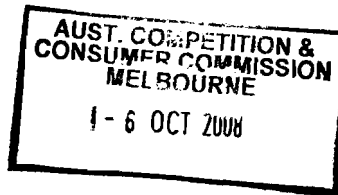


MALLESONS STEPHEN JAQUES

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| FILE No: |
| DOC: |
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Regional Director
Australian Competition and
Consumer Commission
Level 35, The Tower
360 Elizabeth Street
Melbourne Centre
Melbourne Vic 3000

6 October 2008



C Coops
Partner
Direct line
(61 3) 9643 4097

Dear Sir/Madam

Sensis Pty Ltd - Notification of Third Line Forcing Exclusive Dealing

We act for Sensis Pty Ltd ("Sensis").

We enclose for lodgement an exclusive dealing notification on behalf of Sensis together with a cheque for the applicable lodgement fees of \$100.00.

Please do not hesitate to contact Katrina Howie on (03) 9643 4390 should you have any queries or comments.

Yours faithfully

Encls. 2

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)

N93617 Universal Publishers Pty Ltd (ABN 83 000 087 132) ("**Universal**"). Universal is a wholly-owned subsidiary of Sensis Pty Ltd.

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

Publishing mapping and travel related products including street directories, guides, maps and road atlases under the Gregory's and UBD brands.

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

C/ - Caroline Coops
Mallesons Stephen Jaques
Level 50 Bourke Place
600 Bourke Street
Melbourne Vic 3000

2 Notified arrangement

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

Eligible UBD Street Directories (UBD Sydney, UBD Brisbane, UBD Melbourne, UBD Adelaide, UBD Perth, UBD Darwin, UBD Tasmania Cities and Towns, UBD Canberra and UBD Central Coast & Newcastle).

- (b) **Description of the conduct or proposed conduct:**

Universal proposes to promote the "Win a Playstation 3 UBD" promotion ("**Promotion**"). To be eligible to enter the Promotion, customers must purchase an eligible UBD Street Directory from a selected Big W store between 10 November 2008 and 26 December 2008 and submit an entry via SMS (including their name, postcode, Big W store of purchase and Big W receipt number).

Winners of the Promotion will each receive one Sony Playstation 3 and Gran Turismo 5 prologue game.

That is, Universal is proposing to:

- (i) supply, or offer to supply, the right to enter the Promotion and win a prize on condition that the entrant will acquire an eligible UBD Street Directory from a selected Big W store; and/or
- (ii) refuse to supply the right to enter the Promotion and win a prize to an entrant for the reason that the entrant has not acquired an eligible UBD Street Directory from a selected Big W store.

(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)

Purchasers of eligible UBD Street Directories who wish to enter the Promotion.

(b) Number of those persons:

(i) At present time:

N/A.

(ii) Estimated within the next year:

(Refer to direction 6)

Unknown (the Promotion closes on 26 December 2008).

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

Not applicable.

4 Public benefit claims

(a) Arguments in support of notification:

(Refer to direction 7)

The proposed conduct will be of benefit to the public as it will:

- (i) promote competition in the street directory market and/or similar markets by encouraging competitors to match or better Universal's Promotion; and
- (ii) provide customers with the chance to win a prize for doing no more than purchasing an eligible UBD Street Directory on a normal commercial basis.

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

- (i) Entry to the Promotion does not require customers to purchase an eligible UBD Street Directories other than on a normal commercial basis. We understand that Big W will sell the UBD Street Directories at their usual commercial price during the Promotion.
- (ii) It is reasonable to conclude that customers would purchase a UBD Street Directory irrespective of the Promotion. That is, entry to the Promotion is simply an ancillary benefit to customers who purchase a UBD Street Directory from a selected Big W store during the Promotion.
- (iii) The proposed conduct is voluntary. Customers who do not wish to enter the Promotion remain free to purchase the UBD Street Directories from a selected Big W store or from other UBD retailers at any time on their usual terms.

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)

The market most likely to be affected by the proposed conduct is the market for Australian print street directories.

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)

Universal does not believe that there will be any public detriment resulting from the notified conduct.

(b) Facts and evidence relevant to these detriments:

No public detriment will arise from the notified conduct for the following reasons:

- (i) the proposed conduct will be voluntary;
- (ii) given that there are a relatively small number of customers involved and that the Promotion runs for a limited period of time, it is unlikely to have any effect on competition in the relevant market;
- (iii) entry to the promotion does not require customers to purchase UBD directories other than on a normal commercial basis;
- (iv) the proposed conduct will not prevent competitors from competing effectively; and

- (v) the proposed conduct will have a positive impact on competition in the relevant market.

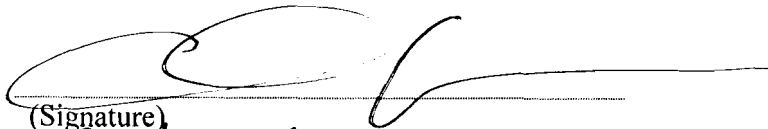
7 **Further information**

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

Caroline Coops
Mallesons Stephen Jaques
Level 50 Bourke Place
600 Bourke Street
Melbourne Vic 3000

Dated 6 October 2008

Signed by/on behalf of the applicant



(Signature)

Caroline Coops

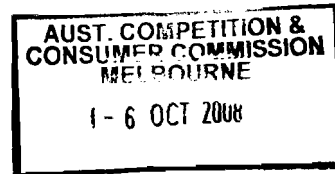
(Full Name)

Mallesons Stephen Jaques

(Organisation)

Partner

(Position in organisation)



DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.
2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.