

EU court decides record antitrust fine against Google

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The Android case was the third of three major cases brought against Google by the EU's competition czar Margrethe Vestager.

The European Union's second-highest court will rule Wednesday whether Brussels went too far in handing Google a 4.3-billion-euro fine

over its Android operating system for mobile phones.

The decision by the Luxembourg-based General Court could undo or demand modifications to the landmark decision, taken by the European Commission in 2018, which remains the EU's biggest-ever antitrust fine.

Google urged a panel of EU judges last year to throw out the decision it argued was unfounded and falsely relied on accusations it imposed its search engine and Chrome browser on Android phones.

The company also said that the EU was unfairly blind to the strength of Apple, which imposes or gives clear preference to its own services such as Safari on iPhones.

Google insisted that downloading rival apps was only a click away and that customers were in no way tied to Google products on Android.

The EU and complainants responded that Google used contracts with phone makers in the early days of Android to stifle rivals.

This was done "at a critical time in the development of mobile computing, when the market was still contestable", said Thomas Vinje, a lawyer representing FairSearch, whose original complaint launched the case in 2013.

The decision by the General Court is unlikely to be the end of the story. Both sides can turn to the EU's highest [court](#), the European Court of Justice, for a final say on the 4.3-billion-euro fine, which was the equivalent of \$5 billion when levied.

Global action

The Android case was the third of three major cases brought against

Google by the EU's competition czar Margrethe Vestager, whose [legal challenges](#) were the first worldwide to directly take on the Silicon Valley giants.

Since then, global regulators have followed suit, with Google facing a barrage of cases in the US and Asia based on similar accusations.

Vestager has already won against Google in its appeal of a separate case, the company's 2.4-billion-euro fine for abusing its [search engine](#) dominance. As expected, the tech giant appealed that setback to the [high court](#).

The EU, however, has lost recent cases involving the microchip industry.

Vestager's team lost an appeal against a \$1 billion fine imposed on Qualcomm in the same court in June.

That followed another setback in January when the EU lost the court's backing for a 1.06-billion-euro fine on Intel.

Frustrated at the length of time it takes to pursue competition cases, Brussels has since then adopted the Digital Markets Act (DMA), which puts a much tighter leash on the way Big Tech can do business.

The new law, set to come into force next year, would set up a rulebook of do's and don'ts for Big Tech companies such as Google and Facebook.

The DMA includes specific bans or limits on Google, Apple and other gatekeepers from promoting their own services on platforms.

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