

required, for ten years, to obtain Commission approval before acquiring any stock in any entity that manufactures, or is an exclusive distributor for another manufacturer of, extended release generic verapamil in the United States.

DATES: Complaint and Order issued March 27, 1995.¹

FOR FURTHER INFORMATION CONTACT: Melissa Heydenreich, FTC/S-2224, Washington, DC 20580, (202) 326-2543.

SUPPLEMENTARY INFORMATION: On Thursday, January 5, 1995, there was published in the **Federal Register**, 60 FR 1782, a proposed consent agreement with analysis in the Matter of IVAX Corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Donald S. Clark,

Secretary.

[FR Doc. 95-8860 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[File No. 931-0134]

Korean Video Stores, et al.; Proposed Consent Agreement With Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, a Maryland based video store association and its members from entering into any agreement to raise or fix prices in the retail video tape rental business; and would require its members to display an announcement of the settlement in their respective stores and to publish the text of the corrective posters in three Korean-language newspapers in the Washington, DC area.

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

DATES: Comments must be received on or before June 12, 1995.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Joseph G. Krauss, FTC/H-324, Washington, DC 20580. (202) 326-2713.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's rules of practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, have been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's rules of practice (16 CFR 4.9(b)(6)(ii)).

In the Matter of: Korean Video Stores Association of Maryland, an unincorporated association,

Chang Hyun Cho, individually and trading and doing business as Hana Video;

Bong Soo Ha, individually and trading and doing business as Video Town;

Yoo Kwan Jun, individually and trading and doing business as Harford Video;

Dae Yong Kang, individually and trading and doing business as Daenamoo Video;

Yong Hoon Kang, individually and trading and doing business as Lotte Gifts Store;

Mi La Kim, individually and trading and doing business as Koryo Video;

Ki Sik Kim, individually and trading and doing business as Video Center;

Suk C. Kim, individually and trading and doing business as Nalee Video;

Ju Young Lee, individually and trading and doing business as Young Video;

Kyeong Hae Lee, individually and trading and doing business as Korean Corner;

Chang Jin Park, individually and trading and doing business as Samsung Video;

Mi Hwa Park, individually and trading and doing business as Sarangbang Video;

Young Min Ro, individually and trading and doing business as Hanyang Video;

Chae Sul Song, individually and trading and doing business as Lucky Gifts;

Tae Eung Yu, individually and trading and doing business as Hyundai Video; and

Seung Man Yun, individually and trading and doing business as Gaymi Video; File No. 931-0134.

Agreement Containing Consent Order

The Federal Trade Commission ("Commission"), having initiated an investigation of certain acts and practices of the Korean Video Stores Association of Maryland, Chang Hyun Cho, Bong Soo Ha, Yoo Kwan Jun, Dae

Young Kang, Yong Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyeong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun, and it now appearing that the Korean Video Stores Association of Maryland, Chang Hyun Cho, Bong Soo Ha, Yu Kwan Jeon, Dae Yong Kang, Yong Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyeong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun, hereinafter sometimes referred to as "proposed Respondents," are willing to enter into an agreement containing an Order to cease and desist from certain acts and providing for other relief,

It is hereby agreed by and between the proposed Respondents and counsel for the Commission that:

1. Proposed Respondent Korean Video Stores Association of Maryland is an unincorporated trade association. Its mailing address is c/o Nalee Video, 13-G Aquahart Plaza, Glen Burnie, MD 21061.

Proposed Respondent Chang Hyun Cho is an individual trading and doing business as Hana Video, 220 N. Crain Highway, Glen Burnie, MD 21061.

Proposed Respondent Bong Soo Ha is an individual trading and doing business as Video Town, 2092 Veirs Mill Road, Rockville, MD 20581.

Proposed Respondent Yu Kwan Jeon is an individual trading and doing business as Harford Video, 8904 Harford Road, Baltimore, MD 21234.

Proposed Respondent Dae Yong Kang is an individual trading and doing as Daenamoo Video, 5722 York Road, Baltimore, MD 21212.

Proposed Respondent Yong Hoon Kang is an individual trading and doing business as Lotte Gifts Store, 2201 N. Charles Street, Baltimore, MD 21218.

Proposed Respondent Mi La Kim is an individual trading and doing business as Koryo Video, 10820-G Rhode Island Avenue, Beltsville, MD 20705.

Proposed Respondent Ki Sik Kim is an individual trading and doing business as Video Center, 29 W. North Avenue, Baltimore, MD 21201.

Proposed Respondent Suk C. Kim is an individual trading and doing business as Nalee Video, 13-G Aquahart Plaza, Glen Burnie, MD 21061.

