

January 30, 2004

BY FEDEX, FACSIMILE AND E-MAIL

Mr. Sadaaki Suwazono, Director
Planning Office
Economic Affairs Bureau
Secretariat
Japan Fair Trade Commission
Central Government Office Building 6
Annex B
1-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8987
Japan

Dear Mr. Suwazono:

We enclose comments on the October 2003 Report of the Study Group on the Antimonopoly Act of Japan, specifically with regard to the Report's recommendations on the essential facilities doctrine.

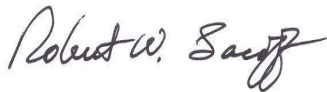
These comments are submitted by the American Bar Association Sections of International Law and Practice, Intellectual Property Law, and Antitrust Law. The views expressed in these comments are presented only on behalf of the Sections. They have not been approved by the American Bar Association House of Delegates or Board of Governors, and should not be construed as representing policy of the ABA.

If you have any questions about these comments or would like to receive copies of any of the authorities cited in the comments, please don't hesitate to contact Yee Wah Chin, Co-Chair of the International Antitrust Law Committee of the Section of International Law and Practice, at 1-202-434-7419 or ywchin@mintz.com.

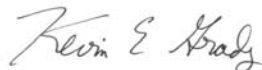
Sincerely,



A. Joshua Markus
Chair, Section of International Law and Practice



Robert W. Sacoff
Chair, Section of Intellectual Property Law



Kevin Grady
Chair, Section of Antitrust Law

Enclosure