

**From:** Edwin Mak  
**Sent:** Thursday, 22 February 2018 12:52 PM  
**To:** Adjudication  
**Subject:** HPE CM: Tootechnic / Festool Resale Price Maintenance Application/Renewal - Feedback

Dear Ms Mcrae,

I am writing in response to a notification that Tooltechnic Systems has once again applied for Resale Price Maintenance for Festool products.

I believe the original was a trial, and that the ACCC would review the situation after that point. I have personally purchased quite a few Festool tools over the years, and was very disappointed to see the original granting of the fixed prices.

In my experience as a consumer it has:

- 1) significantly decreased competition for the consumers - dealers have not been as motivated to serve the customer and "win the sale" with better prices than their competitors
- 2) Had not effect on offering better service
- 3) Been very detrimental to the sales of spare parts and consumerables - which you would expect should be exempt from such price fixing as by nature they do not require servicing
- 4) Let the distributor set whatever price they choose
- 5) Encouraged Australian consumers to purchase the same tools and accessories from overseas suppliers

Please do NOT grant the RPM agreement as it seems to just harm the consumer. Tooltechnic must be able to demonstrate in real quantifiable terms how their RPM has benefited the consumer and the industry over the period it has been in place, and unless they can do so then this agreement must not be allowed to continue.

Thankyou for hearing my submission,  
Edwin Mak.