



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/2011
Contact Officer: Jasmine Tan
Contact Number: (02) 6243 1363

12 January 2010

Mr Ross McLean
Partner
Baker & McKenzie
AMP Centre
Level 27, 50 Bridge Street
SYDNEY NSW 2000

Dear Mr McLean

Third line forcing notification N94387 lodged by Bose Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 17 December 2009. The notification has been placed on the ACCC's public register.

Bose Pty Ltd (Bose) proposes to appoint authorised resellers and supply products to resellers on condition that resellers purchase (from Bose or specified third party vendors) and install the amount and type of Bose approved product displays that are specified by Bose from time to time, and within any time frames notified to the reseller by Bose.

Legal immunity conferred by the notification commenced on 31 December 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 Bose and specified third party vendors 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 Jasmine Tan on (02) 6243 1363.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch