

NCPG for the last ten years and divest itself from all direct and indirect associations and vertical and horizontal influences from GROs both now and in the future.

In this regard, any direct or indirect interlocking relationships, both vertical and horizontal, between the NCPG and other organizations do not appear to be fully discovered, explored, or addressed. The NCPG and state PGSPs should be compelled to divest themselves of any such relationships from which GROs could obtain quasi-public or inside marketing advantage information.

Sincerely,

Joseph E. Finnerty
James A. Gentry
Fred Gottheil
John Warren Kindt

Massachusetts Council on Compulsive Gambling

August 11, 2003

Marvin N. Price, Jr., Chief
Chicago Field Office
U.S. Department of Justice
Antitrust Division
209 S. LaSalle St., Suite 600
Chicago, Illinois 60604

Dear Mr. Price: In regard to the Civil Action No. 1-03CV01278, United States v. National Council on Problem Gambling, the Massachusetts Council on Compulsive Gambling is taking the opportunity to comment on the Complaint, proposed Final Judgment, Stipulation, and Competitive Impact Statement filed on June 13, 2003.

These documents refer to "the NCPG acting illegally to curtail competition by establishing territorial allocation." They also describe the state affiliates agreeing with the NCPG on these policies.

The Massachusetts Council on Compulsive Gambling would like to call to your attention that it consistently during the 1995-2001 period argued against territorial allocation, disagreed with proposed policies related to it, voted against these policies, and in August 2000 submitted a written refusal to sign a proposed affiliate agreement, in part, due to this issue.

Also, during that time period, the NCPG requested that the Director of the Harvard Medical School, Division on Addictions conduct a study designed to find facts and make recommendations regarding the issue. The Massachusetts Council on Compulsive Gambling participated by providing interviews and again spoke against territorial allocation. The final document provided to NACPG by Harvard Medical School recommended against territorial allocation of problem gambling services.

The documents also refer to a complaint of the Arizona Council against the Minnesota Council for a successful bid on a contract with the Arizona Lottery that resulted in a hearing for both parties to present their cases to a committee of the NCPG. The Massachusetts Council on Compulsive Gambling was selected to participate as a committee member. The committee was charged with presenting a finding and making recommendations to the NCPG. Again, the final report recommended against

territorial allocation of problem gambling services.

EXHIBIT B

The Massachusetts Council on Compulsive Gambling brings this information to your attention in order to persuade you that state affiliates were not necessarily in agreement with NCPG policies related to territorial allocation of problem gambling services. The Massachusetts Council on Compulsive Gambling would like to go on record as having opposed these policies since they surfaced and having actively worked to eliminate them.

Thank you for your attention to this.

Sincerely,

Kathleen M. Scanlan
Executive Director

EXHIBIT C

Richard A. Johnson, CEO
Problemgambling.com,
Responsiblegambling.com,
Safegamingsystem.com,
10443 Noontide Avenue
Las Vegas, Nevada 89135
(702) 562-0232

Marvin N. Price, Jr.
Chief, Chicago Field Office,
Anti Trust Division,
Department of Justice,
209 S. LaSalle Street, Suite 600,
Chicago, Illinois 60604
August 1, 2003

Re: Civil Action No. 1:03CV01278, United States of America vs The National Council on Problem Gambling, Inc., Comments on Proposed Judgment

Dear Mr. Price, We respectfully attach our comments dated July 24, 2003 to the proposed judgment dated June 13, 2003 in the aforesaid action.

Naturally if you have any questions, please feel free to call.

Sincerely,

Richard A. Johnson
cc: Rosemary Simota Thompson

Comments

Pursuant to the Notice dated June 26, 2003 given according to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the District of Columbia in the United States of America v. National Council on Problem Gambling, Inc. and in which said notice requested public comment within (60) days of said notice, the following response is hereby submitted:

1. The proposed settlement appears to render fair and unhindered competition among those "persons" interested in promoting "problem gambling services" as defined in Section II (Definitions) of the Final Judgment dated June 13, 2003.

Moreover, the aforesaid document appears to be clear that "problem gambling service providers" are free to do business anywhere in the United States without interference from the National Council on Problem

Gambling, Inc. or any of its state affiliates, including but not limited to Arizona, California, Connecticut, Florida, Louisiana, Massachusetts, Minnesota, New York and Nevada. Said conduct appears to be set forth in section IV, entitled, *Prohibited Conduct* of the Final Judgment.

As such, the undersigned support the proposed final judgment between the United States of America and the National Council on Problem Gambling, Inc. and its state affiliates. The agreement appears to be in the best public interest. It promotes fair business practices and assures a competitive process. As a problem gambling service provider ("PGSP"), we feel that it opens the door to a more creative environment wherein the future development and application of responsible gaming and problem gambling products and services will be enhanced. As a result, any damage to our social system due to increased availability of gambling can be mitigated.

Richard A. Johnson,
CEO, Problemgambling.com.,
Responsiblegambling.com.,
Safegamingsystem.com, 10443 Noontide
Avenue, Las Vegas, Nevada 89135, (702)
562-0232.

Glenn Gorelick,
Director, Problemgambling.com,
Responsiblegambling.com,
Safegamingsystem.com, 89 Cranbury Drive,
Trumbull, Connecticut 06611, (203) 268-
0292.

[FR Doc. 03-24311 Filed 9-25-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Internet Streaming Media Alliance, Inc.

