



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: 51115  
Contact Officer: Anna Giannakos  
Contact Number: (03) 9290 6920

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15 April 2013

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By email: [NJTaylor@JonesDay.com](mailto:NJTaylor@JonesDay.com)

Dear Mr Taylor

### **Third line forcing notification N96701 lodged by Dollywood Foundation**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 10 April 2013. The notification has been placed on the ACCC's public register.

The 'Imagination Library' is a charitable program that mails free books to children, one book a month from the time they are born until the month of their 5th birthday. United Way wishes to replicate this service in Australia with the assistance of the Dollywood Foundation.

The Dollywood Foundation will supply United Way Australia with goods and services including:

- marketing assistance,
- assistance in the recruitment of local communities to participate in the program,
- assistance with the book selection,
- the provision of approved images and quotes from Dolly Parton, and videos, templates and samples of promotional materials that the Dollywood Foundation has used previously, and
- money for the costs associated with the set up of the Imagination Library,

on condition that United Way Australia will exclusively acquire books for the Imagination Library from the Penguin Group (Australia) (trading name of Pearsons Australia Group Pty Ltd).

Legal protection conferred by the notification will commence on 24 April 2013.

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 Dollywood Foundation 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 Anna Giannakos on (03) 9290 6920 or by email at [anna.giannakos@acc.gov.au](mailto:anna.giannakos@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch