

Allens Arthur Robinson

1 December 2005

Regional Director
Australian Competition &
Consumer Commission
Level 7, Angel Place
123 Pitt Street
Sydney NSW 2000

FILE No:
DOC:
MARS/PRISM:

ABN 47 702 595 758
 The Chifley Tower
 2 Chifley Square
 Sydney NSW 2000
 Australia
 Tel 61 2 9230 4000
 Fax 61 2 9230 5333
 Correspondence
 GPO Box 50
 Sydney NSW 2001
 DX 105 Sydney
 www.aar.com.au

By Hand

Dear Sir or Madam

Potential Third Line Forcing Conduct

We act for Australian Local Search Pty Ltd (**ALS**).

We have been instructed to lodge a Form G Exclusive Dealing Notification in relation to potential third line forcing conduct by ALS under the *Trade Practices Act 1974 (Cth)* (**the Act**). We enclose the notification filing fee of \$100.

ALS operates an online advertising website and proposes to offer online advertising services with the offer of additional benefits to customers who have also purchased print advertising from a specified third party.

ALS submits that in relation to the statutory test under s93(3A), no public detriment will result from the conduct, but instead there will be clear public benefits. The offer encourages businesses to expand the types of media through which they advertise by promoting the use of online advertising. This benefits the ultimate consumer by increasing the avenues through which information regarding goods and services can be obtained. For many consumers, comparing goods and services on the internet is more convenient than other methods.

ALS sets out further details and submissions regarding the proposed conduct in the Confidential Annexure. ALS requests that the Commission exercise its discretion under s95 of the Act to exclude the Confidential Annexure from the public register until the offer has been officially launched. Considerable time and resources have been spent developing the offer and ALS is concerned that it will lose its first mover advantage if details are released prior to its official launch. If the Commission does not grant ALS's request for confidentiality, we request that you return the Confidential Annexures to ALS pursuant to s95(4) of the Act and not include them on the register.

Our Ref JNHS:201290418

jnhs S0111631564v2 201290418 1.12.2005

Sydney
 Melbourne
 Brisbane
 Perth
 Port Moresby
 Singapore
 Hong Kong
 Jakarta
 Shanghai
 Bangkok
 Phnom Penh

If you have further queries in relation to this notification, please do not hesitate to contact the author of this letter to discuss.

Yours sincerely



Jacqueline Downes
Senior Associate
Jacqueline.Downes@aar.com.au
Tel 61 2 9230 4904

Fiona Crosbie
Partner

FORM G

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974 - Sub-section 93(1)

EXCLUSIVE DEALING:

NOTIFICATION

N31487

To the Australian Competition & Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the *Trade Practices Act 1974* of particulars of conduct or of proposed conduct of a kind referred to in sub-section 47(2), (3), (4), (5), (6) or (7), or paragraph 47(8)(a), (b) or (c) or (9)(a), (b), (c) or (d) of that Act in which the person giving notice engages or proposed to engage.

1. (a) **Name of person giving notice:**
Australian Local Search Pty Ltd (ABN 68 109 826 351)
- (b) **Short description of business carried on by that person:**
Online advertising services
- (c) **Address in Australia for service of documents on that person:**
C/- Jacqueline Downes
Allens Arthur Robinson,
Level 17, Chifley Tower,
2 Chifley Square
Sydney, NSW 2000
2. (a) **Description of the goods or services in relation to the supply or acquisition of which this notice relates:**
Advertising services.
- (b) **Description of the conduct or proposed conduct:**
Offer to supply advertising services with additional benefits to those customers who have acquired newspaper advertising services from a specified third party.
3. (a) **Class or classes of persons to which the conduct relates:**
Online advertisers.
- (b) **Number of those persons:**
 - (i) **At the present time:**
Substantially more than 50
 - (ii) **Estimate within the next year:**
Substantially more than 50



(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:


Not applicable

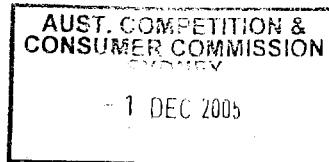
4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Jacqueline Downes
Allens Arthur Robinson
Level 17, Chifley Tower
2 Chifley Square
SYDNEY NSW 2000

Dated: 1 December 2005

Signed by/on behalf of the person giving this notice:


(Signature)



JACQUELINE DOWNES
(Full name)

SOLICITOR EMPLOYED BY
ALLENS ARTHUR ROBINSON
(Description)

**EXCLUDED FROM
PUBLIC REGISTER**

Allens Arthur Robinson 

Confidential Annexure

**EXCLUDED FROM
PUBLIC REGISTER**