Notice is hereby given that, on September 5, 2003, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Internet Streaming Media Alliance, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership status. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Analog Devices, Inc., Norwood, MA; AOL Time Warner, Inc., New York, NY; BitBand Technologies Ltd, Tel Aviv, Israel; Coding Technologies, Nuremberg, Germany; Content Guard, Bethesda, MD; Dolby Laboratories Inc., San Francisco, CA; Envivio, San Francisco, CA; France Telecom, Cesson Sevigne, France;

Fraunhofer Institute for Integrated Circuits, Erlangen, Germany; Hitachi, Kawasaki, Japan; iVast, Inc., Santa Clara, CA; Matsushita Electric Industrial, Kadoma City, Japan; Nagra Vision, Cheseaux, Switzerland; National Semiconductor Corporation, Longmont, CO; NDS Technologies, Jerusalem, Israel; NeoMagic Corporation, Santa Clara, CA; net&tv, Seoul, Republic of Korea; Network Appliance, Sunnyvale, CA; Nextreaming, Seoul, Republic of Korea; Oki Electric Industry Co. Ltd., Tokyo, Japan; On2 Technologies, New York, NY; OPTIBASE Ltd., Herzliya, Israel; Philips Electronics, Sunnyvale, CA; Sharp Laboratories of America, Inc., Camas, WA; Sony Corporation, Tokyo, Japan; Standby Program, New York, NY; Sun Microsystems, Palo Alto, CA; Telecom Italia Lab, Torino, Italy; Thomson, Boulogne, France; University of Washington, Seattle, WA; Vbrick Systems, Inc., Wallingford, CT; and Volera, San Jose, CA have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Internet Streaming Media Alliance, Inc. intends to file additional written notification disclosing all changes in membership.

On March 8, 2001, Internet Streaming Media Alliance, Inc. filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on April 20, 2001 (66 FR 20334).

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 03-24310 Filed 9-25-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—The Open Mobile Alliance

Notice is hereby given that, on July 7, 2003, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), The Open Mobile Alliance ("OMA") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership status. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual

damages under specified circumstances. Specifically, Anritsu Ltd., Luton, United Kingdom; ArcSoft Inc., Fremont, CA; Bitfone Corporation, Laguna Niguel, CA; Chaoticom, Inc., Hampton Falls, NH; Computer Associates, Islandia, NY; E28 (Shanghai) Ltd., Shanghai, People's Republic of China; esmertec AG, Duebendorf, Switzerland; Future Space S.A., Madrid, Spain; Green Cathedral plc, Cambridge, United Kingdom; iaSolution Inc., Taipei, Taiwan; In-Fusio, Bordeaux, France; Incomit AB, Karlstad, Sweden; Insignia Solutions, Fremont, CA; Intrado, Longmont, CO; Maptel Networks, S.A.U., Madrid, Spain; MediaTek Inc., Hsin-Chu City, Taiwan; mformation Technologies Inc., Edison, NJ; Mobile-Mind, Inc., Watertown, MA; Mobixell Networks Ltd., Ra'anana, Israel; Nextreaming Corporation, Seoul, Republic of Korea; NTT DATA Corporation, Tokyo, Japan; Oksijen Teknoloji, Bakirkoy-Istanbul, Turkey; PacketVideo Corp, San Diego, CA; ParthusCeva, Inc., San Jose, CA; Partner Communications Company Ltd., Rosh Ha'ayin, Israel; Plastixense AB, Malmo, Sweden; Promotion Office for Wireless Communication Department of Industrial Technology, Taipei, Taiwan; Ruksun Software Technologies Pvt. Ltd., Pune, India; SafeNet, Inc., Baltimore, MD; Sarnoff Corporation, Princeton, NJ; SDR Forum, New Hartford, NY; Smart Fusion SAS, Mougins Cedex, France; Synergenix Interactive AB, Solna, Sweden; VerdiSoft Corporation, Palo Alto, CA; Vilkas Ltd., Lugano, Switzerland; Virgin Mobile, Trowbridge, United Kingdom; VoiceAge Corporation, Montreal, Quebec, Canada; and WiderThan.com, Seoul, Republic of Korea have been added as parties to this venture. Teleca Software Solutions is now called Teleca Mobile Technologies, Lund, Sweden; and Viair, Inc. is now called Visto Corporation, Seattle, WA.

The following companies had their memberships canceled: Digital Bridges, LTD, Dunfermline, United Kingdom; and Mobilesys Inc., Mountain View, CA.

The following company has resigned: Ad Vitam, Pont-Du-Chateau, France.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and OMA intends to file additional written notifications disclosing all changes in membership.

On March 18, 1998, OMA filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on December 31, 1998 (63 FR 72333).

The last notification was filed with the Department on April 7, 2003. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on May 16, 2003 (68 FR 26648).

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Spray Drift Task Force

Notice is hereby given that, on August 25, 2003, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Spray Drift Task Force has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership status. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the membership held by Bayer Corporation, Pittsburgh, PA has been transferred to Bayer CropScience LP, Research Triangle Park, NC; and the membership formerly held by Cedar Chemical Corporation, Memphis, TN, but acquired by Mahkeshim-Agan, N.A., New York, NY in bankruptcy, was transferred to LG Life Sciences, Ltd., Seoul, Republic of Korea.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Spray Drift Task Force intends to file additional written notification disclosing all changes in membership.

On May 15, 1990, Spray Drift Task Force filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on July 5, 1990 (55 FR 27701).

The last notification was filed with the Department on March 3, 2003. A notice was published in the **Federal**