

FEDERAL COURT

Ottawa, Ontario, this 28th day of July, 2004.

PRESENT: THE HONOURABLE MR. JUSTICE TEITELBAUM

IN THE MATTER OF an application by the Attorney General of Canada for an Order pursuant to subsection 34(2) of the *Competition Act*, R.S.C. 1985, c. C-34 (as amended)

BETWEEN:

HER MAJESTY THE QUEEN Upon the Information of the ATTORNEY GENERAL OF CANADA

Applicant

- and -

PAUL BROWN

Respondent

PROHIBITION ORDER

UPON THE APPLICATION of the Attorney General of Canada for an Order prohibiting certain conduct of the Respondent, Paul Brown, pursuant to subsection 34(2) of the *Competition Act*, R.S.C. 1985, c.C-34, as amended (the "*Competition Act*"), and upon the laying of an Information by the Attorney General of Canada alleging acts or things constituting or directed toward the violation of subsection 52(1) of the *Competition Act*, and upon reading the consent of the Respondent to the issuance of this Order, filed, and upon reading the Statement of Admitted Facts, filed, and upon hearing the submissions of counsel for the Attorney General of Canada and counsel for the Respondent:

1. **THIS COURT DOES PROHIBIT** the continuation by the Respondent of acts or things constituting or directed toward the commission of an offence contrary to subsection 52(1) of the *Competition Act*, for a period of ten (10) years from the date of this Order;

2. **THIS COURT DOES FURTHER PROHIBIT** the Respondent from knowingly or recklessly making any materially false or misleading representations, for the purpose of promoting, directly or indirectly, the supply or use of a product or any business interest, by any means whatsoever for a period of ten (10) years from the date of this Order;

3. **AND, SUBJECT TO PARAGRAPH 4 BELOW, THIS COURT DOES ALSO PROHIBIT** the Respondent from having any business association with Anitech Enterprises Inc. and its affiliates, and without limiting the generality of the foregoing, any of Anitech Enterprises Inc.'s successors, subsequent purchasers, owners or operators, assignees and their affiliates, in relation to the pet microchip and recovery business, whether through purchase, restructuring or a joint venture partnership with Anitech Enterprises Inc.;

4. **AND THIS COURT DOES FURTHER DIRECT** the Respondent:
 - (a) to dispose of all shares owned and or held by the Respondent, as of the date of the Prohibition Order, in Anitech Enterprises Inc. and its affiliates, and without limiting the generality of the foregoing, any of Anitech Enterprises Inc.'s successors, subsequent purchasers, owners or operators, assignees and their affiliates, whether through purchase, restructuring or a joint venture partnership with Anitech Enterprises Inc., within six (6) months of the signing of this Order, with such disposition being made at arm's-length to a third party unrelated to the Respondent;

 - (b) to refrain from acquiring and or retaining any shares, directly or indirectly, in Anitech Enterprises Inc. and its affiliates, and without limiting the generality of the foregoing, knowingly acquiring or retaining shares in Anitech Enterprises Inc.'s successors, subsequent purchasers, owners or operators, assignees and their affiliates, whether through purchase, restructuring or a joint venture partnership with Anitech Enterprise Inc.; and

 - (c) not to exercise any voting rights, directly or indirectly, attached to any of the shares remaining in his possession pending their disposition.

5. **AND THIS COURT DOES ORDER** that without limiting the generality of the foregoing, these provisions will apply to representations described in paragraphs 1 and 2 above, made through any means including, but not limited to, representations made verbally, in published material or through any electronic means such as audio or audio-visual tape recordings, Internet web sites and e-mail;

6. **AND THIS COURT FURTHER ORDERS** that this Order is binding upon the Respondent;
7. **AND THIS COURT SHALL** retain jurisdiction over the parties to this proceeding for the purposes of interpreting, varying or rescinding any of the provisions of this Order, upon the application of either party.

Max M. Teitelbaum

Judge