



Australian
Competition &
Consumer
Commission

Our Ref: N96235
Contact Officer: Tanya Hobbs
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9 November 2012

Nicolas J. Taylor
Partner
Jones Day

By email: NJTaylor@JonesDay.com

Dear Mr Taylor

Third line forcing notification N96235 lodged by Express Data Holdings Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 November 2012. The notification has been placed on the ACCC's public register.

Express Data Holdings Pty Ltd (**Express**) is a licensed distributor of Adobe Systems Software Ireland Limited's (**Adobe**) retail products. Like Adobe, Express Data will require retailers that it supplies with Adobe software packages to install POSA systems from an authorised technology service provider.

Legal protection conferred by the notification will commence on 16 November 2012.

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 legal protection provided 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 Express and Adobe will disclose all relevant terms and conditions to prospective customers.

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 Tanya Hobbs on (02) 6243 1029.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch