

FILE NAME: National Safety Council (NSC)

DATE: 1935 Feb 11

DOC#: NSC318

DOCUMENT DESCRIPTION: Letter from Asbestos and Allied Products Division to Ruberold Co. RE Toohey Patent

SPM FEB 13 '35

ASBESTOS PAPER AND ALLIED PRODUCTS DIVISION
OF THE
ASBESTOS INDUSTRY
16TH FLOOR, INQUIRER BUILDING
PHILADELPHIA, PA.

Mr. Herbert Abraham
Ruberoid Company
New York

FEB 13 1935
February 11, 1935
FEB 13 1935

Re - Toohy Patent

Dear Sir:

With reference to the agreement forwarded to you some time ago on proposed license under the Toohy Patent, I have had the following comments made by one member of the Industry.

"Section III: This section provides for the payment of a license fee in an amount equal to one-quarter of one percent of the list value, "... of the Materials sold and/or used by said Licensee...". If we were to pay royalty on the paper used by ourselves and also on P/C sold by us, we would be paying double royalty, and to this, of course, we could not consent.

"Section IV: This section provides that the Licensor may amend existing schedules or substitute other schedules and have them become effective immediately upon notification to the Licensee. This is objectionable, as it will be necessary that the Licensee be given sufficient time to enable him to revise his outstanding price data. Also, a period should be set in which customers might place covering orders, and time for filling such orders should also be allowed. We would also suggest that after the word "Licensor" in line 21 of page 4, the following clause be inserted: "in accordance with the terms of the Paper and Allied Products Merchandising Plan attached hereto and being a part hereof marked "Exhibit."

Moffitt Exhibit 17
Obtained 7-26-40
1-12407
Federal Trade Commission
Letter Interview
30

-2-

I would appreciate your comments both on the original document and on the suggested revision.

Very truly yours,



Donald Tulloch, Jr.,
Manager

P

223-107-18
223-107-18
223-107-18
General Trade Commission

761