



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2007/2108
Contact Officer: Sarah Chubb
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3 December 2007

Ms Amanda Bodger
Partner
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
MELBOURNE VIC 3000

Dear Ms Bodger

Third line forcing notification N93214 lodged by GM Holden Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 12 November 2007. The notification has been placed on the ACCC's public register.

According to notification N93214, GM Holden Ltd (Holden) proposes to enter into arrangements with Holden dealers (Dealers) pursuant to which Holden will:

- Supply or offer to supply services, such as lead information, to Dealers on condition that the Dealers acquire services from DataMotive; and
- Refuse to supply services, such as lead information, to Dealers for the reason that the Dealers have not acquired, or not agreed to acquire, services from DataMotive.

Legal immunity conferred by the notification came into force on 26 November 2007.

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 ACCC may act to remove the immunity afforded by the 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.

A copy of this letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Sarah Chubb on (02) 6243 1088.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', written over a light grey rectangular background.

Scott Gregson
General Manager
Adjudication Branch