

Form G

Commonwealth of Australia
Competition and Consumer Act 2010 — subsection 93 (1)
NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Competition and Consumer Act 2010*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of person giving notice:
(Refer to direction 2)

N96858

BERKELOUW LEICHHARDT PTY. LTD.

 (PADDINGTON STORE ONLY)

- (b) Short description of business carried on by that person:
(Refer to direction 3)

BOOK AND GIFT SELLING
 FOOD AND CATERING SERVICES

- (c) Address in Australia for service of documents on that person:

19 OXFORD ST
 PADDINGTON
 NSW 2021

2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

BOOKS / GIFTS
 FOOD / WINE

(b) Description of the conduct or proposed conduct:

* WITH EVERY \$50 SPENT BY A MASTERCARD CUSTOMER IN THE BOOKSHOP THEY RECEIVE A FREE GLASS OF WINE FROM OUR CAFE.

* SPECIAL \$120 DEAL FOR DINNER, AN EVENING OF JAZZ AND A POTENTIAL LIBRARY CURATED

(Refer to direction 4) BY THE BERKELOW BROTHERS.

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct BOTH THROUGH BERKELOW PADDINGTON ONLY.

(a) Class or classes of persons to which the conduct relates:

(Refer to direction 5)

* BOOK BUYERS, IN PARTICULAR OUR CURRENT CUSTOMERS

(b) Number of those persons:

(i) At present time:

~ 50,000 / year

(ii) Estimated within the next year:

(Refer to direction 6)

~ 50,000

(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

N/A

4. Public benefit claims

(a) Arguments in support of notification:
(Refer to direction 7)

SUPPORTS READING AND LITERACY IN THE
COMMUNITY, AS WELL AS DEVELOPING AND
NURTURING A SENSE OF COMMUNITY

(b) Facts and evidence relied upon in support of these claims:

LITERACY IMPROVEMENTS HAVE ~~ALWAYS~~ ^{OFTEN} BEEN
MIRRORED IN COMMUNITY DEVELOPMENT

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 8)

CAFES / WINE BARS
BOOKSHOPS

6. Public detriments

(a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

POTENTIAL SLIGHT LOSS IN REVENUE FROM
SURROUNDING BOOKSTORES

(b) Facts and evidence relevant to these detriments:

WOULD BE A MINIMAL LOSS, IF ANY AND
WOULD NOT BE SIGNIFICANT ENOUGH TO
NOTICE, NOR NOTHING THAT COULD NOT
BE COUNTERED.

7. Further information

- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

JON VONTOLKEN

 19 OXFORD ST

 PADDINGTON, NSW 2021

 (02) 9360 3200

Dated 15-07-2013

Signed by/on behalf of the applicant



 (Signature)

JON VONTOLKEN

 (Full Name)

BERKELOWW LEICHHARDT PTY. LTD.

 (Organisation)

ASSISTANT MANAGER (BERKELOWW BOOKS PADDINGTON)

 (Position in Organisation)