



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia
Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: C2004/240
Contact Officer: Danielle Jolly
Contact Number: (02) 6243 1236

18 March 2004

Peter CJ James
Partner
Allens Arthur Robinson
Level 17, Chifley Tower
2 Chifley Square
Sydney NSW 2000

Dear Mr James

Third line forcing notification No. 91356 lodged by Sun Microsystems Pty Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission ("the Commission") on 11 February 2004.

You have described the notified conduct as the requirement by Sun Microsystems Pty Limited ("Sun") that its dealers purchase any Sun products which the dealer requires from the Distributor, namely Alstom Information Technology Limited.

Legal immunity for the conduct contained in the notification commenced on 25 February 2004.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, 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.

This letter has been placed on the Commission's public register. If you wish to discuss any aspect of this matter, please contact Danielle Jolly on (02) 6243 1236

Yours sincerely

Tim Grimwade
General Manager
Adjudication Branch