Proposed Respondent Ju Young Lee is an individual trading and doing business as Young Video, 11790 Parklawn Drive, Rockville, MD 20852.

Proposed Respondent Kyeong Hae Lee is an individual trading and doing business as Korean Corner, 12207 Veirs Mill Road, Wheaton, MD 20906.

Proposed Respondent Chang Jin Park is an individual trading and doing business as Samsung Video, 3425 N. Chatham Road #108, Ellicott City, MD 21042.

Proposed Respondent Mi Hwa Park is an individual trading and doing business as Sarangbang Video, 2430 York Road, Timonium, MD 21093.

Proposed Respondent Young Min Ro is an individual trading and doing business as Hanyang Video, c/o Lucky World (Laurel), 14222 Cherry Lane Ct., Laurel, MD 20707.

Proposed Respondent Chae Sul Song is an individual trading and doing business as Lucky Gifts, 1690-D Annapolis Road, Odenton, MD 21113.

Proposed Respondent Tae Eung Yu is an individual trading and doing business as Hyundai Video, 10539 Greenbelt Road, Seabrook, MD 20706.

Proposed Respondent Seung Man Yun is an individual trading and doing business as Gaymi Video, 801 S. Crain Highway, Glen Burnie, MD 21061.

2. Proposed Respondents admit all the jurisdictional facts set forth in the draft of complaint.

3. Proposed Respondent waive:

a. Any further procedural steps;

b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered pursuant to this agreement; and

d. Any claim under the Equal Access to Justice Act.

4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it, together with the draft of complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed Respondents, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

5. This agreement is for settlement purposes only and does not constitute an admission by the proposed Respondents that the law has been violated as alleged in the draft of complaint or that the facts as alleged in the draft complaint, other than jurisdictional facts, are true.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's rules, the Commission may, without further notice to the proposed Respondents, (1) Issue its complaint correspondent in form and substance with the draft of complaint and its decision containing the following Order to cease and desist in disposition of the proceeding, and (2) make information public with respect thereto. When so entered, the Order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The Order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to Order to proposed Respondents' addresses as stated in this agreement shall constitute service. Proposed Respondents waive any right they may have to any other manner of service. The complaint may be used in construing the terms of the Order, and no agreement, understanding, representation or interpretation not contained in the Order or the agreement may be used to vary or contradict the terms of the Order.

7. Proposed Respondents have read the proposed complaint and Order contemplated hereby. Proposed Respondents understand that once the Order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the Order. Proposed Respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the Order after it becomes final.

It is ordered that, as used in this Order, the following definitions shall apply:

(A) "Respondent Korean Video Association" means the Korean Video Stores Association of Maryland, its predecessors, subsidiaries, divisions, members, committees, and groups and affiliates controlled by the Korean Video Stores Association of Maryland, their directors, officers, employees, agents, and representatives, and their successors and assigns.

(B) "Individual Respondents" means Chang Hyun Cho, individually and trading and doing business as Hana Video; Bong Soo Ha, individually and trading and doing business as Video Town; Yoo Kwan Jun, individually and trading and doing business as Harford Video; Dae Yong Kang, individually and

trading and doing business as Daenamoo Video; Yong Hoon Kang, individually and trading and doing business as Lotte Gifts Store; Mi La Kim, individually and trading and doing business as Koryo Video; Ki Sik Kim, individually and trading and doing business as Video Center; Suk C. Kim, individually and trading and doing business as Nalee Video; Ju Young Lee, individually and trading and doing business as Young Video; Kyeong Hae Lee, individually and trading and doing business as Korean Corner; Chang Jin Park, individually and trading and doing business as Samsung Video; Mi Hwa Park, individually and trading and doing business as Sarangbang Video; Young Min Ro, individually and trading and doing business as Hanyang Video; Chae Sul Song, individually and trading and doing business as Lucky Gifts; Tae Eung Yu, individually and trading and doing business as Hyundai Video; Seung Man Yun, individually and trading and doing business as Gaymi Video; and their respective successors and assigns.

(C) "Respondents" means the Respondent Korean Video Association and the Individual Respondents.

(D) "Commission" means the Federal Trade Commission.

(E) "Video tapes" means pre-recorded video cassette tapes.

(F) "Retail video tape rental business" means the business of renting pre-recorded video cassette tapes for a fee to retail customers.

