



**Australian
Competition &
Consumer
Commission**

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

Our Ref: C2009/1539
Contact Officer: Colby Hannan
Contact Number: (02) 6243 4942

30 September 2009

Mr John Rutherford
Director
M.R.M. Pty Ltd
PO Box 52
Golden Beach QLD 4551

Dear Mr Rutherford

Third line forcing notification N94106 lodged by M.R.M. Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 September 2009. The notification has been placed on the ACCC's public register.

M.R.M. Pty Ltd proposes to require The Cheesecake Shop sub-franchisees located within the North Queensland Master Franchise Territory only to use authorised ingredients to bake authorised products and to only buy those authorised ingredients and ready-made product from United Network Suppliers Pty Ltd.

Legal immunity conferred by the notification commenced on 16 September 2009.

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.

This assessment has been made on the basis that M.R.M. Pty Ltd and The Cheesecake Shop Pty Ltd will disclose all relevant terms and conditions to prospective clients.

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 Colby Hannan on (02) 6243 4942.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'R Chadwick', with a long horizontal stroke extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch