

ANNUAL MEETING
OF THE
FRICTION MATERIALS STANDARDS INSTITUTE, INC.

THURSDAY, JUNE 21ST 1951 AT 11:00 A.M.

AT THE
HOTEL COMMODORE, NEW YORK, N. Y.

IN THE ABSENCE OF THE PRESIDENT, WHO COULD NOT ATTEND BECAUSE OF ILLNESS, THE VICE-PRESIDENT PRESIDED AND CALLED THE MEETING TO ORDER AT 11:00 A.M.

MEMBER

GRIZZLY MANUFACTURING COMPANY
MARSHALL-ECLIPSE DIVISION, BENDIX AVIATION CORP.
MOLDED MATERIALS DIVISION, CARLISLE CORP.
RAYBESTOS-MANHATTAN, INC.
ROSSENDALE-RUBOIL COMPANY
RUSSELL MANUFACTURING COMPANY
SCANDINAVIA BELTING COMPANY
SOUTHERN FRICTION MATERIALS COMPANY
WORLD BESTOS CORPORATION

REPRESENTATIVE

J. R. HEATH
F. C. WEYBURN
G. E. RITTER
F. A. MILLER
F. BARTON
L. SULLIVAN
V. A. SPINA
J. O. CAMP
D. H. SPICER

OTHERS PRESENT

MARSHALL-ECLIPSE DIVISION, BENDIX AVIATION CORP.
SCANDINAVIA BELTING COMPANY
FRICTION MATERIALS STANDARDS INSTITUTE OF CANADA
FRICTION MATERIALS STANDARDS INSTITUTE, INC.
McLAUGHLIN, STICKLES & HAYDEN

A. J. ROEMER
A. E. DALY
G. STRACHAN
H. G. DUSCHEK, SECRETARY
L. D. STICKLES, COUNSEL

MINUTES OF PREVIOUS MEETING

THE CHAIRMAN ANNOUNCED THAT THE MINUTES OF THE PREVIOUS MEETING HELD JUNE 21ST 1950 HAD BEEN DISTRIBUTED TO THE MEMBERSHIP AND THAT ALL DECISIONS REACHED HAD BEEN FULLY ENACTED. UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE MINUTES OF THE ANNUAL MEETING OF THE INSTITUTE HELD JUNE 21ST 1950 BE APPROVED AS DISTRIBUTED.

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE INCOMING BOARD OF DIRECTORS TAKE THE NECESSARY STEPS TO PROTECT THE INSTITUTE'S INTERESTS IN SAID ACCOUNTS.

REPORT OF THE DATA BOOK AND TECHNICAL COMMITTEE

MR. MILLER, CHAIRMAN, REPORTED THAT THE TOTAL ORDER FOR THE 1951 AUTOMOTIVE DATA BOOK AMOUNTED TO 123,000 COPIES. OF THIS, 4,200 WERE TO BE HELD FOR ANY NEW MEMBERS AND FOR INSTITUTE REQUIREMENTS INASMUCH AS THE PRINTING OF ANOTHER LARGE EDITION WAS NOT ANTICIPATED FOR ANOTHER TWO YEARS. IN 1949, THE TOTAL ORDER WAS 108,000 COPIES AND, IN 1950, 120,000 COPIES OF THE SUPPLEMENT HAD BEEN ORDERED.

DESPITE THE ADDITION OF TWO NEW SECTIONS - ONE ON FOREIGN CARS AND ANOTHER ON EMERGENCY LININGS - AND THE INCLUSION OF THE 1950 SUPPLEMENT AND 1951 DATA, THE USE OF SMALLER TYPE, REDUCED THE FINAL SIZE OF THE BOOK TO 132 PAGES AS COMPARED WITH 160 PAGES IN THE 1949 EDITION. THE COST IS 24.6 CENTS PER COPY, EXCLUSIVE OF THE PUNCHING CHARGES.

FOREIGN CAR SPECIFICATIONS AND SUPPORTING PRINTS WERE SECURED FROM THE CANADIAN INSTITUTE AND ALL NEW INFORMATION WOULD BE PROMPTLY FORWARDED TO THE SECRETARY.

THE NEW PRINTER - CHARLES FRANCIS PRESS - HAS PROVED TO BE MOST SATISFACTORY AND HAS GIVEN THE SECRETARY THE UTMOST COOPERATION. THE CHAIRMAN THANKED THE COMMITTEE AND THE SECRETARY FOR THEIR HELP.

A VOTE OF THANKS WAS EXTENDED TO MR. MILLER FOR HIS ABLE CHAIRMANSHIP AND UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: TO ACCEPT THE REPORT OF THE DATA BOOK AND TECHNICAL COMMITTEE.

UPON INVITATION FROM THE CHAIR, MR. STRACHAN AN OBSERVER FROM THE FRICTION MATERIALS STANDARDS INSTITUTE OF CANADA COMMENTED THAT A FEW YEARS AGO, IN DISTRIBUTING THE DATA BOOK, THEY INSTITUTED A CHARGE PER COPY EXCEPT FOR THOSE USED BY THE STAFF OF A DISTRIBUTOR. THEY HAD ATTEMPTED THIS METHOD TO OVERCOME THE DUPLICATION OF SUPPLYING BOOKS. THE LAST EDITION OF THE AUTOMOTIVE DATA BOOK HAD HAD FREE DISTRIBUTION BUT THAT THE CHARGE METHOD WAS AGAIN TO BE ATTEMPTED WITH THE 1951 BOOK.

REPORT OF THE COMMITTEE ON ORDNANCE

MR. MILLER, CHAIRMAN, REPORTED THAT HE AND MR. NANFELDT HAD BEEN APPOINTED BY THE PRESIDENT TO VISIT THE TANK AUTOMOTIVE CENTER IN DETROIT REGARDING MILITARY SPECIFICATIONS. THE PURPOSE WAS TO EXPLORE THE POSSIBILITIES OF SECURING COOPERATION IN OBTAINING CURRENT FEDERAL STOCK NUMBERS, ORDNANCE PART NUMBERS AND MANUFACTURERS' PART NUMBERS TOGETHER WITH UP-TO-DATE VEHICLE DATA.

THE ORDNANCE REPRESENTATIVES ADVISED THAT THE FEDERAL NUMBERING SYSTEM HAD BEEN REVISED AND THAT SOME NEW VEHICLES HAD BEEN ADDED TO THOSE USED IN THE LAST WAR. APPROXIMATELY 800,000 CARDS ARE ON FILE REPRESENTING ALL PARTS AS WELL AS A TWELVE VOLUME SET OF SPECIFICATIONS AVAILABLE ONLY IN THE ADJUTANT-GENERAL'S OFFICE IN WASHINGTON.

IF THE TWELVE VOLUMES COULD BE SECURED, THE BASIC WORK COULD BE STARTED IN THE INSTITUTE OFFICE AND THE FINAL RECORDS SECURED IN DETROIT. ORDNANCE WOULD PROVIDE SOME CLERICAL HELP BUT NONE OF THIS WORK COULD PROCEED UNLESS A CATALOG WERE ISSUED AND 25,000 COPIES GIVEN TO ORDNANCE FOR DISTRIBUTION TO THEIR BRANCHES. THE ENTIRE EXPENSE, INCLUDING PRINTING, WOULD BE BORNE BY THE INSTITUTE.

THE CHAIRMAN ADVISED THAT THE DECISION AS TO WHETHER THE WORK SHOULD BE UNDERTAKEN WAS UP TO THE MEMBERSHIP.

THOSE PRESENT FELT THAT THE PROJECT WOULD COST A CONSIDERABLE AMOUNT OF MONEY AND THAT THE TIME AND EXPENSE INVOLVED WERE UNWARRANTED. EVEN THOUGH THE CATALOGS PREPARED PREVIOUSLY FOR U. S. MOTOR TRANSPORT WERE IN GREAT DEMAND, THEY FELT THAT THEY WERE OF LITTLE VALUE. THE SECRETARY ADVISED THAT CONSTANT REQUESTS FOR THE IDENTIFICATION OF FEDERAL STOCK AND ORDNANCE PART NUMBERS WERE RECEIVED AND THAT THEY COULD NOT ALWAYS BE IDENTIFIED. IN OTHER CASES, BRAKE LINING AND CLUTCH FACING INFORMATION ON NEW GOVERNMENT VEHICLES WAS REFUSED BY THE CAR MANUFACTURER AS BEING CONFIDENTIAL.

AFTER A LENGTHY DISCUSSION, IT WAS DECIDED TO TABLE THE MATTER AND AWAIT FURTHER DEVELOPMENTS. THE CHAIRMAN WAS ASKED TO COMMUNICATE WITH TANK AUTOMOTIVE CENTER AND ADVISE THEM THAT NO ACTION WAS BEING TAKEN AT THE PRESENT TIME.

APPOINTMENT OF NOMINATING COMMITTEE

THE CHAIRMAN ANNOUNCED THAT THE TERM OF OFFICE OF FOUR DIRECTORS EXPIRED AS OF JUNE 30, 1951 AND THAT ANOTHER APPOINTMENT HAD TO BE MADE TO FILL THE UNEXPIRED TERM OF A DIRECTOR WHO HAD RESIGNED. HE APPOINTED MESSRS. WEYSBURNE, RITTER AND SPICER TO SERVE AS A NOMINATING COMMITTEE TO SELECT THREE NOMINEES REPRESENTATIVE OF THREE CLASSIFICATIONS FOR A TWO YEAR TERM AND ONE FOR DIRECTOR-AT-LARGE FOR A TWO YEAR TERM IN ACCORDANCE WITH THE CONSTITUTION AND BY-LAWS. THEY WERE ALSO INSTRUCTED TO PRESENT THE NAME OF A NOMINEE FOR THE UNEXPIRED ONE YEAR TERM NOW VACANT.

RECESS FOR LUNCHEON

REPORT OF SPECIAL COMMITTEE ON MEMBERSHIP

THE CHAIR ANNOUNCED THAT THE APPOINTMENT, BY THE BOARD OF DIRECTORS, OF THIS SPECIAL COMMITTEE OF WHICH MR. RITTER IS CHAIRMAN, WAS PRECIPITATED BY A NUMBER OF PROBLEMS INVOLVING POTENTIAL MEMBERS AND POSSIBLE VIOLATIONS OF THE COPYRIGHTED FMS NUMBERS. THE COMMITTEE'S REPORT TO THE BOARD OF DIRECTORS WAS READ TO THE MEETING:

"MINUTES OF MEETING
OF THE
SPECIAL COMMITTEE ON MEMBERSHIP

TUESDAY, JUNE 5TH, 1951 AT 11:00 A. M.

SUITE #1306, 36 WEST 44TH ST., NEW YORK CITY

PRESENT:

FRANKLIN A. MILLER
GEORGE E. RITTER
LEO S. SULLIVAN
LESTER D. STICKLES, COUNSEL
HARRIET G. DUSCHEK, SECRETARY

RAYBESTON-MANHATTAN, INC.
MOLDED MATERIALS DIVISION
RUSSELL MANUFACTURING COMPANY
McLAUGHLIN, STICKLES & HAYDEN
F.M.S.I.

"THE MEETING WAS OPENED BY THE CHAIRMAN, MR. RITTER, AT 11:00 A.M.

"THE CALL OF THE MEETING WAS PRESENTED, NAMELY, THAT THE COMMITTEE WAS APPOINTED BY THE BOARD OF DIRECTORS, AT ITS MEETING HELD ON MAY 24TH, 1951, FOR THE PURPOSE OF EXAMINING INTO THE PROPOSAL OF A NEW CLASSIFICATION OF MEMBERSHIP, WHICH WOULD MAKE ELIGIBLE THOSE WHOSE ESSENTIAL BUSINESS IS THE DISTRIBUTION OF BRAKE LININGS UNDER A BRAND NAME DIFFERENT FROM THAT OF THE MANUFACTURER OR THE DISTRIBUTION OF BRAKE LINING WITHOUT A BRAND NAME; THE PROPOSAL THAT MANUFACTURERS IN COMMERCIAL QUANTITIES OF BRAKE LININGS IN FOREIGN COUNTRIES BE MADE ELIGIBLE FOR MEMBERSHIP, AND A RECOMMENDED FEE FOR SUCH MEMBERSHIP; THE QUESTION AS TO THE USE BY THOSE, WHO ARE NOT MEMBERS OF THE INSTITUTE, OF THE FMS COPYRIGHTED NUMBERS AS PUBLISHED IN THE DATA BOOK, SUPPLEMENTS AND BULLETINS; THE RECOMMENDATION OF A FEE TO BE CHARGED ACTIVE MEMBERS OF THE INSTITUTE FOR THE ENSUING FISCAL YEAR.

