



**Australian
Competition &
Consumer
Commission**

Our Ref: 54851
Contact Officer: Tess Macrae
Contact Number: (03) 9290 1835

GPO Box 3131
Canberra ACT 2601

12 June 2014

23 Marcus Clarke Street
Canberra ACT 2601

Mr Roy Varghese
Regional General Counsel
Brightstar Logistics Pty Ltd

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

By email: Roy.Varghese@brightstarcorp.com

Dear Mr Varghese

Third line forcing notification N97481 lodged by Brightstar Logistics Pty Ltd

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

Brightstar Logistics Pty Ltd proposes to supply or offer to supply trade-in services to consumers for used mobile phone and data devices on condition that the consumers:

- purchase certain new Apple mobile phone and data devices from Apple;
- elect to receive payment for their used device either directly against a new purchase or by a gift card issued by Apple; and
- provide proof of purchase for the new device.

Legal protection conferred by the notification will commence on 24 June 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 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 Brightstar 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 Tess Macrae on (03) 9290 1835.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch