



Date 13 August 2010

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Dear Mr Channing

Third line forcing notification N94729, Ticketmaster Australia Pty Limited

We refer to your letter dated 5 July 2010 in relation to the third line forcing notification lodged by Ticketmaster Australia Pty Limited (*Ticketmaster*) on 16 June 2010.

The Commission has requested further information in respect of the proportion of total tickets that is likely to be sold during Amex pre-sales offers covered by Ticketmaster's third line forcing notification. In particular, the Commission has indicated that a potential detriment of the notified conduct is that non-Amex customers will no longer have full access to ticketing to events and that this may raise concerns in the case of popular or limited run events.

Ticketmaster considers that these potential concerns are mitigated by the following facts:

- The general public who are not Amex customers will continue to have access to tickets to events outside of the exclusive sale period.
- For almost all events, Amex pre-sale periods will not prevent customers from being able to access the majority of available tickets. This is indicated by the examples in **confidential Attachment 1** to this email, which provides details of the number and proportion of tickets sold via an Amex pre-sale to a long run event and a single event at two different venues. This information is commercially confidential and Ticketmaster seeks confidentiality in respect of this Attachment.
- Ticketmaster does not have any general agreement with Amex or with promoters, bands or venues to limit the number or proportion of tickets sold during an Amex pre-sales period. This is likely to vary for each event, although in the majority of

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cases, as indicated by the examples in Attachment 1, the Amex pre-sale tickets will represent a small percentage of total saleable tickets.

- Events where Amex customers might theoretically purchase all or a majority of tickets to an event via a Ticketmaster pre-sale are almost non-existent. This would require an arrangement under which Ticketmaster would offer all or a majority of tickets to an event through an Amex pre-sale or other offer. These circumstances would rarely if ever occur, because events would not usually be allocated exclusively to Amex by the promoter of the event, and because it is an integral part of Ticketmaster's business to ensure that tickets to public events are made available to members of the general public via the Ticketmaster website. However, to provide the Commission with assurance that it will have an opportunity to consider any potential detriment arising in such circumstances, Ticketmaster confirms that it will notify the Commission in advance of any pre-sale or other offer being made to Amex customers where as part of that offer:
 - Ticketmaster proposes to offer for sale to Amex customers all of the saleable ticket inventory to an event; or
 - Ticketmaster proposes to offer for sale to Amex customers 80% or more of any specific pricing category of tickets to an event.

Please contact us if you wish to discuss this matter further.

Regards




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