



**Australian
Competition &
Consumer
Commission**

Our Ref: C2007/58
Contact Officer: Gina D'Ettorre
Contact Number: 03 9290 1483

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
ph (02) 6243 1111
fax (02) 6243 1199
www.accc.gov.au

8 January 2007

Ms Andrea Pane
Partner
Robert James Lawyers
Level 10, 200 Queen Street
MELBOURNE VIC 3000

Dear Ms Pane

Third line forcing notification N92750 lodged by Dare Franchising Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 December 2006. The notification has been placed on the ACCC's public register.

Dare Franchising Pty Ltd (Dare Gallery) propose to grant Dare Gallery franchises to franchisees on condition, among other things, that they agree to:

- only sell products and provide services in the Franchised Business which have been approved by Dare Gallery
- acquire those products specified by Dare Gallery from Nominated Suppliers
- acquire computer point of sale software ((POS Software) specified by Dare Gallery from its Nominated Computer Supplier, and
- enter into an agreement for ongoing maintenance of the POS Software with Dare Gallery's Nominated Computer Supplier.

Legal immunity conferred by the notification will come into force on 11 January 2007.

On the basis of the information 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 Gavin Jones by email at gavin.jones@acc.gov.au or by telephone on 03 9290 1475.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a long horizontal flourish extending to the right.

Scott Gregson
General Manager
Adjudication Branch