

## The JFTC Issues Cease and Desist Order to the Coleman Japan co, ltd.

June 15, 2016

Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC) today issued the cease and desist order to the Coleman Japan co, ltd. (Coleman Japan).

In this case, Coleman Japan had committed an act that violates Article 19(falling under the Item 4, Paragraph 9, Article 2 [Resale Price Restriction] ) of the Antimonopoly Act (AMA).

### 1. Violation Company

Enterprise identification number	9010001043749
Name	Coleman Japan co, ltd.
Address	Shibaura Square Bldg, 4-9-25 Shibaura, Minato-Ku, Tokyo
Representative	Yutaka Nakazato, President
Outline of business	Import and Sale of camping equipment <sup>1</sup> , etc.

### 2. Summary of the Violation

- (1) From 2010 at the latest, Coleman Japan, at about August every year, set the following Sales Regulation applied to retailers to sell the Coleman's camping equipment<sup>2</sup> in the next season (hereinafter referred to as "Sales Regulation").
  - (a) A sales price of each Coleman's camping equipment should be more than the minimum floor price set by Coleman Japan.
  - (b) A discount sale of the Coleman's camping equipment would be admitted only in the case either a retailer would conduct the discount sale covering all products including other brands or a retailer would conduct, without advertising on a flyer and after the date set by Coleman Japan, the discount sale for the purpose of clearance of stock at real shops.
- (2) Coleman Japan made retailers sell the Coleman's camping equipment in

---

<sup>1</sup> "Camping equipment" means goods mainly used for camping such as tent, tarp, sleeping bag, lighting equipment, cooking equipment, fuel, table, chair, cold box, jug, etc.

<sup>2</sup> "Coleman's camping equipment" means the Camping equipment sold by Coleman Japan and put the trademark of "Coleman".

accordance with the Sales Regulation as follows;

Coleman Japan requested by itself or through wholesalers,

(a) retailers selling the Coleman's camping equipment continuously, at the business negotiation for the next season,

(b) retailers applying transaction of the Coleman's camping equipment, at the start of the business,

to sell the Coleman's camping equipment in accordance with the Sales Regulation, and got agreements from these retailers that they would sell the Coleman's camping equipment in accordance with the Sales Regulation, on the assumption that Coleman Japan would make other retailers sell in accordance with the Sales Regulation as well.

### 3. Summary of the Cease and Desist Order

- (1) Coleman Japan shall adopt a resolution at its Board of Directors confirming that it has terminated the action in section 2 above, and that it will never take similar action with regard to sales of the Coleman's camping equipment .
- (2) Coleman Japan shall notify the measures taken in accordance with item (1) above to its wholesalers and retailers, and shall have such measures thoroughly disseminated to consumers as well as its employees.
- (3) Coleman Japan hereafter shall never take any action similar to the action in section 2 above with regard to sales of the Coleman's camping equipment .
- (4) Coleman Japan shall take measures necessary to do the following:
  - (a) Making of the code of conduct for compliance with the AMA in relation to transactions with wholesalers and retailers.
  - (b) Implementation of regular training program for the employees engaged in sales of the Coleman's camping equipment and regular audits by the legal department, with regard to compliance with the AMA in relation to transactions with wholesalers and retailers.

\*Every announcement is tentative translation. Please refer to the original text written in Japanese.