



Office of the Secretary

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

October 29, 2010

Mr. or Ms. Roberts  
State of California

Re: *In the Matter of Intel Corporation, Docket No. 9341*

Thank you for your comments regarding the Proposed Consent Order accepted by the Federal Trade Commission for public comment in the above-captioned matter. Your comment expresses concern that the Proposed Consent Order does not address harm Intel may have caused to Dell's competitors, and concern that the Commission's use of Section 5 prevents others from taking action against Intel.

The Consent Order is designed to restore the competition lost as a result of Intel's past conduct and to prevent Intel from engaging in future unfair methods of competition in the future. Neither the Complaint nor the Consent Order sought to provide restitution directly to OEMs or competitors in the CPU and GPU markets. Rather, the provisions are designed to open the door to fair and vigorous competition, leading to lower prices, more innovation, and more choices for consumers.

While it is true that Section 5 of the FTC Act does not provide for a private right of action, the Commission's use of Section 5 does not prevent other parties from seeking their own legal remedies from Intel, or any other entity against whom the Commission may issue a complaint. Indeed, AMD, the New York Attorney General, NVIDIA, and a class of computer purchasers have all filed suit against Intel in the federal District Court of Delaware. Many of these suits were filed prior to the Commission issuing its complaint.

The Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without the modifications you suggest. A copy of the final Decision and Order is enclosed for your information. Relevant materials also are available from the Commission's website at <http://www.ftc.gov>.

It helps the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues, and we appreciate your interest in this matter.

By direction of the Commission, Commissioner Kovacic recused.

Donald S. Clark  
Secretary