

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Joseph J. Simons, Chairman**
 Maureen K. Ohlhausen
 Noah Joshua Phillips
 Rohit Chopra
 Rebecca Kelly Slaughter

In the Matter of

**UNDERGROUND SPORTS INC., a corporation,
d/b/a PATRIOT PUCK,**

**HOCKEY UNDERGROUND INC., a corporation,
d/b/a PATRIOT PUCK,**

**IPUCK INC., a corporation,
d/b/a PATRIOT PUCK,**

**IPUCK HOCKEY INC., a corporation,
d/b/a PATRIOT PUCK,**

and

**GEORGE STATLER III,
individually and as an officer of UNDERGROUND
SPORTS INC., HOCKEY UNDERGROUND INC.,
IPUCK INC., and IPUCK HOCKEY INC.**

DOCKET NO.

COMPLAINT

The Federal Trade Commission, having reason to believe that Underground Sports Inc., a corporation; Hockey Underground Inc., a corporation; Ipuck Inc., a corporation; Ipuck Hockey Inc., a corporation; and George Statler III, individually and as an officer of Underground Sports Inc., Hockey Underground Inc., Ipuck Inc., and Ipuck Hockey Inc. (collectively, “Respondents”), have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Underground Sports Inc. (“Underground Sports”), also doing business as Patriot Puck, is a New York corporation with its principal office or place of business at 145 Milbar Blvd., Farmingdale, NY 11735.

2. Respondent Hockey Underground Inc. (“Hockey Underground”), also doing business as Patriot Puck, is a New York corporation with its principal office or place of business at 145 Milbar Blvd., Farmingdale, NY 11735.

3. Respondent Ipuck Inc. (“Ipuck”), also doing business as Patriot Puck, is a New York corporation with its principal office or place of business at 145 Milbar Blvd., Farmingdale, NY 11735.

4. Respondent Ipuck Hockey Inc. (“Ipuck Hockey”), also doing business as Patriot Puck, is a New York corporation with its principal office or place of business at 145 Milbar Blvd., Farmingdale, NY 11735.

5. Respondent George Statler III (“Statler”) is an officer of Underground Sports, Hockey Underground, Ipuck, and Ipuck Hockey. Individually or in concert with others, he controlled or had the authority to control, or participated in the acts and practices of Underground Sports, Hockey Underground, Ipuck, and Ipuck Hockey, including the acts and practices alleged in this complaint. His principal office or place of business is the same as that of Underground Sports, Hockey Underground, Ipuck, and Ipuck Hockey.

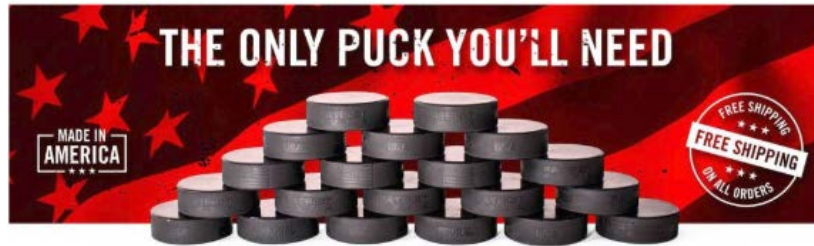
6. Respondents Underground Sports, Hockey Underground, Ipuck, and Ipuck Hockey (collectively, “Corporate Respondents”) have operated as a common enterprise while engaging in the unlawful acts and practices alleged below. Respondents have conducted the business practices described below through an interrelated network of companies that have common ownership, officers, managers, business functions, employees, and office locations, and that commingled funds. Because these Corporate Respondents have operated as a common enterprise, each of them is jointly and severally liable for the acts and practices alleged below. Respondent Statler has formulated, directed, controlled, or had the authority to control, or participated in the acts and practices of the common enterprise alleged in this complaint.

7. Respondents have advertised, labeled, offered for sale, sold, and distributed hockey pucks to consumers. Respondents advertise these hockey pucks online, including, but not limited to, on their website, patriotpuck.com. Respondents offer for sale, sell, and distribute their hockey pucks throughout the United States.

8. The acts and practices of Respondents alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

9. Respondents have disseminated or have caused to be disseminated advertisements, packaging, and promotional materials for hockey pucks, including, but not necessarily limited to, the attached Exhibits A-E. These materials contain the following statements and depictions:

A. "MADE IN AMERICA"



(Exhibit A, Patriot Puck website);

B. "Proudly Made in the USA"



We are the very first 100% American made hockey puck manufacture. Made from quality rubber that is resistant to chipping - bottom line, your hockey pucks will last longer. Our game quality hockey pucks are ready for puck drop.

Product Specs

- Official - 6 ounces
- Game quality hockey puck
- Resists chipping
- Proudly Made in the USA

(Exhibit B, Patriot Puck website);

C. “100% Made in the USA!” “100% American Made! #AmericanMade #HockeyPuck #USA #Hockey www.patriotpuck.com”



(Exhibit C, Patriot Puck Facebook posting);

D. “The only American Made Hockey Puck!”



(Exhibit D, Patriot Puck Facebook posting); and

- E. “Our #HockeyPuck is 100% Made in the USA! #MadeInAmerica #NHL #Hockey #PatriotPuck” “MADE IN U.S.A PRODUCT”



(Exhibit E, Patriot Puck Facebook posting).

10. In numerous instances, including, but not limited to, the promotional materials referenced in Paragraph 9, Respondents have represented, expressly or by implication, that their hockey pucks are all or virtually all made in the United States.

11. In fact, in numerous of these instances, Respondents’ hockey pucks are wholly imported from China. Specifically, since January of 2016, Respondents have imported 74,411 kilograms of hockey pucks, which is the equivalent of more than 400,000 standard-weight pucks.

12. Therefore, Respondents’ express or implied representations that their hockey pucks are made in the United States are false or unsubstantiated.

COUNT I

(False or Unsubstantiated Representation – Made in USA)

13. In connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of their products, Respondents have represented, directly or indirectly, expressly or by implication, that their hockey pucks are all or virtually all made in the United States.

14. In fact, in numerous of these instances, Respondents’ hockey pucks are wholly imported. Therefore, the representation set forth in Paragraph 13 is false or misleading, or was not substantiated at the time the representation was made.

VIOLATION OF SECTION 5

15. The acts and practices of Respondents as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this _____ day of _____, 2018, has issued this Complaint against Respondents.

By the Commission.

Donald S. Clark
Secretary

SEAL: