



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2009/1994  
Contact Officer: Simon Mitchell  
Contact Phone: 03 9290 6909

6 January 2010

Richard Flitcroft  
Partner  
Corrs Chambers Westgarth  
GPO Box 9925  
NSW 2001

Dear Mr Flitcroft

**Third line forcing notification N94384 lodged by  
Dell Australia Pty Ltd (Dell)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 14 December 2009. The notification has been placed on the ACCC's public register.

Dell proposes to offer consumers a bundled package consisting of a computer and security protection software on condition that the consumer purchases the bundle with a MasterCard branded card issued by a third party financial institution.

Legal immunity conferred by this notification commenced on 28 December 2009.

On the basis of the information that you have provided, it is not intended that further action be taken on 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 Dell discloses all relevant terms and conditions to customers.

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 contact Simon Mitchell on (03) 9290 6909.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', enclosed in a light grey rectangular box.

Dr Richard Chadwick  
General Manager  
Adjudication Branch