
¹ 15 U.S.C. 7601

that sellers or prescribers give a manufacturer's contact lenses the desired level of promotion? (c) What role do exclusive relationships play in assuring that sellers or prescribers provide customers with the level of service that manufacturers desire to accompany their contact lenses? (d) What role do exclusive relationships play in discouraging sellers and prescribers from "free-riding" off the promotional or customer service efforts provided by other sellers or prescribers?

6. Please comment on how, if at all, current patterns of exclusive relationships may change in response to the Act.

7. Please provide any other information regarding the impact of the exclusive relationships on competition.

8. Are there differences in the prices charged for similar contacts lenses by online and offline merchants?

9. Are there any cost advantages associated with selling contact lenses online versus offline?

10. Please comment whether consumers find it more convenient to purchase contact lenses online or offline: (a) Do consumers save time by purchasing their contacts online rather than at an offline store, or vice-versa? (b) What is the value consumers place on any time savings? (c) Do consumers find greater lens availability online or offline? (d) Irrespective of any time savings, do consumers find it more convenient to purchase contact lenses online rather than at an offline store, or vice-versa? (e) Do consumers who purchase contact lenses from online sellers differ from consumers who purchase from bricks-and-mortar sellers and prescribers with regard to income, education, geographic location, or any other attribute? (f) What is the cost to consumers of home delivery of contact lenses?

11. Do consumers who purchase contact lenses from offline sellers have any differing concerns with regard to the quality of the lenses they receive from those who purchase contact lenses online?

12. Please comment on the extent to which online and offline contact lens sellers compete: (a) To what extent are offline contact lens sellers' pricing decisions affected by prices offered by online sellers? (b) To what extent are online contact lens sellers' pricing decisions affected by prices offered by offline sellers? (c) To what extent do prices charged for identical contact lenses vary among online sellers, and is the variance any greater or smaller than that found between prices offered by

offline sellers? (d) Are some online sellers perceived by customers as preferable to other online sellers in terms of customer service, ease of shopping, trustworthiness, or any other non-price characteristic? (e) Are some offline sellers perceived by customers as preferable to other offline sellers in terms of customer service, ease of shopping, trustworthiness, or any other non-price characteristic? (f) Do contact lens manufacturers charge different prices to online and offline sellers? (g) If there are differences in the prices manufacturers charge to online and offline sellers, to what extent do they reflect differences in the cost of serving online and offline sellers, and/or different levels of customer service and promotion provided by online and offline sellers?

13. Please provide any other information regarding the difference between online and offline sellers of contact lenses.

14. Please comment on the incidence of brand name and custom label contact lens prescriptions: (a) What is the incidence of contact lens prescriptions that specify a brand name? (b) What is the incidence of contact lens prescriptions for custom labeled contact lenses? (c) Is the incidence of the prescribing practices in (a) and/or (b) increasing or decreasing? (d) Please comment on how, if at all, current patterns of prescriptions requiring brand name or custom-labeled contact lenses may change in response to the Act.

15. What are the benefits of contact lens prescriptions that specify a brand name or custom labeled contact lenses? What are the costs of contact lens prescriptions that specify a brand name or custom labeled contact lenses?

16. What role do state laws or regulations play in determining what a prescriber must include on a prescription, including whether a prescription must contain a brand name?

17. What is the incidence of brand name or custom labeled contact lenses being available only through the prescriber?

18. How prevalent is consumer awareness that a prescriber may prescribe custom labeled or brand name lenses that are available only from the prescriber?

19. Please comment on whether contact lens prescribers advertise their ability to prescribe custom labeled lenses or their willingness to prescribe contact lenses available from a variety of sellers: (a) How prevalent are prescriber

advertisements that they prescribe custom labeled lenses or advertisements that they prescribe contact lenses available from a variety of sellers? (b) Are consumers able to shop for prescribers based on whether they prescribe custom labeled contact lenses or contact lenses available from a variety of sellers? (c) What role do state regulatory or self-regulatory bodies play in controlling prescriber advertisements with respect to their ability to prescribe custom labeled lenses or their willingness to prescribe contact lenses available from a variety of sellers?

20. Please provide any other information regarding the impact on competition of prescriptions that specify brand name or custom labeled contact lenses.

21. Describe the state of competition in the market for the retail sale of prescription eyeglasses at the time that the Commission issued the Eyeglass Rule in 1978, including, but not limited to, a description of the products included in the market, the market's geographic scope (i.e., national, regional, local), the market shares of firms, and any barriers to entry.

22. Referring to the factors listed in question 21, describe how competition in the market for the retail sales of prescription eyeglasses has changed since the Commission issued the Eyeglass Rule in 1978.

23. To what extent are the differences in competition in the market for the retail sale of prescription eyeglasses since 1978 attributable to the following factors: (a) Changes in federal law, including the issuance and enforcement of the Eyeglass Rule; (b) changes in state law; (c) changes in industry standards or trade association rules or policies; (d) changes in technology; or (e) other changes in the marketplace?

24. To the extent that the changes in competition in the market for the retail sale of prescription eyeglasses since 1978 are attributable to the issuance and enforcement of the Eyeglass Rule, identify the specific Rule provisions that have affected competition, how those provisions have affected competition, and the extent of the effect on competition.

25. Has the issuance and enforcement of the Eyeglass Rule affected prices in the market for the retail sale of prescription eyeglasses? If so, how and to what extent?

26. Has the issuance and enforcement of the Eyeglass Rule caused or prompted states to change their laws or policies regarding prescription eyeglasses? If so,