"EACH MATTER WAS TAKEN UP IN ORDER AND DISCUSSED AT CONSIDERABLE LENGTH.

"THERE WERE A NUMBER OF VIEWS EXPRESSED CONCERNING THE INVOLVEMENTS AS TO THE USE OF FMS NUMBERS, AND COUNSEL ADVISED AS TO THE RIGHTS OF THE INSTITUTE IN REFERENCE TO THE USE OF SAID NUMBERS. HE FURTHER ADVISED THAT UNLESS SOME EFFORT WAS MADE TO PROTECT THE INTERESTS OF THE INSTITUTE IN ITS VARIOUS COPYRIGHTS THAT THE SAME MAY BECOME NULL AND VOID THROUGH THE INTERPRETATION OF THE LAW THAT THE SAME WERE BEING USED GENERALLY, WITHOUT INTERFERENCE BY THE INSTITUTE, AND WERE CONSIDERED TO BE DONATED TO THE PUBLIC USE.

"HE FURTHER POINTED OUT THAT THIS WAS NOT A NEW DEVELOPMENT, BUT HAD BEEN SOMETHING WHICH THE FORMER BLMA HAD CONSIDERED ON SEVERAL OCCASIONS, THE LAST ONE OF WHICH WAS DURING THE YEAR 1943, AS EVIDENCED BY A COMMUNICATION AT THAT TIME OF COUNSEL TO THE FORMER ASSOCIATION, WHEN ON OCTOBER 2ND, 1943, THE FOLLOWING LETTER WAS SENT:

JUNE 21, 1951

OCTOBER 2ND, 1943

BRAKE LINING MANUFACTURERS' ASSOCIATION, INC.
370 LEXINGTON AVENUE
NEW YORK, NEW YORK

DEAR SIR:

YOU HAVE REQUESTED US TO EXPRESS OUR VIEWS IN CONNECTION WITH THE UNAUTHORIZED USE OF BRAKE LINING MANUFACTURERS' ASSOCIATION CODE NUMBERS.

IT IS CLEAR FROM THE FACT THAT THESE NUMBERS ARE BEING USED WITHOUT AUTHORITY THAT YOU WILL AT SOME TIME BE FACED WITH THE QUESTION OF WHETHER YOU WISH TO ABANDON YOUR EXCLUSIVE RIGHT TO THESE NUMBERS AND PERMIT THE PUBLIC TO USE THEM WITHOUT RESTRICTION, OR WHETHER YOU ARE GOING TO ATTEMPT TO ENFORCE YOUR COPYRIGHT AND RESTRICT THE USE OF THE NUMBERS TO MEMBERS OF YOUR ASSOCIATION OR THOSE AUTHORIZED TO USE THEM.

IT IS THIS DECISION WHICH WE HAVE ASKED YOU TO MAKE NOW. WE HAVE, AT YOUR REQUEST, CORRESPONDED WITH SEVERAL VIOLATORS. SHOULD THEY PERSIST IN THE USE OF YOUR NUMBERS IN DEFIANCE OF OUR WARNINGS, YOU WILL EITHER HAVE TO PROTECT THE COPYRIGHT, OR PERMIT ITS INFRINGEMENT INDISCRIMINATELY BY THE PUBLIC, AND, IN EFFECT, ABANDON YOUR CLAIM TO THE EXCLUSIVE USE.

AS I STATED AT THE ANNUAL MEETING, THERE ARE THREE COURSES WHICH YOU CAN PURSUE:

(1) YOU CAN SELECT AS SOON AS PRACTICABLE, A CASE OF INFRINGEMENT AND BRING SUIT TO ENJOIN THE UNAUTHORIZED USE OF THE CODE NUMBERS, SUCH SUIT TO FURNISH A TEST CASE. IF SUCCESSFUL, IT WILL UNDOUBTEDLY DISCOURAGE AND PREVENT INFRINGEMENTS BY ANYONE.

