

## Herron, William

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**From:** Sims, Rod  
**Sent:** Monday, 8 September 2014 7:59 PM  
**To:** Gregson, Scott; Bezzi, Marcus  
**Cc:** Cosgrave, Michael; Ayres, Lisa Anne; Woolbank, Emily  
**Subject:** RE: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Thanks Scott, happy for you to sign this.

Cheers

Rod

-----Original Message-----

**From:** Gregson, Scott  
**Sent:** Monday, September 08, 2014 07:20 PM AUS Eastern Standard Time  
**To:** Sims, Rod; Bezzi, Marcus  
**Cc:** Cosgrave, Michael; Ayres, Lisa Anne; Woolbank, Emily  
**Subject:** RE: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Evening Rod

Further to our email exchanges below on the matters raised by Village Roadshow, I am settling the attached draft to Mr Burke to facilitate sending tomorrow. The letter confirms my preliminary assessment that the conduct is unlikely to be in trade or commerce. I am currently the signatory but happy to adjust if you would prefer to respond.

Regards

### **Scott Gregson**

Executive General Manager, Consumer Enforcement  
**Australian Competition & Consumer Commission**  
Level 3, 23 Marcus Clarke St, Canberra, ACT, 2601 | GPO Box 3131, Canberra, ACT, 2601  
T: 02 62431350 | M: 0438 288 246

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**From:** Sims, Rod  
**Sent:** Monday, 1 September 2014 11:31 AM  
**To:** Bezzi, Marcus; Gregson, Scott  
**Cc:** Cosgrave, Michael; Ayres, Lisa Anne; Woolbank, Emily  
**Subject:** RE: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Thanks all, and great to get something back to him next week.

Regards

Rod

**Rod Sims**

Chairman

**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601 <http://www.accc.gov.au>  
T: +61 2 6243 1131

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**From:** Bezzi, Marcus  
**Sent:** Monday, 1 September 2014 9:30 AM  
**To:** Gregson, Scott; Sims, Rod  
**Cc:** Cosgrave, Michael; Ayres, Lisa Anne; Woolbank, Emily  
**Subject:** RE: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Scott,

I agree this really does seem to be political comment. I notice that Village Roadshow have been putting newspaper ads into the paper campaigning for stronger laws to protect their Intellectual Property and deter the members of the community who access audio visual content using the internet. This letter seems to be part of that campaign. I understand they haven't taken their own proceedings under the ACL against iiNet. I recall they were part of a group that took breach of IP rights proceedings against iiNet. My recollection is that those proceedings failed.

Marcus

**Marcus Bezzi**  
Executive General Manager | Competition Enforcement  
**Australian Competition & Consumer Commission**  
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**From:** Gregson, Scott  
**Sent:** Monday, 1 September 2014 8:58 AM  
**To:** Sims, Rod  
**Cc:** Bezzi, Marcus; Cosgrave, Michael; Ayres, Lisa Anne; Woolbank, Emily  
**Subject:** RE: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Thanks Rod

I have had a quick look at the letter and the relevant website representations. They relate to iiNet's view on proposed government policy response to IP piracy. Consideration will need to deal with the threshold issue of 'trade or commerce' with much of the material going to public debate. As Mr Burke himself says in his letter ... "iiNet has established a regime of encouraging people to email our political leaders on a premise...".

We will look at this further and get a response out in the next week.

Regards

**Scott Gregson**  
Executive General Manager, Consumer Enforcement  
**Australian Competition & Consumer Commission**  
Level 3, 23 Marcus Clarke St, Canberra, ACT, 2601 | GPO Box 3131, Canberra, ACT, 2601  
T: 02 62431350 | M: 0438 288 246

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**From:** Sims, Rod  
**Sent:** Monday, 1 September 2014 8:00 AM

**To:** Gregson, Scott  
**Cc:** Bezzi, Marcus; Cosgrave, Michael; Ayres, Lisa Anne  
**Subject:** FW: Letter from Village Roadshow Limited [SEC=UNCLASSIFIED]

Scott, we will need to respond to this at some stage.  
Thanks  
Rod

-----Original Message-----

**From:** Graham Burke [[Graham\\_Burke@vrl.com.au](mailto:Graham_Burke@vrl.com.au)]  
**Sent:** Monday, September 01, 2014 07:42 AM AUS Eastern Standard Time  
**To:** Sims, Rod  
**Subject:** Letter from Village Roadshow Limited

Please see the attached letter.

*Warmest Regards*  
*Graham Burke*  
*Co-Executive Chairman, Co-Chief Executive Officer*  
*Village Roadshow Limited*  
*500 Chapel Street, South Yarra Vic 3141*  
*PO Box 2275, Prahran Vic 3181*  
*Tel: +61 3 9829 0667*

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For General Enquiries please contact the appropriate division as listed on our website <http://www.villageroadshow.com.au/>

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