

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

03 06 2018
589881

In the Matter of

BENCO DENTAL SUPPLY CO.,
a corporation,

HENRY SCHEIN, INC.,
a corporation, and

PATTERSON COMPANIES, INC.,
a corporation.

ORIGINAL

Docket No. 9379

PUBLIC

ANSWER OF RESPONDENT PATTERSON COMPANIES, INC. TO THE FEDERAL
TRADE COMMISSION'S ADMINISTRATIVE COMPLAINT

[REDACTED]

historically not been common in the dental products industry, and denies the remaining

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Patterson, thus no response is required. To the extent required, Patterson denies the allegations of Paragraph 4 of the Complaint.

[REDACTED]

supplies equipment and services to dental practitioners in the United States. Patterson lacks

[REDACTED]

sufficient information to admit or deny the remaining allegations of Paragraph 15 of the Complaint, and therefore denies them. To the extent the allegations are legal conclusions, no response is required.

16. Patterson admits it is a corporation as defined in 15 U.S.C. § 44, and lacks sufficient information to admit or deny the allegations of Paragraph 16 of the Complaint relating to other Respondents. To the extent the allegations are legal conclusions, no response is required.

17. Patterson admits it engages in commerce in the United States as defined in 15

[REDACTED]

U.S.C. § 44, and lacks sufficient information to admit or deny the allegations of Paragraph 17 of the Complaint relating to other Respondents. To the extent the allegations are legal conclusions, no response is required.

18. Patterson admits the allegations contained in the second and third sentences of Paragraph 18 of the Complaint, and lacks knowledge sufficient to form a reasonable belief as to

distributors do not provide the breadth of services available through Patterson, and denies the remaining allegations contained in Paragraph 25.

26. To the extent the allegations contained in Paragraph 26 of the Complaint are legal conclusions, no response is required. Patterson denies the allegations of Paragraph 26 of the Complaint.

[REDACTED]

39. Patterson admits that Paragraph 39 of the Complaint quotes a segment of an email and that the email was forwarded to the two individuals described. Patterson denies the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

53. Patterson lacks knowledge sufficient to form a reasonable belief as to the truth or falsity of the allegations in Paragraph 53 of the Complaint, and therefore denies them.

54. Patterson lacks knowledge sufficient to form a reasonable belief as to the truth or falsity of the allegations in Paragraph 54 of the Complaint, and therefore denies them.

55. Patterson lacks knowledge sufficient to form a reasonable belief as to the truth or falsity of the allegations in Paragraph 55 of the Complaint, and therefore denies them.

56. Patterson lacks knowledge sufficient to form a reasonable belief as to the truth or falsity of the allegations in Paragraph 56 of the Complaint, and therefore denies them.

57. Patterson lacks knowledge sufficient to form a reasonable belief as to the truth or

[REDACTED]

69. Patterson admits that in October 2013 the TDA launched a program called "TDA Perks Supplies" that was directly competitive with Patterson and utilized an online entity called SourceOne, which sources its products primarily from other distributors, and that TDA Perks Supplies represented that it would provide discounts to its members. Patterson denies that TDA Perks Supplies was a "buying group" under any definition that Patterson is aware of, and denies all remaining allegations contained in Paragraph 69 of the Complaint.

[REDACTED]

Patterson and lacks knowledge sufficient to form a reasonable belief as to the truth or falsity of the remaining allegations in Paragraph 70 of the Complaint, and therefore denies them.

71. Patterson denies the allegations of Paragraph 71 of the Complaint.

(a) Patterson denies the allegations in contained in Paragraph 71(a) of the Complaint relating to Patterson and specifically denies that Renca's regional manager communicated with

[REDACTED]

[REDACTED]

subparts. To the extent the allegations contained in Paragraph 75 of the Complaint are legal conclusions, no response is required.

76. Patterson denies the allegations of Paragraph 76 of the Complaint. To the extent

[REDACTED]

88. Patterson denies the allegations of Paragraph 88 of the Complaint. To the extent the allegations contained in Paragraph 88 of the Complaint are legal conclusions, no response is required.

89. The allegations of Paragraphs 89 and 90, and Count 4 of the Complaint, do not allege any conduct by Patterson and thus no response is required. To the extent a response is required, Patterson denies the allegations of Paragraphs 89 and 90 of the Complaint.

AFFIRMATIVE DEFENSES

[REDACTED]

Section 5 of the FTC Act, 15 U.S.C. § 45.

[REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2018, I filed the foregoing document electronically

[REDACTED]

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Secretary
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The Honorable D. Michael Chappell
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[REDACTED]

Attorney

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed documents that are available for review by the parties and the adjudicator.

March 6, 2018

By: /s/ James J.
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