(2) YOU CAN ENDEAVOR TO PURSUE BY PRACTICAL MEANS THOSE WHO ARE NOW USING YOUR CODE NUMBERS WITHOUT AUTHORITY TO COOPERATE WITH YOU, EITHER IN JOINING THE ASSOCIATION OR PAYING A FEE FOR THE USE IN SOME FORM WHICH WE MAY WORK OUT.

(3) YOU CAN ABANDON YOUR COPYRIGHT BY PERMITTING ITS INDISCRIMINATE USE BY THE PUBLIC.

I DO NOT THINK THAT THERE IS ANY OTHER COURSE OPEN. IF YOUR DECISION IS TO TAKE NO ACTION AT PRESENT, THERE ARE A SUFFICIENT NUMBER OF VIOLATIONS NOW OCCURRING SO THAT INACTIVITY WILL INEVITABLY LEAD TO ABANDONMENT. ON THE OTHER HAND, IF YOU FOLLOW THE SECOND COURSE, IT MAY BE THAT YOU CAN POSTPONE SUIT INDEFINITELY. IT WOULD BE NECESSARY ONLY IN CASE YOUR ASSOCIATION IS DEFIED AND YOUR COPYRIGHT CHALLENGED.

"I UNDERSTAND THAT THE PRESENT PROPOSAL IS TO OBTAIN A VOTE ON WHETHER OR NOT TO FOLLOW THE FIRST COURSE, THAT IS, TO START SUIT IMMEDIATELY. THIS WILL, OF COURSE, NOT SOLVE THE FUNDAMENTAL QUESTION OF WHETHER YOUR ASSOCIATION IS PREPARED, IF FORCED TO IT, TO DEFEND THE COPYRIGHT.

"I SHOULD LIKE TO HAVE YOUR DECISION ON THIS AS SOON AS POSSIBLE, AS I SHALL NEED IT IN DECIDING HOW TO PROCEED WITH THE PRESENT VIOLATORS.

"I HAVE ALREADY EXPRESSED TO YOU MY OPINION AS TO THE PROBABILITY OF SUCCESS. UNDER DECISIONS IN SIMILAR CASES, I THINK THAT THE PROSPECT OF OBTAINING AN INJUNCTION AGAINST UNAUTHORIZED USE IS VERY GOOD.

"TRUSTING THIS IS THE INFORMATION WHICH YOU WISH, I AM

YOURS VERY TRULY, I

"COUNSEL EXPLAINED THAT THE SITUATION AS FAR AS THE LAW IS CONCERNED HAS NOT CHANGED WITH THE FORMATION OF THE INSTITUTE AND THAT IN GENERAL THE WRITTEN OPINION ABOVE SET FORTH PREVAILS TODAY.

"THE COMMITTEE CONCLUDED ITS DELIBERATIONS AT 3:00 P.M. WITH THE UNANIMOUS ADOPTION OF THE FOLLOWING RECOMMENDATIONS TO THE BOARD OF DIRECTORS:

- "(1) THAT THE MEMBERSHIP COOPERATE WITH THE EXECUTIVE SECRETARY IN OBTAINING FULL AND COMPLETE INFORMATION AS TO THOSE WHO ARE DISTRIBUTING BRAKE LINING UNDER A BRAND NAME DIFFERENT FROM THAT OF THE MANUFACTURER OR THE DISTRIBUTION OF BRAKE LINING WITHOUT A BRAND NAME, IN ORDER THAT A MORE CAREFUL CONSIDERATION CAN BE GIVEN BY THE BOARD OF DIRECTORS TOWARD THE REQUIREMENT OF A NEW CLASSIFICATION OF MEMBERSHIP FOR A NON-MANUFACTURING GROUP.
- "(2) THAT THE CONSTITUTION AND BY-LAWS OF THE INSTITUTE BE AMENDED SO THAT A MANUFACTURER OF BRAKE LININGS IN COMMERCIAL QUANTITIES IN FOREIGN COUNTRIES, WHERE THEIR PRODUCT IS USED EXCLUSIVELY OUTSIDE THE CONTINENTAL UNITED STATES, MAY BE ELIGIBLE TO MEMBERSHIP, WITHOUT VOTING PRIVILEGES, BY PAYING AN ANNUAL FEE OF \$750.00.
- "(3) THAT THE FEE FOR ACTIVE MEMBERS FOR THE ENSUING FISCAL YEAR BE FIXED AT \$400.00.
- "(4) THAT THE BOARD OF DIRECTORS RECOMMEND TO THE MEMBERSHIP THAT ALL REASONABLE STEPS BE TAKEN TO PROTECT THE INTERESTS OF THE INSTITUTE IN ITS COPYRIGHTS ON FMS NUMBERS AS PUBLISHED IN THE DATA BOOK, DATA BOOK SUPPLEMENTS AND INSTITUTE BULLETINS.

