



Australian  
Competition &  
Consumer  
Commission

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Our Ref: N93448  
Contact Officer: Joanne Palisi  
Contact Number: 02 6243 1323

4 July 2008

Mr Greg Hipwell  
Partner  
Deacons  
GPO Box 4592  
MELBOURNE VIC 3001

Dear Mr Hipwell

**Third line forcing notification N93448 lodged by  
The Hairhouse Warehouse Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 25 June 2008. The notification has been placed on the ACCC's public register.

You have advised that, Hairhouse Warehouse franchisees that

- a) elect to participate in the Promotion (Participating Franchisees) will be required to acquire specific quantities of Hair Conditioner from the Supplier in order to receive from the Supplier a specified amount of Promotional Hair Shampoo free of charge; and
- b) do not elect to participate in the Promotion (Non Participating Franchisees) will not be entitled to receive the in store marketing collateral associated with the Promotion (Marketing Collateral) from Hairhouse Warehouse.

Legal immunity conferred by the notification will come into force on 9 July 2008.

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 Joanne Palisi on 02 6243 1323.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch