

(A)

[REDACTED]

[REDACTED]

[REDACTED]

May 24, 1985

Dear Mr. Scanlon:

At your invitation, I am writing to request the views of the Premerger Notification Office regarding whether either of the following hypothetical fact situations would constitute a reportable transaction under the Hart-Scott-Rodino Act of 1976:

(A) Company A proposes to grant an exclusive patent license and technological assistance to Company B to manufacture and sell a consumer product. The product is being test-marketed but has not been marketed on a commercial scale by Company A. No physical plant or personnel would be transferred to Company B. Assume the size of the person and the size of the transaction tests are satisfied.

(B) Assume all the facts above except that Company A retains the right to market and sell such product itself and thus grants a license that is exclusive only with respect to all other firms.

If additional facts are required to determine the reportability of such transaction, please let us know.

Thank you very much.

Sincerely yours,

[REDACTED]

Andrew Scanlon
Compliance Specialist
Federal Trade Commission
6th & Pennsylvania, N.W.
Room 301
Washington, D.C. 20560

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Handwritten notes:
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Call [unclear]
that both
A & B are
reportable
[Signature]