"UPON MOTION, THE MEETING WAS ADJOURNED.

HARRIET G. DUSCHEK,
SECRETARY"

MR. RITTER, CHAIRMAN OF THE COMMITTEE EXPLAINED THAT A STRONG RECOMMENDATION WAS BEING MADE FOR:

- (1) THE PROTECTION OF COPYRIGHTS IN ORDER TO MAINTAIN CONTROL OF THE USE OF THE FMS NUMBERS.
- (2) THE ESTABLISHMENT OF A REGIONAL MEMBERSHIP FOR THE INDIVIDUAL MANUFACTURER IN A FOREIGN COUNTRY.

A LENGTHY DISCUSSION ENSUED AS TO THE USE OF THE NUMBERING SYSTEM BY NOT ONLY MANUFACTURERS WHO ARE NOT MEMBERS OF THE INSTITUTE, BUT ALSO BY DISTRIBUTORS OF MEMBERS' BRAKE LININGS. THE GENERAL CONSENSUS OF OPINION WAS THAT THE FIRST STEP TO BE TAKEN, IN PROTECTING THE COPYRIGHTS, WOULD BE TO CONTACT THE NON-MEMBER MANUFACTURERS WHO ARE USING THE NUMBERS WITHOUT AUTHORIZATION. IF THEY REFUSED TO BECOME MEMBERS UPON REQUEST AND STILL USED THE FMS NUMBERING SYSTEM, LEGAL ACTION COULD BE INSTITUTED AGAINST THEM AFTER CONCRETE FACTS HAD BEEN ASSEMBLED TO PROVE VIOLATION OF THE COPYRIGHT.

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE BOARD OF DIRECTORS PROCURE COMPLETE INFORMATION ON THE USE OF THE FMS NUMBERING SYSTEM BY NON-MEMBER BRAKE LINING MANUFACTURERS IN ORDER THAT THE INSTITUTE MAY BE PREPARED TO PROTECT ITS INTERESTS IN COPYRIGHTS.

IN DISCUSSING THE USE OF THE FMS NUMBERS BY DISTRIBUTORS UNDER THEIR OWN BRAND NAME OR WITHOUT A BRAND NAME, IT WAS BROUGHT OUT THAT EVEN THOUGH THE MEMBERS HAD GRANTED THIS PERMISSION, AUTHORIZATION COULD ONLY BE EXTENDED BY THE INSTITUTE. IN ORDER TO MAINTAIN CONTROL OF THE FMS NUMBERS' USE, THE MEMBERSHIP WOULD HAVE TO DECIDE:

- (1) WHETHER THEY WOULD FOREGO THIS PRIVILEGE;
- (2) WHETHER THEY WOULD WHOLEHEARTEDLY COOPERATE IN SOME METHOD OF CONTROL; AND
- (3) WHETHER THE STANDARDS SET UP FOR SCREENING SUCH USERS WOULD INCLUDE A LICENSE FEE.

AFTER FURTHER DISCUSSION, IT WAS DECIDED TO TABLE THIS PROBLEM FOR CONSIDERATION BY A MEMBERSHIP COMMITTEE AND THE FINDINGS PRESENTED TO A FUTURE MEETING.

IN DISCUSSING MEMBERSHIP FOR INDIVIDUAL COMPANIES MANUFACTURING FRICTION MATERIALS IN FOREIGN COUNTRIES, THE MEETING WAS ADVISED THAT THE CONSTITUTION ONLY PROVIDED A REGIONAL MEMBERSHIP FOR A GROUP OF MANUFACTURERS BUT MADE NO PROVISION FOR AN INDIVIDUAL COMPANY IN A FOREIGN COUNTRY WHERE AN ASSOCIATION IS NON-EXISTENT.

