

**IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY**

NO M 98 OF 2013

On Appeal From
the Full Court of the Federal Court of Australia

**BETWEEN: AUSTRALIAN COMPETITION AND
CONSUMER COMMISSION**
Appellant

**AND: TPG INTERNET PTY LTD
(ACN 068 383 737)**
Respondent

CHRONOLOGY OF THE APPELLANT



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PART I FORM OF CHRONOLOGY

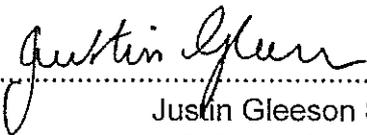
1. This chronology is in a form suitable for publication on the Internet.

PART II CHRONOLOGY

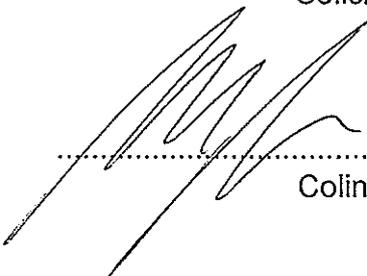
Date	Event	Appeal book reference
6 Feb 2009	TPG provides an undertaking to the ACCC under s 87B of the <i>Trade Practices Act 1974 (Cth) (TPA)</i> concerning its mobile telephone advertising.	
25 Sep 2009	ACCC letter to TPG concerning an industry undertaking provided by other telecommunication companies relating to telecommunication industry advertising.	
14 Oct 2009	TPG attends 'Truth in Advertising' training provided by the ACCC in relation to industry undertaking. The ACCC provides examples of headline advertising which it is concerned contravenes the TPA.	
22 Oct 2009	ACCC letter to TPG in relation to concerns about headline price advertising by TPG of bundled broadband services.	
28 Oct 2009	TPG letter in response to the ACCC's letter of 22 Oct 2009.	
About 25 Sep 2010	TPG begins to publish various forms of its initial advertisements on television, radio, newspapers and websites.	
4 Oct 2010	ACCC letter to TPG in relation to concerns about initial advertisements.	
5 Oct 2010	TPG email in response to ACCC's letter of 4 Oct 2010 advising that it is taking urgent advice from its lawyers.	
5 Oct 2010	TPG receives advice from its lawyers concerning the initial advertisements.	
About 7 Oct 2010	TPG ceases to publish the forms of its initial advertisements. TPG begins to publish revised advertisements in several forms, including on television, radio, cinemas, newspapers, magazines, outdoor billboards, on several forms of public transport and various internet sites.	
11 Oct 2010	TPG letter to ACCC advising that it had revised its advertising.	
20 Oct 2010	ACCC letter to TPG in relation to concerns about revised advertisements.	

Date	Event	Appeal book reference
21 Oct 2010	TPG receives advice from its lawyers concerning the revised advertisements.	
22 Oct 2010	Letter from Truman Hoyle to ACCC on behalf of TPG, in response to the ACCC's letter of 20 Oct 2010.	
16 Dec 2010	Fast Track Application and Fast Track Statement are filed by the ACCC.	
22 Dec 2010	Interlocutory hearing before Ryan J. The ACCC's application sought an interlocutory injunction only in relation to the revised advertisements in newspapers, TV and radio.	
22 Dec 2010	TPG internal email relating to the production of a draft advertisement setting out the monthly charge of "\$59.99".	
23 Dec 2010	Judgment of Ryan J on interlocutory application refusing to grant an interlocutory injunction concerning TPG's revised advertisements.	
From 4 Nov 2011	TPG ceases / withdraws publication of all forms of the revised advertisements.	

Dated: 20 September 2013



 Justin Gleeson SC
 Solicitor-General



 Colin Golvan SC

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 Edward Heerey

Counsel for the Appellant