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November 25, 2003

Via Federal Express and E-mail

European Commission
Directorate-General for Competition
Unit A 1 - Policy Development (Antitrust/mergers)
Technology Transfer Review
B-1049 Brussels
Belgium

Re: Comments on the Draft Commission Regulation on the Application of Article 81(3) of the EC Treaty to Categories of Technology Transfer Agreements and Draft Commission Notice on Guidelines on the Application of Article 81 to Technology Transfer

Dear Sir or Madam:

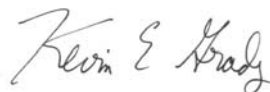
The Sections of Antitrust Law, Business Law, Intellectual Property Law, and International Law and Practice of the American Bar Association ("the Sections"), are pleased to submit the enclosed comments in response to the European Commission's request for comments on the Draft Commission Regulation on the application of Article 81(3) of the EC Treaty to Categories of Technology Transfer Agreements and Draft Commission Notice on Guidelines on the Application of Article 81 to Technology Transfer Agreements.

Please note that these views are being presented only on behalf of the Sections of Antitrust Law, Business Law, Intellectual Property Law, and International Law and Practice. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and should not be construed as representing the position of the American Bar Association.

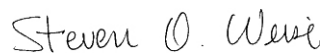
November 25, 2003
Page Two

If you have any questions after reviewing this report, we would be happy to provide further comments.

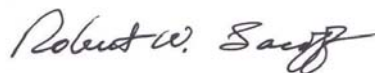
Sincerely,



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Andrew J. Markus
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Enclosures