

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of
JARDEN CORPORATION
a corporation, and
K2 Inc.
a corporation.
Docket No. C-4196

COMPLAINT

Pursuant to the Clayton Act and the Federal Trade Commission Act, and its authority thereunder, the Federal Trade Commission ("Commission"), having reason to believe that Respondent Jarden Corporation ("Jarden"), a corporation subject to the jurisdiction of the Commission, has agreed to acquire certain assets and voting securities of Respondent K2 Inc. ("K2") (collectively "Respondents"), a corporation subject to the jurisdiction of the Commission, in violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 45, and it appearing to the Commission that a proceeding in respect thereof would be in the public interest, hereby issues its Complaint, stating its charges as follows:

I. RESPONDENT JARDEN

- 1. Respondent Jarden is a corporation organized, existing, and doing business under and by virtue the laws of the state of Delaware, with its office and principal place of business located at 555 Theodore Fremd Avenue, Suite B-302, Rye, NY 10580.
2. Respondent Jarden is engaged in, among other things, the research, development, manufacture, distribution, and sale of branded consumer and outdoor products, including fishing tackle sold through its subsidiary, Pure Fishing.
3. Respondent Jarden is, and at all times herein has been, engaged in commerce, as "commerce" is defined in Section 1 of the Clayton Act, as amended, 15 U.S.C. §12, and is a corporation whose business is in or affects commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 44.

II. RESPONDENT K2

4. Respondent K2 is a corporation organized, existing, and doing business under and by virtue of the laws of the state of Delaware, with its offices and principal place of business located at 5818 El Camino Real, Carlsbad, CA 92008.

5. Respondent K2 is engaged in, among other things, the research, development, manufacture, distribution, and sale of branded sporting equi

V. THE STRUCTURE OF THE MARKET

10. The relevant market for the manufacture, distribution, and sale of monofilament fishing line in the United States is highly concentrated as measured by the Herfindahl-Hirschman Index (“HHI”). Jarden dominates the monofilament fishing line market, and K2 i

VIII. VIOLATIONS CHARGED

13. The Acquisition described in Paragraph 7 constitutes a violation of Section 5 of the FTC Act, as amended, 15 U.S.C. § 45.

14. The Acquisition described in Paragraph 7, if consummated, would constitute a violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. § 45.

WHEREFORE, THE PREMISES CONSIDERED, the Federal Trade Commission on this eighth day of August, ORETHE PREMISES CONSI