



P/R.
C2002/2

Australian Competition & Consumer Commission

Our Ref: C2002/15
Your Ref: 20-3593544

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia

7 January 2002

Ph (02) 6243 1111
Fax (02) 6243 1199

Mr Ross Patterson
Minter Ellison
Lawyers
GPO Box 521
SYDNEY NSW 2000



Dear Mr Patterson,

Notification of exclusive dealing – Amgen Inc. – N90954.

I refer to the above third line forcing notification lodged on 20 December 2001 with the Australian Competition and Consumer Commission (“the Commission”). The notification has been placed on the Commission’s public register. Legal immunity afforded by the notification came into force on 3 January 2002.

You have described the notified conduct as involving a requirement by Amgen Inc. that its Australian employees (employed by Amgen Australia Pty Ltd) use UBS Paine Webber exclusively to execute all cashless stock option exercises.

Acting under delegation from the Commission, I have granted confidentiality for the confidential annexure attached to your submission.

On the basis of the information that you have provided, I have decided not to make inquiries at this time concerning the notified conduct.

Please note that the Commission may act to remove the immunity afforded by this notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

Yours sincerely

Tim Grimwade
General Manager
Adjudication Branch.