II

It is further ordered that Respondents, directly or indirectly, or through any corporation, association, or other device, in connection with the retail, video tape rental business, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, forthwith cease and desist from:

(A) Entering into, attempting to enter into, organizing, continuing, adhering to, or maintaining any combination, conspiracy, contract, agreement, understanding, plan, or program with any person in the retail video tape rental business to construct, fix, stabilize, raise, maintain, or otherwise interfere or tamper with the prices charged or other terms or conditions for retail video tape rentals;

(B) Recommending or encouraging any person in the retail video tape rental business to charge certain prices or set other terms or conditions for retail video tape rentals;

(C) For a period of three (3) years after the date this Order becomes final, continuing any formal or informal

meeting of the Respondent Korean Video Association or of any Individual Respondents, after:

1. Any person makes a statement, addressed to or audible to the body of the meeting, concerning the prices of retail video tape rentals and Respondents fail to declare such statement to be out of order;

2. Any person makes two such statements concerning the prices of retail video tape rentals and Respondents fail to eject him or her from the meeting; or

3. Two people make such statements concerning the prices of retail video tape rentals.

Provided, however, that without regard to the obligations of Respondent Korean Video Association under Paragraph II. (C), if a person making a prohibited statement is not ejected, and such meeting continues, then the Individual Respondents shall instead leave such meeting and within thirty (30) days after such meeting shall report to the Commission the circumstances of such meeting, a description of the prohibited statements and Respondents' actions in response thereto.

III

It is further ordered that Respondent Korean Video Association, directly or indirectly, or through any corporation, association, or other device, in connection with the retail video tape rental business, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, forthwith cease and desist from:

(A) Prohibiting, regulating, or advising against any form of price competition between or among persons in the retail video tape rental business; and

(B) Inviting, coordinating or providing a forum for any discussion or agreement between or among persons in the retail video tape rental business concerning prices charged for retail video tape rentals.

IV

It is further ordered that:

(A) Each Individual Respondent shall, within thirty (30) days after the date this Order becomes final, prepare and for a period of sixty (60) days, clearly display a corrective poster at each Individual Respondent's place of business. Each poster shall be in both English and Korean, shall be no less than two feet by two feet in size, and shall have the text of Appendices A and B, attached to this Order, enlarged and conspicuously displayed thereon; and

(B) Respondent Korean Video Association shall, within thirty (30) days after the date this Order becomes final, publish Appendix B to this Order in the Metropolitan Washington, DC editions of the Periodicals *Korea Times*, *Joong Ang Ilbo*, and *Chosun Ilbo*.

V

It is further ordered that:

(A) Respondent Korean Video Association and the Individual Respondents shall, within ninety (90) days after the date this Order becomes final, file with the Secretary of the Federal Trade Commission a verified written report setting forth in detail the manner and form in which Respondents have complied and are complying with this Order. Among such other information as may be required, the Individual Respondents' compliance reports shall contain a picture of the corrective poster as displayed and the dates such poster was displayed;

(B) Respondent Korean Video Association shall, annually for three (3) years on the anniversary of the date this Order becomes final, file with the Secretary of the Federal Trade Commission a verified written report setting forth in detail the manner and form in which Respondents have complied and are complying with this Order; and

(C) Respondent Korean Video Association and the Individual Respondents shall, for a period of three (3) years after the date this Order becomes final, notify the Federal Trade Commission at least thirty (30) days prior to any proposed change in any Respondent, such as dissolution, assignment, sale resulting in the emergency of a successor organization, or the creation or dissolution of subsidiaries, or any change in such Respondent that may affect compliance obligations arising out of this Order.

VI

It is further ordered that, for the purpose of determining or securing compliance with this Order, Respondents shall permit any duly authorized representative of the Commission:

(A) Access, during office hours and in the presence of counsel, to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of a Respondent relating to any matters contained in this Order; and

(B) Upon five days' notice to a Respondent and without restraint or interference from it, to interview

officers, directors, or employees of such Respondent.

VII

It is further ordered that this order shall terminate twenty (20) years from the date of issuance.

Appendix A

Announcement

The Korean Video Stores Association of Maryland (the "Korean Video Association") and its individual members (Chang Hyun Cho, Bong Soo Ha, Yoo Kwan Jun, Dae Young Kang, Young Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyenong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun) have entered into a consent agreement with the Federal Trade Commission ("Commission") to settle the Commission's charges that the Korean Video Association and its individual members named above violated section 5 of the Federal Trade Commission Act when they jointly decided to increase prices for retail video tape rentals in 1993. The U.S. antitrust laws, including the Sherman Act and the Federal Trade Commission Act, prohibit competitors in the same line of business from jointly setting prices they charge to their customers.

Pursuant to this consent agreement, the Commission has issued an Order that prohibits the Korean Video Association and its individual members from jointly deciding prices that they charge to their customers in the retail video tape rental business. The Order also prohibits the Korean Video Association and its individual members from taking any other actions that may harm price competition.

