

FILE NAME: National Safety Council (NSC)

DATE: 1935 Sept 28

DOC#: NSC309

DOCUMENT DESCRIPTION: Letter from Donald Tulloch, Jr. to Philip Carey Co. RE
Changes to License Agreement

XXXXXXXXXXXXXXXXXX
16th Floor, Inquirer Bldg.
Philadelphia, Pa.

September 28, 1935

Mr. G. W. Mills, Jr.
Philip Carey Company
Lockland, Cincinnati, Ohio

FEDERAL TRADE COMMISSION

4613 COMMISSION EXHIBIT No. 17-A
Acme Asbestos
6/3/42 Lulloch
Walsh

Dear Mr. Mills:

This will acknowledge yours of the 25th with reference to schedules attached to proposed license agreement under Toohey Patent. I appreciate the suggestions in your letter and am adopting most of them. The others, I would like to go into further.

The heading your propose for the List of Materials seems to be entirely acceptable.

Changes in items two, three, four, and five of the list of materials seems to be entirely acceptable.

Under six, however, the change favors a less desirable material and I would like to think about it.

Under seven, the new wording is rather broad in its effect, while all materials defined as you define them should and will come under that class, there exist certain limited commitments on the part of one prospective licensee to which I will have to give consideration. If you are willing to recognize this obligation, your wording is acceptable as to number of layers. As to the 1/2" thickness, does Mr. Steffens approve this?

The changes in item eight, nine, ten and eleven are all acceptable.

Under Schedule one, page four, line thirty-one to thirty-three, I am still considering this whole question of unit prices and my inclination is to adopt your suggestion unless I see some real objection.

Item seventeen which you add on page five is agreeable as to principal and amount. I do not wish to put this in a schedule which will have general circulation however, and will give this permission to licensees only by separate letter. You may accept this as authority for commissions referred to.

I see no objection to changes on page one of Schedule two.

Page two, Schedule two addition of 1/6" and 1/8" to standards is acceptable.

Change in line ten has the effect of completely eliminating its usefulness. Unless I can see some good reason, I cannot approve this.

Page four, Schedule two change accepted.

Page six, Schedule two change accepted.

Page seven, Schedule two change accepted.

Page one, Schedule three change accepted.

Page two, Schedule three change suggested does not seem to conform to established merchandising practice. I would prefer to leave this in and discuss it with your

Change line twenty-one, page two, Schedule three acceptable.

Change line ten, page three, Schedule three acceptable.

Change page one, Schedule four acceptable.

Change page two, in Schedule four acceptable.

Change page four, Schedule four acceptable.

Page one, Schedule five change line nineteen does not conform to existing standards.

Change page four, Schedule five, lines twenty-nine to thirty-two same objection as in previous schedules.

Change line thirty-three acceptable.

Page six, Schedule five, I think this should be changed to correspond to previous policy, in other words, use four decimals and if fifth decimal exceeds zero, increase fourth decimal one.

If the changes made satisfy you, you can sign your copy after having inserted these changes either by covering letter or on attached schedules.

If this is not satisfactory, I am wondering if we can't arrange to discuss it on the phone. If necessary, I will go to Cincinnati

FEDERAL TRADE COMMISSION
Docket No. 4613 COMMISSIONER'S Exhibit No. 17-B
MATTER OF
WITNESS

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FEDERAL TRADE COMMISSION

Case No. 4613 COMMISSION'S Exhibit No. 17-C
RESPONDENT'S

ATTOR OF _____

WITNESS _____

DATE _____

to see you.

With best regards,

Very truly yours,

Donald Tullock, Jr.

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