

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

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: UNITED STATES OF AMERICA, :  
: Plaintiff, : CIVIL NO. 10980  
: v. :  
: HAT CORPORATION OF AMERICA, : ENTERED: May 16, 1967  
: Defendant. :  
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FINAL JUDGMENT

The plaintiff, United States of America, having filed its complaint herein on June 11, 1965, and defendant Hat Corporation of America having appeared and filed its answer denying the substantive allegations thereof 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 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

This Court has jurisdiction of the subject matter hereof and of the parties hereto. The complaint states a claim upon which relief may be granted against the defendant under Section 7 of the Act of Congress of October 15, 1914 (15 U.S.C. §18), commonly known as the Clayton Act, as amended.

II

As used in this Final Judgment, the term:

- (a) "Defendant" shall mean Hat Corporation of America, a Delaware corporation, its parents, subsidiaries, successors and assigns;
- (b) "Hats" shall mean men's fur felt hats;
- (c) "Hat bodies" shall mean men's fur felt hat bodies;
- (d) "Person" shall mean any individual, partnership, firm, corporation, association or other business or legal entity.

### III

The provisions of this Final Judgment applicable to defendant shall apply to defendant and to its parents, subsidiaries, successors, assigns, directors, officers, employees and agents, and to all persons in active concert or participation with defendant who receive actual notice of this Final Judgment by personal service or otherwise.

### IV

For a period of five (5) years from the date of entry of this Final Judgment, defendant is enjoined and restrained from acquiring, directly or indirectly, any of the assets (except goods or products bought in, or incidental to, the ordinary course of business), business or goodwill of, or any of the shares of stock or other financial interest in, any person engaged in the manufacture of hats or hat bodies in the United States.

### V

For a ten (10) year period, after the five (5) year period provided for in Section IV, above, defendant is enjoined and restrained from acquiring, directly or indirectly, any of the assets (except goods or products bought in, or incidental to, the ordinary course of business), business or goodwill of, or any of the shares of stock or other financial

interest in, any person engaged in the manufacture of hats or hat bodies in the United States except (1) with the approval of the plaintiff or (2) after an affirmative showing to the satisfaction of this Court, upon thirty (30) days notice to the plaintiff, that such acquisition will not substantially lessen competition or tend to create a monopoly in the manufacture of hats or hat bodies in any section of the United States.

## VI

Defendant within six (6) months from the date of the entry of this Final Judgment shall divest itself absolutely of all trademarks, trade names and brand names acquired from Stylepark Hats, Inc., and of the right to use the name "Stylepark Hats," by sale in such manner as shall effectively under applicable law, including, where applicable, 15 U.S.C. §1060, transfer all of its right, title and interest therein to a purchaser or purchasers. Such divestiture shall not be required except on terms which are reasonable taking into consideration the objective of this litigation. If such sale is not made within the six (6) month period, or any extension thereof allowed by the Court upon motion of defendant, which extension shall not exceed one (1) year from the date of the entry of this Final Judgment, then defendant is enjoined and restrained from all further use of such trademarks, trade names and brand names not theretofore sold and of the name "Stylepark Hats," if the right to use it has not theretofore been sold.

The trademarks, trade names and brand names covered by this Section VI:

Braeburn	Dulcedo
Brookfield	Forin-Tex
Caesari	Gipsy
Caznix Felt	Glen Royal
Dandylite	Keens/British
Knubby	Kilntite Process
Medella	Stylepark (Men's)
Sanither	Stylepark Hats (Women's)
Stylepark-Canada	Templeform
Sultana	

Neither any of the trademarks, trade names and brand names, nor the right to use the name "Stylepark Hats," shall be sold or disposed of directly or indirectly to any person who at the time of the entry of the

Final Judgment is an officer, director, agent or employee of defendant, or is acting for or under the control of defendant or in which defendant owns any stock or financial interest, or to any persons not first approved by Plaintiff.

## VII

For the purpose of securing compliance with this Final Judgment and for no other purpose, duly authorized representatives of the Department of Justice shall, on written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to defendant made to its principal office, be permitted, subject to any legally recognized privilege:

- (a) access, during the office hours of defendant, to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of the defendant which relate to any matters contained in this Final Judgment;
- (b) subject to the reasonable convenience of the defendant and without restraint or interference from the defendant, to interview officers or employees of the defendant, who may have counsel present, regarding any such matters.

Upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, the defendant shall submit reports in writing with respect to the matters contained in this Final Judgment as may from time to time be necessary to the enforcement of this Final Judgment.

No information obtained by the means provided in this Section 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 plaintiff 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 amendment or modification of any of the provisions thereof, for the enforcement of compliance therewith, and for the punishment of violations thereof.

Dated: May 16, 1967

/s/ ROBERT C. ZAMPANO  
UNITED STATES DISTRICT JUDGE