AFTER A BRIEF DISCUSSION, UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE CONSTITUTION AND BY-LAWS BE AMENDED TO PROVIDE MEMBERSHIP FOR A MANUFACTURER OF BRAKE LININGS IN COMMERCIAL QUANTITIES IN FOREIGN COUNTRIES, WHERE THE PRODUCT IS USED EXCLUSIVELY OUTSIDE THE CONTINENTAL UNITED STATES, AT AN ANNUAL FEE OF \$750.00, SUCH MEMBERSHIP BEING WITHOUT VOTING PRIVILEGES.

THE COMMITTEE'S RECOMMENDATION THAT THE ANNUAL FEE FOR ACTIVE MEMBERS BE AT THE RATE OF \$400.00 FOR THE FISCAL YEAR STARTING JULY 1, 1951 WAS PRESENTED FOR CONSIDERATION.

AFTER A BRIEF DISCUSSION, UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE BOARD OF DIRECTORS CONSIDER THE RECOMMENDATION OF AN ANNUAL FEE OF \$400.00 FOR THE ACTIVE MEMBERS FOR THE YEAR BEGINNING JULY 1, 1951.

APPLICATION FOR MEMBERSHIP

THE APPLICATION FOR MEMBERSHIP, MADE BY VULCANO CIA OF MEXICO, WAS BROUGHT BEFORE THE MEETING. AFTER DISCUSSION, UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE BOARD OF DIRECTORS BE ADVISED TO ASCERTAIN WHETHER THIS APPLICANT DOES MANUFACTURE BRAKE LININGS WHICH ARE USED EXCLUSIVELY OUTSIDE THE UNITED STATES.

RETENTION OF COUNSEL

THE CHAIRMAN ADVISED THAT ACCORDING TO ARTICLE VI OF THE BY-LAWS, AT EACH ANNUAL MEETING OF THE MEMBERS OF THE INSTITUTE, LEGAL COUNSEL SHALL BE RETAINED FOR THE ENSUING YEAR.

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT MR. LESTER D. STICKLES OF McLAUGHLIN, STICKLES AND HAYDEN, BE RETAINED AS COUNSEL OF THE INSTITUTE.

ELECTION OF DIRECTORS

THE NOMINATING COMMITTEE REPORTED AND RECOMMENDED THE FOLLOWING TO SERVE AS DIRECTORS FOR A TWO YEAR TERM ENDING JUNE 30, 1953:

CLASS 1 - FRANKLIN A. MILLER - RAYBESTOS-MANHATTAN, INC.
CLASS 2 - GEORGE E. RITTER - MOLDED MATERIALS DIVISION
CLASS 3 - FRANK BARTON -- ROSSENDALE-RUBOIL COMPANY
DIRECTOR-AT-LARGE - FREDERICK WEYBURN - MARSHALL-ECLIPSE DIVISION

TO FILL THE UNEXPIRED TERM OF MR. A. L. JOHNSON OF ASBESTOS MANUFACTURING COMPANY, THE NAME OF MR. WILLIAM BLUME OF THE SAME COMPANY WAS PRESENTED.

THE CHAIR CALLED FOR NOMINATIONS FROM THE FLOOR AND NONE WERE PRESENTED. UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS

RESOLVED: THAT THE SECRETARY CAST ONE BALLOT FOR MR. MILLER
MR. RITTER, MR. BARTON, MR. WEYBURN AND MR. BLUME,
TO BE MEMBERS OF THE BOARD OF DIRECTORS IN ACCORDANCE
WITH THE PROVISIONS OF THE CONSTITUTION AND BY-LAWS.

THE SECRETARY ANNOUNCED THAT ONE VOTE EACH HAD BEEN CAST FOR THE VARIOUS NOMINEES AND THE CHAIR ANNOUNCED THAT THEY HAD BEEN DULY ELECTED MEMBERS OF THE BOARD OF DIRECTORS.

