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On Behalf Of Charles Engelke
Sent: Saturday, June 23, 2012 8:56 AM
To: Read, John [John.Read@ATR.USDOJ.gov]
Subject: U.S. vs. Apple, Inc., et al., 12-cv-2826 (DLC) (SDNY)

I am writing in support of the department's work to stop e-book price fixing by some publishers. I think that the way those publishers and Apple behaved was definitely collusive price fixing. No matter what excuse is given by those fixing prices, this is not in the public's interest.

It raises their cost of e-books.

It is anti-competitive because it eliminates the opportunity for new, more efficient or more innovative sellers to enter the market and find advantages against incumbents.

In the long run, price fixing does not even protect incumbents, instead it just temporarily isolates them from the need to adapt to changing technologies and market conditions.

My only concern about your anti-price-fixing efforts in the e-book marketplace is that it should be even stronger, with much more severe penalties. The nature of e-book sales means that purchasers who were harmed are easily identified, and they should be made whole with refunds for the excessive prices they were charged. Punitive damages, and even criminal charges, should also be seriously considered.

Thank you,

Charles Engelke