

October 31 - November 6, 1988 - Indianapolis Business Journal :3A  
**Rock Island, others slapped with judgement in lie-detector case** - By John Ketzenberger - Two subsidiaries of Rock Island Corp. and several individuals were found guilty of copyright infringement in a case that stems from administering written examinations to prospective service-station employees. U.S. District Court Judge William E. Steckler fined United Oil Service.; R.I. Marketing Inc. Richard Jones, United's vice president; and Charles W. Humble and Gary L. Nelson, both independent psychological-stress examiners, nearly \$61,000 for copying a written examination developed and copyrighted by Reaume & Associates Inc. A motion by the defendants to reconsider the decision was rejected by Steckler, and Christopher Braun, an attorney for United Oil, said the company is considering an appeal. The defendants have until Nov. 18 to decide whether to make an appeal. The judge ruled that the defendants should pay \$30,000 in statutory damages to Reaume for copying and using the written test without permission from the authors, Henry J. and Ann Reaume. The remainder of the judgement covers costs and attorneys fees. The Reaumes were hired in July 1979 by United Oil to conduct voice-stress evaluations on prospective service-station employees. United Oil subsequently purchased several hundred copies of a written test developed by the Reaumes called ASSIST, which received copyright and trademark protection in 1979. In June 1980, United Oil hired Charles Humble to replace the Reaumes and conduct voice-stress exams on prospective employees, those seeking promotions and those suspected of specific acts. According to court documents, at some point between 1980 and 1983, United VP Jones gave Humble several copies of the ASSIST test, customized to United's specifications, to use in conjunction with the voice tests. Humble used the ASSIST test until September 1985, when he concluded that the test had "limited value" in screening applicants based on theft, drug use and honesty criteria. It is unclear, however, how many times Humble used the test, because United Oil destroyed all of its business records for 1982 and 1983. At the same time, Humble destroyed all of his copies of invoices to United for the same two years, according to the court's findings. Widespread copying of the test occurred beginning in 1983, when United and R.I. Marketing merged. The resulting addition of numerous service stations meant testing outside Humble's office, where it had previously occurred, and further copying and use. The copying was discovered by the Reaumes in 1985, when Nelson, a former student of Humble's, offered to sell the ASSIST test to two other oil companies, including another that was a client of the couple.

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**An out-of-court settlement of \$2,010 plus costs was rejected by the Reaumes shortly after they filed suit in October 1985. Additional claims of unlawful trade practices, unfair competition and trademark infringement brought by the Reaumes against United Oil, R.I. Marketing and Jones were dismissed last August.**