



June 15, 2012

John Read  
Chief, Litigation III Section  
Antitrust Division  
U.S. Department of Justice  
450 5<sup>th</sup> Street, NW, Suite 4000  
Washington, D.C. 20530

RECEIVED *BMW*

JUN 21 REC'D 2012

LITIGATION III, ANTITRUST DIV.  
U.S. DEPT OF JUSTICE

Dear Mr. Read:

I am writing regarding the DOJ suit against Apple and the major publishers over agency pricing. Frankly, my first reaction was—Really?! Your finding is essentially in favor of the corporation which is every day amassing more monopoly power?!

I understand the issue is primarily whether the publishers and Apple colluded, and of course as the owner of a tiny bookstore in the northwoods of Wisconsin, I have no idea what happened. However, I do know that before agency pricing, Amazon was approaching monopoly status with its Kindle and pricing of eBooks below cost. It was also devaluing physical books by pricing eBooks below its own cost. Amazon has stated its long game is to maximize market share, not profits. Then, when it is one of the only players left, we'll see what kind of prices it offers. Is this really the vibrant, competitive marketplace we want to see for the book industry? (or for any industry in which Amazon is so busily trying to dominate?).

After agency model pricing was in place, the eBook market became much more diverse and competitive. Devices were offered by many more outlets, at better pricing, and with continually improving features because of the constant competition. Everyone, including those of us at small bookstores, was able to offer eBooks. There were also many short term deals being offered by the publishers.

I think my biggest question with the settlement is why the agency model of pricing will be prohibited. Why can't the publishers set the retail price for their books? Many other items have retail prices established by the manufacturer. Everyone using a similar pricing model (there really aren't many choices) is not the same as price fixing.

I am asking DOJ to reconsider the terms of the settlement and to allow the agency pricing model, which will actually result in a larger, more diverse and competitive marketplace for books. As a very small player in all of this, doing my best to run my small business, in a small town in the middle of the country, it is hard for me not to be cynical about the role of money and big business in these decisions.

Thank you for your consideration of my comments.

Carol Blizzard Dunn, Owner

*Carol Blizzard Dunn*

