

Blanch, Belinda

From: Gray, Erica [erica.gray@hp.com]
Sent: Monday, 9 May 2011 4:40 PM
To: McGinness, Clare
Subject: RE: Exclusive Dealing Notifications - Hewlett Packard Australia Pty Ltd [SEC=IN-CONFIDENCE]

Hi Clare.

Nice to speak to you earlier today

HP intends to run the same or similar campaign for Snapfish products with a variety of third party supplier's retail products and services, thus putting the promotion to as broad a range of consumers as possible. the ultimate intention of the promotion being a free product giveaway.

The types of businesses and their products and services that would be proposed to be covered by such promotions would include (without intending to limit):

Travel	Holidays, Flights, Travel Insurance, Accommodation
Publishing	Magazines
FMCG	Chocolate, Cereals, Batteries, Pet Products, Biscuits, Butter, Coffee, Nappies
Electronics	Cameras, Hard drives, Back up services, Printers, Ink Cartridges

It is intended that a significant benefit to the consumer in the breadth of the promotions is the free Snapfish product, without limiting the products or services that are available to be purchased to obtain a free Snapfish product.

Let me know if you need any further information.

Best regards,
Erica.

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From: McGinness, Clare [mailto:Clare.McGinness@accc.gov.au]
Sent: Monday, 9 May 2011 2:04 PM
To: Gray, Erica
Subject: Exclusive Dealing Notifications - Hewlett Packard Australia Pty Ltd [SEC=IN-CONFIDENCE]

Hi Erica

As discussed over the phone today, the ACCC is still conducting its assessment of notifications N95279 & N95280, lodged by Hewlett Packard on 16 February 2011.

I note that in describing the conduct on the Form G's you refer to 'retail products', which you define in 2(a) as 'various retail outlet products and services'. As you would be aware, the ACCC needs to be satisfied that the public benefits of the notified conduct are likely to outweigh the public detriments. In order to continue our assessment of the notified conduct, we would require a better understanding of the nature of the conduct, which is this stage in not apparent from the definition of 'retail products' provided.

In 2(a) of the Form G's you refer to businesses as 'various retailers or wholesalers of retail products'. If you are unable to identify these business, could you please provide a list of the types of retail products and services they may supply, i.e. the types of products and services that customers will be required to purchase in order to obtain the discounted Snapfish products.

Happy to discuss further if required.

Kinds regards,

Clare McGinness

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