



ONCE UPON A TIME

"Your family bookstore"
2207 Honolulu Ave
Montrose, CA 91020
(818) 248-9668

www.shoponceuponatime.com

June 25, 2012

John Read
Chief, Litigation III Section
Antitrust Division
U.S. Department of Justice
450 5th Street, NW, Suite 4000
Washington, DC 20530

Re: Comments on the Proposed Consent Decree in *United States v. Apple, Inc., et al.*, 77 Fed. Reg. 24518 (April 24, 2012)

Dear Sir:

Our independent bookstore, Once Upon a Time, located in a suburb of Los Angeles, was founded in 1966 and prides itself on being the oldest children's bookstore in the country. With over 40 years of dedicated families shopping at our store, we have built quite a solid reputation for providing books to match the young reader. This letter is to persuade you that my livelihood and our store's actual existence are threatened by the wrong-thinking of the Department of Justice in this particular matter.

Although our store has not always been on the cutting edge of technology, we did see that having an e-commerce site offering e-books to our customers was something that our store could not afford NOT to do. We wanted to compete with Amazon on the digital platform and the agency model provided by the major publishers made it happen. Competition is what this issue is about, and my little shop, that quintessential "shop around the corner," was able to do just that. I had customers who used to buy the physical books from us and over the last year, bought iPads and Nooks. They wanted to continue to support their local bookstore, and with the agency model, our store grabbed the customer away from Amazon and competed very nicely indeed!

With the agency model, customers now have a choice of going to the behemoth of online providers and small, independent local stores, such as myself and hundreds of other independent shops across the country. Without the agency model, the choices available for consumers are LESS. Our store, and dozens, if not hundreds of other Indies, will not be able to compete on the digital platform when Amazon will mark the e-book below any

reasonable expectation of profit, just to obtain market share. Amazon will become a monopoly, which by market-share alone, is already one. How can that be good for consumers? When the big guys blow everyone out of the water, and no one is left, the consumer will only have Amazon providing digital books. Is that “in the public interest”?

Also, with publishers offering special promotions, the other publishers are all competing for the same consumer. This has increased competition and given consumers more choice and diversity of offerings.

In summary, without choice in the marketplace, the consumer will be negatively impacted. The agency model has corrected a distorted marketplace advanced by Amazon, and has actually increased competition in the e-book channel, by giving our store, and hundreds of other independent retailers, a chance to, maybe not slay the dragon, but certainly to stub his toes.

Thank you for your consideration of these issues.

Sincerely,

Maureen Palacios
Owner

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