

Intel wins appeal against EU's 1-bn-euro antitrust fine

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Margrethe Vestager, the EU's competition chief, said the commission would study the judgement 'in detail'

An EU court on Wednesday annulled a 1.06 billion euro fine against US

chipmaker Intel, finding that Brussels had failed to adequately prove anti-competitive practices in a key aspect of the case, a statement said.

The [decision](#) by the Luxembourg-based General Court came 12 years after the original fine—the bloc's fourth biggest ever—and could face a fresh appeal to the EU's highest court by the European Commission.

The commission, the EU's antitrust enforcer, is facing similar appeals in its blockbuster competition cases against Google in procedures that could also drag on for a decade or longer.

The legal labyrinth faced by such antitrust decisions has pushed the EU to pursue a Digital Markets Act, a major law currently under negotiation which would set strict rules on how Big Tech can do business in Europe.

The EU's "analysis is incomplete and does not make it possible to establish to the requisite legal standard that the rebates at issue were capable of having, or likely to have, anticompetitive effects," the court said.

The rejection was the third EU court decision in the case. The same [court](#) had upheld the fine in 2014, but the higher European Court of Justice three years later told the General Court to revisit its decision.

Both sides reacted cautiously to the decision with Intel saying it "will provide further comment when we have completed our initial review".

Margrethe Vestager, the EU's competition chief, said the commission would study the judgement "in detail" and seek the "balance between the things we won and the things we lost".

The commission in 2009 slapped the then-record fine on Intel after saying the company had offered clients price rebates to use its own

computer chips in preference to rival AMD.

Questions on the legality of rebates to manufacturers are also at the heart of the Google Android case which saw the search engine giant receive the bloc's current record fine of 4.3 billion euros (\$4.85 billion).

That decision and two other cases involving Google are currently under appeal in the EU courts.

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