

AUST COMPETITION &
CONSUMER COMMISSION
BRISBANE

23 MAY 2013

rpdata
A CoreLogic Business

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21 May 2013

Australian Competition and Consumer Commission
PO Box 12241
George Street Post Shop
Brisbane Qld 4003

FILE No:

DOC:

MARS/PRISM:

Dear Sir/Madam

RP Data Pty Limited - Notification of third line forcing exclusive dealing

Enclosed for lodgement is an exclusive dealing notification by RP Data Pty Limited, together with the proof of payment made by EFT for the applicable lodgement fee of \$100.00.

Please do not hesitate to contact Agrita Cliff on (07) 3114 9849 should you have any queries or comments.

Yours sincerely



Craig MacKenzie
General Counsel and Head of Corporate Affairs
RP Data Pty Ltd

1300 734 318

www.rpdata.com

SYDNEY ► BRISBANE ► MELBOURNE ► ADELAIDE ► PERTH ► WELLINGTON ► AUCKLAND

23 MAY 2013

Form GCommonwealth 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)

N96750

RP Data Pty Limited (ACN 087 759 171) ("RP Data")

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

RP Data is a provider of online property information and related services to Australian and New Zealand property industry professionals, the finance industry, and consumers.

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

Agrita Cliff
Senior Corporate Counsel
RP Data Pty Limited
6 Eagleview Place
Eagle Farm Qld 4009

2 Notified arrangement

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

The relevant services are real property information services, and related services, provided using RP Data's online property data information system (including the 'lite' version of that system that RP Data intends release in the future).

- (b) Description of the conduct or proposed conduct:

RP Data proposes to make two offers to REIQ members:

- (i) REIQ members who migrate from their current property data provider to RP Data and sign up to a 15-month subscription to RP Data's online property data information system will receive either:

- (A) an additional 3 months' access to that system at no additional charge; or

(B) a 16 GB WiFi iPad 2

(“iPad Offer”); and

- (ii) REIQ members who do not have a current subscription to RP Data’s online property data information system will receive access to the ‘lite’ version of RP Data’s property data information system at no charge, once RP Data releases this ‘lite’ version to the market, on condition that they remain a REIQ member (“Lite Offer”).

RP Data also proposes to:

- (iii) refuse to make the iPad Offer available to persons who have not acquired, or have not agreed to acquire, a membership from REIQ; and
- (iv) refuse to make the Lite Offer available to persons who have not acquired, or have not agreed to acquire, a membership from REIQ, and/or persons who cease to be REIQ members.

(Refer to direction 4)

3 Persons, or classes of persons, affected or likely to be affected by the notified conduct

- (a) Class or classes of persons to which the conduct relates:
(Refer to direction 5)

REIQ members, and prospective RP Data customers who are not (and do not agree to become) REIQ members.

- (b) Number of those persons:

- (i) At present time:

Unknown, but expected to be greater than 50.

- (ii) Estimated within the next year:
(Refer to direction 6)

Unknown, but expected to be greater than 50.

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

Not applicable.

4 Public benefit claims

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

The conduct referred to in paragraph 2(b) will not lessen competition in the relevant markets because:

- (i) The provision of the iPad Offer and the Lite Offer will have pro-competitive effects in the markets for real property information services and related services by encouraging other real property database owners to make similar offers.
- (ii) The offers are not exclusive and do not prevent RP Data from providing similar benefits to other organisations.
- (iii) Acceptance of the offers is optional, as REIQ members are not compelled to take up the offers, and can choose other providers of the relevant services if they so desire (or choose not to acquire).
- (iv) There is vigorous competition in the markets for real property information services and related services.

RP Data believes that the benefits from the conduct outlined above will outweigh any possible detriment considered to arise from the conduct.

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

None in addition to those facts already described above.

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)

The relevant markets are the markets for real property information services, and related services.

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)

RP Data does not consider there to be any public detriments resulting from the conduct described in paragraph 2(b) above. RP Data believes that there will be public benefits from the conduct, as set out in paragraph 4(a).

- (b) Facts and evidence relevant to these detriments:

None in addition to those facts already described above.

7 Further information

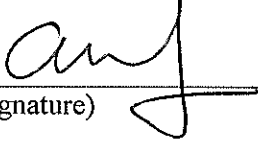
- (a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Agrita Cliff
Senior Corporate Counsel

RP Data Pty Limited
6 Eagleview Place
Eagle Farm QLD 4009
Tel: (07) 3114 9849

Dated *21 May 2012.*

Signed by/on behalf of the applicant



(Signature)

Craig MacKenzie

RP Data Pty Limited

General Counsel and Head of Corporate Affairs

