

**UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**      **Edith Ramirez, Chairwoman**  
                                 **Julie Brill**  
                                 **Maureen K. Ohlhausen**  
                                 **Joshua D. Wright**  
                                 **Terrell McSweeney**

**In the Matter of**  
**TECNICA GROUP, SpA.,**  
**a corporation.**

**DOCKET NO.**

**COMPLAINT**

Pursuant to the provisions of the

3. At all times relevant herein, Tecnica has been, and is now, a corporation as “corporation” is defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.
4. The acts and practices of Tecnica, including the acts and practices alleged herein, are in commerce or affect commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

### **The Ski Equipment Businesses of Tecnica and Jarden/Marker Völkl**

5. For many years, Tecnica specialized in the manufacture and sale of ski boots. Tecnica acquired the Nordica ski equipment unit from Benetton Group SpA. in 2003. The Nordica unit manufactured and sold both skis and ski boots.
6. Tecnica acquired a second ski manufacturer, Blizzard GmbH, in 2006. Currently, Tecnica is the fourth largest seller of skis in the United States.
7. Jarden Corporation (“Jarden”), through its subsidiaries Marker Völkl and K2 Inc., manufactures, markets, and sells skis (Völkl and K2 brands) and ski bindings (Marker brand). Jarden acquired Marker Völkl and K2 Inc. in 2007. Jarden is the leading seller of skis in the United States.
8. In 1992, Tecnica and Marker Völkl began collaborating in the marketing and distribution of certain complementary ski equipment: Völkl brand skis, and Tecnica brand ski boots. Initially, these companies were not competitors: Tecnica did not have a ski product; Marker Völkl did not have a ski boot product.
9. The ski brands later acquired by Tecnica (Nordica and Blizzard brands) were not included in the Tecnica/Marker Völkl collaboration. That is, Tecnica independently manufactures, markets, and distributes Nordica skis and Blizzard skis in competition with Völkl skis.
10. Tecnica and Marker Völkl terminated their collaboration in the United States in 2008, and in other regional markets over the period 2008 through 2010.

### **Competition for Ski Athlete Endorsements**

11. The most effective and most costly tool for marketing ski equipment consists of securing endorsements from prominent ski athletes. Endorsers include world class and professional athletes who compete in organized ski competitions (such as the World Cup and the Olympics), “junior” athletes who show the potential to develop into world class athletes, skiers whose performance attracts significant media attention (such as extreme attraTd [(sk)1(ioe)-1(po

agrees to use and promote the co

19. At the January 2007 meeting, Tecnica and Marker Völkl also agreed to expand the scope of their non-compete agreements. Tecnica and Marker Völkl agreed not to compete for the services of any employee. Specifically, Tecnica agreed not to solicit, recruit, or contract with any employee of Marker Völkl. Marker Völkl agreed not to solicit, recruit, or contract with any employee of Tecnica. Tecnica and Marker Völkl intended that this employee non-compete agreement would enable them to avoid [REDACTED]

25. The acts and practices of respondent, as alleged herein, constitute unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 45. Such acts and practices, or the effects thereof, will continue or recur in the absence of appropriate relief.

**WHEREFORE, THE PREMISES CONSIDERED**, the Federal Trade Commission on this \_ day of \_\_\_\_\_, 2014, issues its complaint against respondent.

By the Commission.

Donald S. Clark  
Secretary

SEAL: