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Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)
NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

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

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of person giving notice:
(Refer to direction 2)

N93071

.....
 Belkin LTD

- (b) Short description of business carried on by that person:
(Refer to direction 3)

.....
 Belkin develops computer accessories and sells product
 to merchant retailers, large corporations and PC manufacturers
 who then on-sell these products to the general public.

- (c) Address in Australia for service of documents on that person:

.....
 Belkin LTD
 4 Pioneer Avenue
 Tuggerah
 NSW 2259

2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

.....
 The proposed arrangement relates to networking
 products that will be offered to end users to connect
 to Broadband ADSL and cable internet. Those products
 will be modems and routers, and selected accessories used
 with computers.

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(b) Description of the conduct or proposed conduct:

Belkin propose to offer an enduser a one off payment of between \$50-100 AUD when the enduser purchases a Belkin modem and at the same time connects to Bigpond ADSL or Bigpond cable.

(Refer to direction 4)

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

(a) Class or classes of persons to which the conduct relates:

(Refer to direction 5)

Consumers that purchase Belkin modems and/or routers from retail stores and computer manufacturers, that Belkin in turn supply.

(b) Number of those persons:

(i) At present time:

Unknown, Belkin have no visibility on the number of subscribers that currently join Bigpond on a Monthly basis.

(ii) Estimated within the next year:

(Refer to direction 6)

Belkin currently sell between 1000 to 1,500 modems per month, assuming 10% of end users take up the offer, this will result in 100-150 / month.

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

N/A

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

Consumers will benefit as this offer will decrease their overall spend to connect to broadband, the offer will increase competition in the market place.

- (b) Facts and evidence relied upon in support of these claims:

Historically the ISP companies in Australia market their services, which results in continued competition.

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 8)

No other suppliers should feel affected as this is not exclusive between Bigpond and Belkin, other ISPs should not feel affected as similar campaigns are conducted. Consumers are not forced to use the modem with Bigpond as the unit purchased can be used elsewhere.

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

The public will not suffer as a result of this offer, quite the opposite will occur, where other ISPs and vendors will conduct similar offers which will result in cheaper costs to connect to Broadband.

- (b) Facts and evidence relevant to these detriments:

Retail historically has shown that where competition exist, prices in turn reduce.

7. Further information

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Simon Watt
4 Pioneer Avenue
Tuggerah NSW 2259

Dated 9th July 2007

Signed by/on behalf of the applicant

S.K. Watt
(Signature)

Simon KEVIN WATT
(Full Name)

Belkin
(Organisation)

Technical Services Director
(Position in Organisation)