

Title 15, United States Codes, Section 15 : Precedent

“Primary purpose of 15 USCS, sec. 15 is to encourage private persons to undertake enforcement of antitrust laws to carry out more effectively Congressional policy against illegal monopolies and restraints of trade. *Perkins v Standard Oil Co.* (1973, CA Or) 474 F2d 549, 1973-1 Trade Cases #74383, cert den 412 US 940, 37 L Ed 2d 400, 93 S Ct 2778 and amd on other grounds (CA9 Or) 487 F2d 672.” [15 USCS sec. 15, n1, p. 217]

“Purpose of giving private parties treble damage and injunctive remedies for violations of antitrust laws is not merely to provide private relief but to serve high purpose of enforcing antitrust laws. *Zenith Radio Corp. v Hazeltine Research, Inc.* (1969), 395 US 100, 23 L Ed 2d 129, 89 S Ct 1562, on remand (CA7 Ill) 418 F2d 21” [*Ibid.*, p. 217]

“Purpose of awarding treble damages to private parties in antitrust suits was not merely to provide private relief, but to serve as incentive to encourage high purpose of enforcement of antitrust laws. *E. J. Delany Corp. v Bonne Bell, Inc.* (1975, CA 10 Colo) 525 F2d 296, 1975-2 CCH Trade Cases #60582 cert den 425 US 907, 47 L Ed 2d 758, 96 S Ct 1501.” [*Ibid.*, p. 218]

“Essential nature of treble damage action under Clayton Act is one which grants aggrieved party actual damages as compensatory or remedial recovery and then imposes penalty by tripling actual damage as deterrent against violations of antitrust laws, when otherwise such violations might well go undetected and unprosecuted by government itself. *Englander Motors, Inc. v Ford Motor Co.* (1960 ND Ohio) 186 F Supp 82, affd in part and revd in part on other grounds (CA6 Ohio) 293 F2d 802, 18 Ohio Ops 2d 38” [*Ibid.*, p. 218]

“Purpose of sec. 4 of Clayton Act (15 USCS, sec. 15) is to encourage private litigants to supplement governmental enforcement of antitrust laws. *Essex International, Inc. v Industria Products, Inc.* (1974, ND Ind) 64 FRD 361, 182 USPQ 56, 1975-1 CCH Trade Cases #60244, 18 FR Serv 2d 673.” [*Ibid.*, p. 218]