



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2011/251
Contact Officer: Pamela Cue
Contact Number: 02 6243 1066

22 March 2011

Charles Alexander
Partner
Minter Ellison Lawyers
Level 19, Aurora Place
99 Phillip Street
Sydney NSW 2000

Sent via email: charles.alexander@minterellison.com

Dear Mr Alexander

Third line forcing notification N95297 lodged by Optus Mobile Pty Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 March 2011. The notification has been placed on the ACCC's public register.

Optus Mobile Pty Limited proposes to supply remote electronic secure storage and backup services to its customers on condition that the customer enters or agrees to enter into a licence agreement with F Secure Corporation (F Secure will provide the remote electronic secure storage and backup services at hosting facilities located in Australia and will customise its services to permit Optus Mobile customers to access the services through Optus Mobile's portals).

Legal immunity conferred by the notification will commence on 16 March 2011.

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 Optus Mobile Pty Limited and F Secure Corporation 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 Pamela Cue on (02) 6243 1066.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch