

# Antitrust should be reinvigorated

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Locking purchasers into maintenance programs, he said, is a good way of insuring a steady income. The problem, Young said, is it locks out competitors.

"This decision sends a clear signal that won't be tolerated," Young said. Third, the award reinforces the basic tenets of the Sherman Antitrust Act, Young said.

"This is a harbinger in a very real sense of the word that antitrust laws are a viable tool in keeping the market open," he said. Enforcement of antitrust laws, he explained, has been lax in the past decade due in large part to its low priority for the presidential administrations during the 1980s.

There are some rare instances in which tying one aspect of a product with another was upheld by the

**'Computer companies are having a hard time making profits, so computer maintenance is a good way of increasing revenues.'**

— Rodger Young

courts, specifically when a company holds a patent on a product or when a company has done a great deal of research into a product, he said, and Prime Computers argued this was

such an example.

But Prime Computers neither invented CAD/CAM software nor computers, and was thus unable to argue its programs are unique to warrant excluding third-party hardware maintenance firms.

Hamood said the case sends a clear signal that unfair trade practices won't be tolerated. "The jury awarded us every single cent we asked for because it was such a clear-cut case of a company trying to prevent competition and carve out a monopoly," he said.

PRIME COMPUTERS contends its hardware and software is so unique that both hardware maintenance and software revisions are really one product and therefore need to be performed by the same company, he said.

"That argument falls apart because no other computer companies make that claim, Prime was allowing (the Ford Motor Co.) to do its own maintenance, and Virtual Maintenance has already demonstrated it can do the computer maintenance," Hamood said.

"We say the two are distinctly different products," he said. Rodgers said the case was made more complicated because the old antitrust laws are being applied to a new technology that is only now coming of age.

When the Sherman Antitrust Act was written in the early 1900s, there was no such thing as computers, let alone CAD/CAM, he said. It may be appropriate, he added, to change or update many of the country's older statutes to more accurately reflect the time.

## Good times visiting Halloween suppliers

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"I enjoy it as much as the kids do. When I'm in the house, I'm dressed up passing out candy. I get to a Halloween party every year," he said.

THE MONTH of October leading up to Halloween is crucial to the financial health of Century Novelty in Livonia.

"It's our profit picture for the year," said Kevin Madigan, who owns the business. "We'll struggle all year long without making a profit. It's a tough business, a hard business."

It's become even harder since major merchandisers like K mart and Target got into Halloween in a big way about a decade ago, Madigan added.

"We'll do a tremendous business, but not what we used to do," he said. "The difference between us and them is depth of merchandise line. They'll have basic items . . . but if you're looking for something unusual, you have to go to guys like us."

You can buy almost any knick-knack relating to Halloween in Madigan's store. A rubberized George Bush mask retails for \$14.95, a generic pig mask for \$7.95. Little pumpkin erasers go for 10 cents apiece, small plastic puzzles 19 cents.

A 55-INCH Frankenstein's monster cut-out sells for \$2.98, smaller witch and pumpkin cut-outs for less than 50 cents.

"The lower the price of the item, generally the higher the mark-up," Madigan said.

## Oil is key to future of the U.S. economy

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manages several large office developments in metropolitan Detroit.

"We're so much more resilient than we were in the '70s. All our heating and cooling systems are computer-monitored, and we've made great strides by installing plenty of insulation and energy-efficient windows."

Asked if harsh conditions this winter would affect rent prices in his office buildings, Pataak said the industry as a whole has achieved energy savings of 40 to 50 percent since the '70s, and rents would not likely be raised when leases come up for renewal.

BUT THE SITUATION is much different at United Paint & Chemical Corp. in Southfield, which relies heavily on petroleum products to produce coatings for its automotive and industrial clients.

"We have to check prices daily from suppliers. There's no long-term planning anymore," said James Lash, purchasing agent for United Paint, which has seen prices from its

**'We can't readily pass on costs to our customers because we're locked into contracts. We have to and then back it up with receipts.'**

— James Lash

suppliers jump 5 to 7 percent since August.

"We're also in a very tough situation. We can't readily pass on costs to our customers because we're locked into contracts. We have to ask for a surcharge and then back it up with receipts. The paperwork is mind-boggling."

As a general rule, suppliers would try to absorb as much of the price increases as possible because of competition, Lash said.

"You don't want to lose customers now," he said.

MOVING UP the supply ladder to production, Vince Muniga, manager of product publicity for the Cadillac division of General Motors, said more expensive fuel today was not of overriding concern to customers.

"If availability becomes a problem and shortages cause long lines at the pump, then we'll see more people shift to fuel-efficient cars. But right now, it's not a problem."

Because automotive companies make more money from larger cars, Muniga said the industry has learned to insulate itself from sales shocks by producing cars that are lighter, more aerodynamic and more fuel efficient.

"We're better prepared today than we were in the late '70s for a jump in oil prices," he said. "Then one of the big cars would get eight miles of the gallon in the city. Today it gets twice that."

AS FOR THE SERVICE sector, small businesses that deliver everything from pizza to petunias are feeling an immediate pinch from higher fuel costs.

"In our local market, we've kept delivery costs at \$3.95, and that's not likely to rise soon," said Gordon Reno, who with his wife Linda, owns Wesley Berry of Plymouth Township, a florist shop.

"But we use a service to deliver further away, and they've added a 5-percent surcharge now, so we've had to add that to the cost of the purchase. We certainly don't like doing that."

Because flowers arrive daily from suppliers, Reno said rising transportation costs are bound to be added to wholesale costs, although prices have remained stable since August when the Middle East crisis began.

## business people

Deborah H. Gatt was appointed vice president, commercial lending division Oakland/Troy region at Liberty State Bank & Trust. Gatt joined Liberty's staff in August 1990.

Rebecca S. Sorensen was named an educational consultant at Educational Technologies Inc. Sorensen was formerly with Merrill Lynch Pierce Fenner & Smith.

Leslie Hefley of Rochester joined JMP as an account manager. Previously, Hefley was director of sales and training for the Medical Weight Loss Clinics Inc.

Mike Schluskel and Terry Bobolje of Tamaroff Dodge and Bob De-



Gatt



Sorensen

Gryse of Northwestern Dodge participated with 100 other Michigan Dodge Dealers and salespeople in a special Dodge Performance Tour at Chelsea Proving Grounds in Chelsea on Sept. 26.

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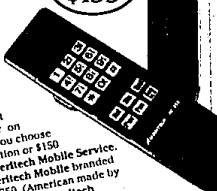


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