



**Australian
Competition &
Consumer
Commission**

Our Ref: 54370
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10 April 2014

Jeremy Goldman
Kliger Partners
Level 2, 280 Queen Street
Melbourne, VIC 3000

Dear Mr Goldman

Third line forcing notifications N97358-59 lodged by Eat Now Services and Catchoftheday.com.au

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 10 April 2014. The notifications have been placed on the ACCC's public register.

Eat Now Services and Catchoftheday.com.au propose to offer customers a voucher for the payment of food ordered through Eat Now Services on condition that customers are PayPal customers and download and use an application provided by PayPal to order the food.

Legal protection conferred by the notifications will commence on 24 April 2014.

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 these notifications 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 Eat Now Services, Catchoftheday.com.au and PayPal 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 David Hatfield on 02 6243 1266.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch