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December 20, 2004

RECEIVED
JAN - 4 2005

BY:

Andrew J. Heimert
Executive Director & General Counsel
c/o Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Re: Antitrust Modernization Commission

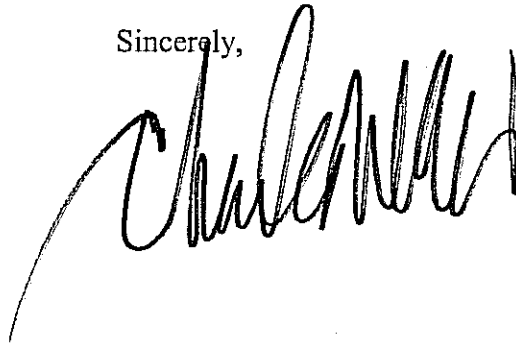
Dear Mr. Heimert:

Enclosed is the just published book I referred to in my September 30 Comment to the Commission (also enclosed for convenience), *Unique Value: Competition Based on Innovation Creating Unique Value*. The book has five chapters by Michael Porter, a Harvard Ph.D. economist and business school professor, on the "positive sum" economic theory he has developed over the last quarter century. Although little known in any depth in the antitrust or academic economics communities, it is widely used around the world elsewhere.

Prof. Porter's practical economic theory based on productivity and innovation, not efficiency, and resulting entirely new antitrust analysis (chaps. 2-6) can, and should, become the next evolution of antitrust policy, replacing the "zero sum" static consumer welfare economic theory of the last 20 years, I suggest in my Comment and antitrust chapter in the book as a matter of policy and of Supreme Court precedent, including the "*Daubert 6*," *California Dental* and *Cracking Oil*.

Very best wishes for the holiday season.

Sincerely,

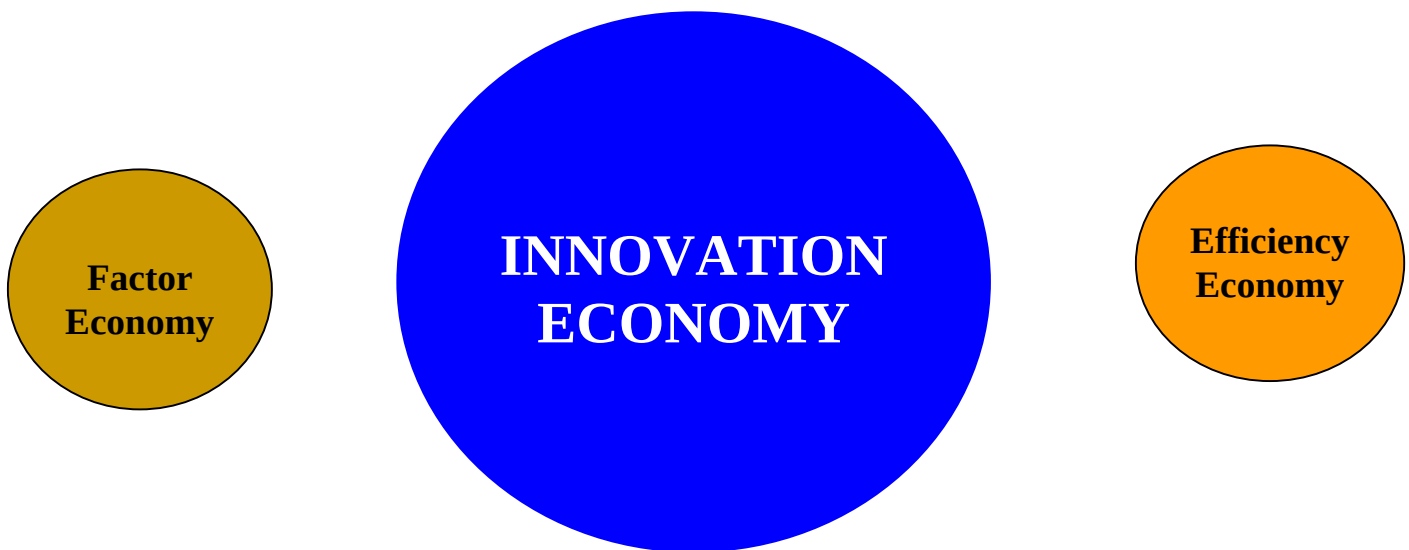


Enclosures

UNIQUE VALUE

Competition Based on Innovation Creating Unique Value

**for Antitrust, the Economy, Healthcare,
Education and Beyond**



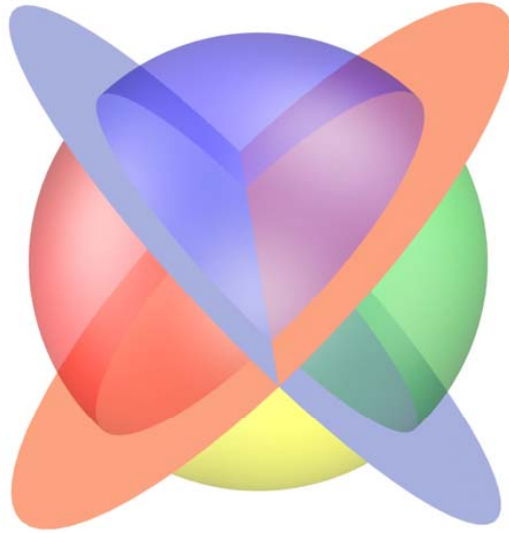
Charles D. Weller, Ed.

**Michael E. Porter
Institute for Strategy and Competitiveness
Harvard Business School**

**Peter Staudhammer
Chief Technology Officer (retired)
TRW Inc.**

**Scott Stern
Northwestern University
National Bureau of Economic Research**

THEORY of PRODUCTIVITY, INNOVATION and UNIQUE VALUE



Five Forces	(red "slice")
Type (Sophistication) of Competition	(blue "slice")
Business Environment "Diamond"	(4 color "globe")

© Michael E. Porter "Unique Value," "Five Forces," "Business Environment 'Diamond,'" "Type (Sophistication) of Competition." © Charles D. Weller graphic (with special thanks to Nottingham-Spirk Design Associates, Inc., Cleveland Ohio).

ADVANCE PRAISE

Ky Ewing, Chair, American Bar Association Antitrust Section 2000-2001; former Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division:

"UNIQUE VALUE: COMPETITION BASED ON INNOVATION CREATING UNIQUE VALUE ...is a book to be relished by thoughtful people who want to explore new dimensions of the competitive process, the very nature of which is changing as the 'knowledge economy' innovatively expands."

**Terry Calvani, Former Commissioner, U.S. Federal Trade Commission,
Member & Director of Cartel Division, The Competition Authority of Ireland**

"[T]he work of Michael Porter" is an "antidote to the conventional welfare economics that has served as the foundation for modern competition policy for the last thirty years."

**Thomas A. Piraino, Jr., Vice President, General Counsel and Secretary,
Parker-Hannifin Corporation**

"Michael Porter's economic analysis can revolutionize the way we think about markets and competition."

Alain C. Enthoven, Mariner S. Eccles Professor of Public and Private Management Graduate School of Business, Stanford University

"With 'Science Teams By Disease When Ill,' Chuck Weller is truly propounding a Copernican revolution for health care. ... This is very important and greatly needed."

Innovation Press, LLC, Publisher

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30 Amberwood Parkway
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