

IN THE MATTER OF

MAURICE J. LENETT AND LEONARD STOLZBERG
DOING BUSINESS AS Lenco Spring Company

~~COMPLAINT BY FEDERAL TRADE COMMISSION AND ORDERS IN REGARD TO THE ALLEGED~~

Docket 5964. Complaint, Mar. 14, 1952—Decision, Jan. 15, 1953

When articles assembled or manufactured in whole or in part from previously

~~articles, the fact that they bear the appearance of being assembled or~~

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Complaint

Held, That such acts and practices, under the circumstances set forth, were all to the prejudice and injury of the public, and of competitors of respondents, and constituted unfair methods of competition in commerce and unfair and deceptive acts and practices therein.

Before *Mr. James A. Purcell*, hearing examiner.

Mr. Edward F. Downs for the Commission.

Helfmann, Hahn & Casady of Washington, D. C. for respondents

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Maurice J. Lenett and Leonard Stolzberg, individuals, doing business as Lenco Spring Company, hereinafter referred to as respondents, have violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in that respect as

PARAGRAPH 1. Respondents Maurice J. Lenett and Leonard Stolzberg are individuals doing business as Lenco Spring Company, with their office and principal place of business at Rear 578 Millbury Street, Worcester, Massachusetts.

PAR. 2. Respondents are now and for more than one year last past have been engaged in the business of assembling automobile springs composed of some new and some old and previously used parts, and

... destroy all their automobile engines as above described

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Decision

springs because of such erroneous and mistaken belief. As a direct result of the practices of respondents, as aforesaid, substantial trade in commerce has been diverted to respondents from their said competitors and injury has been done to competition in commerce between and

conclusions presented by counsel in support of the complaint (none

not having been requested, and said it is the Commission's policy to

considered the record herein, finds that this proceeding is in the interest of the public and makes the following findings as to the facts, conclusions drawn therefrom, and order :

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Findings

vide a new main leaf (i. e. the top or longest leaf in the assembly),

sembly), and at times, where necessary, add a third leaf so that the

Findings

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part number, and that he sold them to his customers as new, but sometimes later learned the true facts when, because of a complaint he

imparted the true facts; this witness was never told by respondents

inferred that there were... Witness had been calling...

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Conclusion

now has the tendency and capacity to mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that the automobile springs sold by them were and are new springs assembled or manufactured entirely from new and previously

ORDER

It is ordered. That respondents Maurice J. Lenett and Leonard

nor, or doing business under any other name or names jointly or sev-