

UNITED STATES OF AMERICA BEF--CA

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The Federal Trade Commission ("Co

- b. Proposed Respondent Hockey Underground Inc., also doing business as Patriot Puck, a New York corporation with its principal office or place of business at 145 Milbar Blvd., Farmingdale, NY 11735.
- c. Proposed Respondent Puck Inc

5. If this agreement is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to Rule 2.34, the Commission may, without

**UNDERGROUND SPORTS INC.,  
ALSO D/B/A  
PATRIOT PUCK**

\_\_\_\_\_  
George Statler III  
Underground Sports Inc.

Date: \_\_\_\_\_

**FEDERAL TRADE COMMISSION**

\_\_\_\_\_  
Julia Solomon Ensor  
Attorney  
Division of Enforcement  
Bureau of Consumer Protection

**HOCKEY UNDERGROUND INC.,  
ALSO D/B/A  
PATRIOT PUCK**

\_\_\_\_\_  
George Statler III  
Hockey Underground Inc.

Date: \_\_\_\_\_

**APPROVED:**

\_\_\_\_\_  
Laura Koss  
Assistant Director  
Division of Enforcement  
Bureau of Consumer Protection

**IPUCK INC.,  
ALSO D/B/A  
PATRIOT PUCK**

\_\_\_\_\_  
George Statler III  
Ipuck Inc.

Date: \_\_\_\_\_

\_\_\_\_\_  
James A. Kohm  
Associate Director  
Division of Enforcement  
Bureau of Consumer Protection

**IPUCK HOCKEY INC.,  
ALSO D/B/A  
PATRIOT PUCK**

\_\_\_\_\_  
George Statler III  
Ipuck Hockey Inc.

Date: \_\_\_\_\_

\_\_\_\_\_  
Andrew M. Smith  
Director  
Bureau of Consumer Protection

Date: \_\_\_\_\_

**GEORGE STATLER III**

\_\_\_\_\_  
George Statler III, individually and as  
an officer of Underground Sports Inc.,  
Hockey Underground Inc.,  
Ipuck Inc., and Ipuck Hockey Inc.

Date: \_\_\_\_\_

\_\_\_\_\_  
Edward L. Rose, Esq.  
Attorney for Proposed Respondents

Date: \_\_\_\_\_





## **ORDER**

### **Definitions**

For purposes of this Order, the following definitions apply:

- A. “Clear(ly) and conspicuous(ly)” means that a required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers, including in all of the following ways:
  - 1. In any communication that is solely visual or solely audible, the disclosure must be made through the same means through which the communication is presented. In any communication made through both visual and audible means, such as a television advertisement, the disclosure must be presented simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure (“triggering representation”) is made through



to, a representation that such product or service is “made,” “manufactured,” “built,” or “produced” in the United States or in America, or any other U.S.-origin claim.

C. “Respondents” means all of the Corporate Respondents and the Individual Respondent, individually, collectively, or in any combination.

1. “Corporate Respondents” means Underground Sports Inc., also d/b/a “Patriot Puck”; Hockey Underground Inc., also d/b/a “Patriot Puck”; Ipuck Inc., also d/b/a “Patriot Puck”; Ipuck Hockey Inc., also d/b/a “Patriot Puck”; and their successors and assigns, individually, collectively, or in any combination.

2. “Individual Respondent” means George Statler III.

### **Provisions**

#### **I.**

#### **PROHIBITED MISREPRESENTATIONS REGARDING U.S. ORIGIN CLAIMS**

**IT IS ORDERED** that Respondents, and Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any

~~hockey puck, or any other product or service, manufactured, built, or produced in the United States or in America, or any other U.S.-origin claim.~~

the country of origin of any product or service unless the representation is non-misleading, including that, at the time it is made, Respondents possess and rely upon a reasonable basis for the representation.

**III.  
ACKNOWLEDGMENTS OF THE ORDER**

**IT IS FURTHER ORDERED** that Respondents obtain acknowledgments of receipt of this Order:

- A. Each Respondent, within 10 days after the effective date of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. For 20 years after the issuance date of this Order, Individual Respondent for any business that such Respondent, individually or collectively with any business of (du)4i ( p)-10 (e)4 (n)-10 (i)-1



overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: In re Underground Sports Inc.

**V.  
RECORDKEEPING**

**IT IS FURTHER ORDERED** that Respondents must create certain records for 20 years from the issuance date of the Order, and retain each such record for 5 years, unless otherwise specified below. Specifically, Corporate Respondents and the Individual Respondent for any Respondent that such Respondent, individually or collectively with any other Respondents, is a sole owner or controls directly or indirectly, must create and retain the following records:

- A. Accounting records showing the revenues from all goods or services sold, the costs incurred in generating those revenues, and resulting net profit or loss;
- B. Personnel records showing, for each person providing services in relation to any aspect of the Order, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. Copies or records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;
- D. 12.



upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission.

Donald S. Clark  
Secretary

SEAL:  
ISSUED: