

AMENDMENT NO. 1763

Calendar No. 687

Purpose: To clarify reference to the Clayton Act.

IN THE SENATE OF THE UNITED STATES—96th Cong., 2d Sess.

S. 598

To clarify the circumstances under which territorial provisions in licenses to manufacture, distribute, and sell trademarked soft drink products are lawful under the antitrust laws.

May 14 (legislative day, January 3), 1980

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. METZENBAUM

Viz: Insert the following new section 3 in lieu of section 3 as it now appears:

1 SEC. 3. The existence or enforcement of territorial pro-
2 visions in a trademark licensing agreement for the manufac-
3 ture, distribution, and sale of a trademarked soft drink prod-
4 uct prior to any final determination that such provisions are
5 unlawful shall not be the basis for recovery under section 4 of
6 the Clayton Act.

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