



**Australian
Competition &
Consumer
Commission**

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Our Ref: 40143
Contact Officer: Simon Mitchell
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13 January 2010

Laura Hartley
Partner
DibbsBarker
GPO Box 983
Sydney NSW 2001

Dear Ms Hartley

**Third line forcing notification N943941 lodged by
American Express 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.

American Express 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 Travelscene Pty Ltd a licence to use their intellectual property, know how, training 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 American Express 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