



Australian
Competition &
Consumer
Commission

Our Ref: N96236
Contact Officer: Mark Basile
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13 November 2012

Nicolas J. Taylor
Partner
Jones Day

By email: NJTaylor@JonesDay.com

Dear Mr Taylor

Third line forcing notification N96236 lodged by Ingram Micro Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 November 2012. The notification has been placed on the ACCC's public register.

Ingram Micro Pty Ltd (Ingram) is a licensed distributor of Adobe's retail products. Ingram proposes to supply Adobe products to retailers on condition that they install a Point of Sale Activation (POSA) system from a provider nominated by Adobe.

Legal protection conferred by the notification will commence on 18 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 Ingram 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 Mark Basile on (03) 9290 1855.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch