

IN THE MATTER OF

MATTHEW HUTTNER ET AL. TRADING AS
PYRAMID BOOKSMODIFIED ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION
OF THE FEDERAL TRADE COMMISSION ACT*Docket 6307. Complaint, Mar. 8, 1955—Decision, Oct. 28, 1968*

Order modifying an order of June 24, 1955, 51 F.T.C. 1261, which prohibited a New York City publisher from selling book reprints under a different title without disclosing the original title by adding to such disclosure provision that the book was published "in the English language in the United States."

MODIFIED ORDER

OCTOBER 28, 1968

The Commission on August 17, 1967, having issued its order to show cause why its order to cease and desist dated June 24, 1955 [51 F.T.C. 1261], should not be reopened and modified, and

Respondents by their counsel on September 8, 1967, having filed their answer and on December 22, 1967, having filed their "Statement in Opposition to Commission's Motion for Issuance of Modified Order," and having expressed no substantive objections to said modification and having further urged that said modification should be made simultaneously by the Commission in similar orders outstanding against other publishers in connection with retitling of books and that the Commission initiate and carry through a proceeding to modify an injunction issued against the respondents pursuant to stipulation dated January 31, 1963, in the United States District Court for the Southern District of New York, and

The Commission having this day modified said similar orders against other publishers and having notified respondent that the Commission will extend due cooperation to respondents' actions seeking a conforming modification of said injunction, and for the reasons set forth in its order to show cause dated August 17, 1967, being of the opinion that the public interest requires reopening of the proceedings which culminated in its order of June 24, 1955, and modification of the order entered therein,

It is ordered, That said proceedings be, and they hereby are, reopened and the Commission's order of June 24, 1955, be, and it hereby is modified by revising Paragraph 2 thereof to read as follows:

Modified Order

74 F.T.C.

“Using or substituting a new title in place of the title under which a book was first published in the English language unless a statement which reveals the first English language title and that it has been published previously thereunder and each and every title under which said book was previously published in the English language in the United States and that it has been published previously thereunder appears in clear, conspicuous type upon the front cover and upon the title page of the book, either in immediate connection with the title or in another position adapted readily to attract the attention of a prospective purchaser.”

Commissioner MacIntyre abstained from this action of the Commission but without prejudice to his participation in future actions and decisions of the Commission regarding this matter.
