.E. Kressman	Anion Exchange Materials & Preparation Thereof

<u>Application No.</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Title</u>
108,059	8/1/49	C. Calmon	Seawater Desalting
131,497	12/6/49	W. Wood	Seawater Desalting Composition
145,069	2/18/50	E. Piek	Liquid Treatment Device
193,457	11/1/50	D. Miller	Filter Bottom & Method of Constructing Same
195,442	11/13/50	A. D. Way	Decanting Device
203,165	12/28/50	M. E. Gilwood	Process of and Apparatus for Regenerating Ion Exchangers
214,220	3/6/51	E. I. Akeroyd & T.R.E. Kressman	Ion Exchange Resin & Preparation Thereof
Proposed		B. A. Sard	(British Applications #29123/50 filed 11/28/50 & #1106/51 filed 1/15/51)
Proposed		F. C. Blight	(British Application #14893/50 filed 6/14/50)

APPENDIX B

United States Letters Patent, Relating to
Water-Conditioning Equipment and Materials,
Owned by the Attorney-General Under Which
The Permutit Company has the Right to Grant
Sub-Licenses.

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,155,318	4/18/39	O. Liebknecht	Processes for the Deacidification of Liquids, Especially Water
2,164,156	6/27/39	O. Liebknecht	Treatment of Water
2,191,059	2/20/40	O. Liebknecht	Carbonaceous Ion-Exchange Material
2,191,060	2/20/40	O. Liebknecht	Carbonaceous Zeolite and the Preparation Thereof
2,206,007	6/25/40	O. Liebknecht	Process for the Production of Conversion Products from Carbonaceous Materials
2,226,134	12/24/40	O. Liebknecht & H. Corte	Method of Purifying Water

<u>Patent No.</u>	<u>Date of Issue</u>	<u>Inventor</u>	<u>Title</u>
2,267,831	12/30/41	O. Liebknecht & L. Gerb	Silica Removing Process
2,298,707	10/13/42	O. Liebknecht	Process for Removing Dissolved Silica from Water
2,323,990	7/12/43	L. Gerb	Process for Carrying Out Anion Exchange Reactions
2,378,307	6/12/45	O. Liebknecht	Process for Exchanging Cations from Aqueous Solutions

We hereby consent to the entry of the foregoing
judgment:

For the Plaintiff:

N.A.C. /s/ H. G. Morison
H. G. Morison
Assistant Attorney General

/s/ Melville C. Williams
Melville C. Williams
Special Assistant to the
Attorney General

/s/ Sigmund Timberg
Sigmund Timberg
Special Assistant to the
Attorney General

/s/ Stanley D. Rose
Stanley D. Rose

/s/ Ira M. Millstein
Ira M. Millstein

Attorneys

/s/ Irving Saypol
Irving Saypol
United States Attorney

For the Defendants:

Simpson Thacher & Bartlett
Attorneys for defendants
The Permutit Company and
W. Spencer Robertson

By /s/ Whitney North Seymour
Member of the Firm



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEP 24 1957
S. D. OF N.Y.

UNITED STATES OF AMERICA

Plaintiff,

V.

THE PERMUTIT COMPANY and
W. SPENCER ROBERTSON,

Defendants.

ORDER

Case No. 32-391

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This Court on June 29, 1957 having made and entered a Consent Judgment hereto which provided in Section VII Subsection A that Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before the nineteenth day after the expiration of United States Patent No. 2,205,635, which patent expired on June 25, 1957.

NOW, on motion of Messrs. Simpson Thacher & Bartlett, attorneys for the defendants The Permutit Company and W. Spencer Robertson, and the Attorney General not objecting, it is

ORDERED, ADJUDGED AND DECREED that the said Consent Judgment be and the same hereby is amended by deleting the said Subsection A and by substituting therefor the following Subsection:

"A. Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before March 20, 1958."

Dated, New York, N. Y.
September 23, 1957

United States District Judge

We hereby consent to the entry of the foregoing
Order.

SIMPSON THACHER & BARTLETT
Attorneys for the defendants

By Robert C. Backlund
A member of the firm

Dated, September 18, 1957

No objection is made to the making and entry of
the foregoing Order.

Max Freeman
Attorney for plaintiff,
United States of America

Dated, September 20, 1957



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
UNITED STATES OF AMERICA,
Plaintiff,
v.
THE PERMUTIT COMPANY and
W. SPENCER ROBERTSON,
Defendants :
O R D E R
Civil No. 32-394

This Court on June 29, 1951 having made and entered a Consent Judgment herein which provided in Section VIII Subsection A that: "Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before the ninetieth day after the expiration of United States Patent No. 2,205,635," which patent expired on June 25, 1957; and this Court, the Attorney General not objecting, having entered an order on September 23, 1957 amending the said Section VIII Subsection A to provide:

"A. Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before March 23, 1958."

NOW, on motion of Messrs. Simpson Thacher & Bartlett, attorneys for the defendants The Permutit Company and W. Spencer Robertson, and the Attorney General not objecting, it is

ORDERED, ADJUDGED AND DECREED that the said Consent Judgment be and the same hereby is amended by deleting the said Subsection A, as so amended, and by substituting therefor the following Subsection.

"A. Defendant Permutit shall divest itself of all stock holdings and other financial interests, direct or indirect, in Permutit (Luxembourg) S. A. on or before September 23, 1958."

Dated, New York, N. Y.
March 24, 1958

G. F. DOONAN
United States District Judge

We hereby consent to the entry of the foregoing
Order.

SIMPSON THACHER & BARTLETT,
Attorneys for the defendants

By *Kristen Roth Sawyer*
A member of the firm

Dated, March 14, 1958

No objection is made to the making and entry of the foregoing Order.

Max Freeman
Attorney for plaintiff,
United States of America

Dated, March 19, 1958