

# Deacons

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27 July 2005

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Australian Competition & Consumer Commission  
470 Northbourne Avenue  
Dickson ACT 2602

Attention: Mr Scott Gregson / Ms Kate Eckermann

Our Ref: 185133

Dear Mr Gregson and Ms Eckermann

## Honda MPE

### Exclusive Dealing Notification N40557, N40595 and N40769

We refer to your letter of 21 July 2005 and your notice of the Australian Competition & Consumer Commission's (ACCC) intention to place certain materials on the public register.

Honda MPE claims confidentiality over the following documents or parts thereof:

- (1) The attachment to the letter from Ms Laura Smyth of Deacons to the ACCC on 15 June 2005.
- (2) In respect of the letter from Mr Michael Wilton of Deacons to the ACCC on 7 June 2005:
  - (a) The response to question 2;
  - (b) Annexures 6 to 11 inclusive;
  - (c) The response to question 8;
  - (d) The response to question 10; and
- (3) The presentation by Honda MPE to the ACCC on 9 June 2005.

Please note that a claim of confidentiality was made in the letter of 7 June 2005 in respect of Annexure 4. We withdraw our claim for confidentiality over Annexure 4 and replace it with a claim over Annexure 11.

Honda MPE requests that the above mentioned documents not be placed on the public register. Detailed reasons for our claim of confidentiality over these documents are provided in the attachment to this letter.

If this is acceptable to you, we will supply a copy of the letter of 7 June 2005 with the confidential sections excised from the non-confidential sections and the words "confidential" inserted, in accordance with usual practice.

We also request that the closing date for our response to the issues raised in your letter of 21 July 2005 be extended to 10 August 2005 (1 week extension) due to the current unavailability of key Honda MPE personnel.

Please do not hesitate to contact us if you require any further information.

Yours sincerely



Michael Wilton  
Partner  
Deacons

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## Attachment to confidentiality submission

	Document	Reasons for confidentiality claim
1.	Attachment to Deacons letter of 15 April	This PowerPoint presentation contains internal design graphics which are proprietary to Honda and commercially sensitive
2.	Letter of 7 June – Response to ACCC question 2	This component of the letter of 7 June contains information on instances where Honda MPE has written to customers concerning copy engines. This information is commercially sensitive
3.	Annexures 6 to 10	These annexures to the Letter of 7 June contain information on sales, prices and customer details, and are commercially sensitive
4.	Annexure 11	These annexures to the Letter of 7 June contains internal information on sales channels and estimated volumes, and is commercially sensitive
5.	Letter of 7 June – Response to ACCC question 8	This component of the letter of 7 June contains information on market shares, and is commercially sensitive
6.	Letter of 7 June – Response to ACCC question 1	This component of the letter of 7 June contains information on copyright status, and is commercially sensitive
7.	Presentation of 9 June	This PowerPoint presentation contains internal design graphics which are proprietary to Honda and commercially sensitive