INSTITUTE ACTIVITIES

STATISTICS

THE CHAIRMAN BROUGHT TO THE ATTENTION OF THE MEETING THAT THE CONSTITUTION AND BY-LAWS ONLY PERMITS THE COLLECTION AND THE DISSEMINATION OF TECHNICAL INFORMATION AND THE PUBLICATION OF THE DATA BOOK, AND THAT THE MEMBERS MIGHT WISH TO EXPAND THE SCOPE OF THE INSTITUTE ACTIVITIES. ONE ACTIVITY, ENGAGED IN BY MOST TRADE GROUPS AND ABOUT WHICH MANY OF THE MEMBERS HAVE INQUIRED, IS THE COLLECTION OF HISTORIC SALES FIGURES. IF THE ACTIVE AND ASSOCIATE MEMBERS WERE INTERESTED, THESE FIGURES COULD BE COLLECTED AND COMPILED BY AN OUTSIDE AGENCY. COUNSEL ADVISED THAT SO LONG AS THE FIGURES ARE HISTORIC, THERE IS NOTHING ILLEGAL IN SUCH AN ACTIVITY.

SEVERAL MEMBERS FELT THAT STATISTICS ARE WORTHWHILE BUT STATED THAT THEY HAD BEEN RESTRAINED IN THIS REGARD. THE GENERAL CONSENSUS OF OPINION WAS THAT THE SECRETARY SHOULD POLL THE MEMBERSHIP AND, IN THIS MANNER, THE MEMBERS WOULD OBTAIN THE OPINION OF THEIR COUNSEL.

AFTER DISCUSSION, UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY PASSED, IT WAS UNANIMOUSLY

RESOLVED: THAT THE BOARD OF DIRECTORS DETERMINE WHETHER
IT IS FEASIBLE FOR THE MEMBERS OF THE INSTITUTE
TO FILE HISTORIC SALES FIGURES WITHOUT IDENTITY,
WITH AN OUTSIDE AGENCY AND RECEIVE SUCH
COMPILATIONS.

COUNSEL ADVISED THAT AFTER BOARD ACTION, THE MATTER COULD THEN BE REFERRED TO THE MEMBERSHIP BY MAIL BALLOT.

REPRESENTATION IN WASHINGTON

ONE OF THE MEMBERS EXPRESSED THE OPINION THAT SOMEONE IN THE INSTITUTE SHOULD KEEP ABREAST OF THE HAPPENINGS IN WASHINGTON AND KEEP THE MEMBERS INFORMED. COUNSEL ADVISED THAT EVEN THOUGH THERE IS A LEGALLY LEGAL AND ORDERLY, THE POLICY AS ADOPTED BY THE MEMBERSHIP DOES NOT PERMIT OF THIS. SO VERY NOR EVEN THE SELECTION OF A REPRESENTATIVE, OR THE INDUSTRY, TO REPRESENT THEM IN WASHINGTON ON COMMITTEES OR IN OTHER CAPACITY. TO PROCEED WITH THIS, THE MEMBERSHIP WOULD HAVE TO PASS AN ADOPTED RESOLUTION. AFTER FURTHER COMMENTS, NO ACTION WAS RECOMMENDED NOR TAKEN.

REMARKS

MR. STRACHAN, AN OBSERVER FROM THE CANADIAN INSTITUTE, COMMENTED ON THE COMPOSITION OF THEIR MEMBERSHIP AND OPERATION.

NO FURTHER BUSINESS WAS BROUGHT BEFORE THE MEETING, THEREFORE IT WAS ADJOURNED AT 4:00 P.M.

H. G. DUSCHEK
SECRETARY

AGENDA

JUNE 21, 1951

1. ROLL CALL
2. MINUTES OF PREVIOUS MEETING - JUNE 21, 1950
3. REPORT OF THE PRESIDENT
4. REPORT OF THE TREASURER
5. REPORT OF THE DATA BOOK AND TECHNICAL COMMITTEE
6. REPORT OF THE COMMITTEE ON ORDNANCE
7. REPORT OF THE SPECIAL COMMITTEE ON MEMBERSHIP
8. APPOINTMENT OF NOMINATING COMMITTEE
9. RETENTION OF COUNSEL (ARTICLE VI OF BY-LAWS)
10. REPORT OF THE NOMINATING COMMITTEE
11. BUDGET - FISCAL YEAR STARTING JULY 1, 1951
12. BROADENING OF SCOPE OF INSTITUTE ACTIVITIES:
 - A. REPRESENTATIVE IN WASHINGTON
 - B. COLLECTION OF STATISTICS