The Korean Video Association and its individual members also understand and agree to honor that each person in the retail video tape rental business must unilaterally and independently determine its own prices.

Korean Video Stores Association of Maryland

Chang Hyun Cho, Hana Video
Dae Yong Kang, Daenamoo Video
Ki Sik Kim, Video Center
Kyeong Hae Lee, Korean Corner
Young Min Ro, Hanyang Video
Seung Man Yun, Gaymi Video
Bong Soo Ha, Video Town
Yong Hoon Kang, Lotte Gifts Store
Suk C. Kim, Nalee Video
Chang Jin Park, Samsung Video
Chae Sul Song, Lucky Gifts
Yoo Kwan Jun, Harford Video
Mi La Kim, Koryo Video
Ju Young Lee, Young Video
Mi Hwa Park, Sarangbang Video
Tae Eung Yu, Hyundai Video

Appendix B

(Appendix B is the Korean version of Appendix A and is available from the Commission's Public Reference Branch, H-30, 6th and Pa. Ave., NW, Washington, DC 20580).

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission ("the Commission") has accepted an agreement to a proposed consent order from the Korean Video Stores Association of Maryland, Chang Hyun Cho, Bong Soo Ha, Yoo Kwan Jun, Dae Yong Kang, Yong Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyeong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun ("Respondents").

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The Commission's investigation of this matter concerns the Respondents' joint retail video tape rental pricing activity in 1993. The Commission alleges in its proposed complaint that the Respondents agreed to increase the retail price of Korean language video tape rentals in the Metropolitan Washington, D.C. area; and, in furtherance of the joint price increase agreement, the Respondents announced the price increase to the general public by displaying at each Respondent's place of business a poster setting forth the joint price increase agreement and signed in the name of the Korean Video Stores Association of Maryland ("Video Association"). The Commission alleges that the Respondents' acts and practices constitute unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

The order, accepted for public comment, prohibits the Respondents from directly or indirectly entering into a price fixing agreement in the retail video tape rental business. The order also prohibits the Respondents from taking any other actions that may harm price competition in the retail video tape rental business. In addition, the order requires the individual Respondents to either discontinue or leave a meeting of the Respondents if a person or persons make impermissible statements concerning retail video tape rental fees.

The order would also prohibit the Video Association from interfering with its individual members' pricing decisions and from acting as a forum for discussion or agreement on retail video tape rental fees. The order further

requires the Respondents to display a corrective poster at each Respondent's place of business, and requires the Video Association to publish the Korean text (translated to Korean by Commission staff from the English version approved by the Commission) of the corrective poster in three major local Korean language daily newspapers.

Under the order, the Respondents are required to file written compliance reports with the Commission. The order terminates automatically twenty years from the date of issuance.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Donald S. Clark,
Secretary.

[FR Doc. 95-8861 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3562]

Louis Bass, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.
ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, a Wisconsin corporation, doing business as Crestwood Company, from making false or unsubstantiated performance claims about any communication aid it offers in the future, and from making representations concerning the efficacy of the communication devices in enabling individuals with disabilities to communicate through facilitated communication, unless the respondent possesses competent and reliable scientific evidence to substantiate the representation.

DATES: Complaint and Order issued March 13, 1995.¹

FOR FURTHER INFORMATION CONTACT: Jeffrey Klurfeld or Kerry O'Brien, San Francisco Regional Office, Federal Trade Commission, 901 Market St., Suite 570, San Francisco, CA. 94103. (415) 744-7920.

SUPPLEMENTARY INFORMATION: On Wednesday, January 4, 1995, there was published in the **Federal Register**, 60 FR 467, a proposed consent agreement with

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

analysis in the Matter of Louis Bass, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,
Secretary.

[FR Doc. 95-8862 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3564]

Wright Medical Technology, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.
ACTION: Consent Order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a Tennessee-based research and development corporation to transfer to the Mayo Foundation, the licensor of the implant technology to Orthomet, Inc., a complete copy of all assets relating to Orthomet's business of researching and developing orthopaedic implants for use in human hands, and also requires Wright Medical Technology to obtain Commission approval before acquiring any interest in any firm that has received, or has applied for, Food and Drug Administration approval to market orthopaedic hand implants in the United States.

DATES: Complaint and Order issued March 23, 1995.¹

FOR FURTHER INFORMATION CONTACT: Richard B. Dagen, FTC/S-2627, Washington, DC. 20580. (202) 326-2628.

SUPPLEMENTARY INFORMATION: On Wednesday, January 4, 1995, there was published in the **Federal Register**, 60 FR 460, a proposed consent agreement with analysis in the Matter of Wright Medical Technology, Inc., et al, for the purpose

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC. 20580.