



**Australian
Competition &
Consumer
Commission**

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Our Ref: 40129
Contact Officer: Simon Mitchell
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13 January 2010

Sharon Henrick
Partner
Mallesons Stephen Jaques
Level 61 Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000

Dear Ms Henrick

**Third line forcing notification N94390 lodged by
Travelscene Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 18 December 2009. The notification has been placed on the ACCC's public register.

Travelscene proposes to offer current and prospective travel agents the right to become a member of the Travelscene American Express Network on condition that they acquire from American Express Ltd a licence to use their intellectual property and to distribute their products and associated goods and services.

Legal immunity conferred by this notification commenced on 1 January 2010.

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 Travelscene discloses all relevant terms and conditions to prospective members.

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', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch