Mass distribution of legal information on companies: the General Rapporteur indicates that a report has been notified to two players in the sector

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Two players in the sector for the mass distribution of legal and economic information on companies are accused of having implemented an anticompetitive agreement aimed at circumventing the objective of the legislator to foster competition in the sector, in particular by enabling new players to access certain information free of charge.

The General Rapporteur indicates that after having notified the objection in October 2023, a report was notified a few days ago.

Following the statement of objections, the investigative action of notifying the report therefore opens the second round of the *inter partes* proceedings and enables the parties to exercise their rights of defence. It does not prejudge the guilt of the companies that have received the statement of objections and the report. Only an *inter partes* investigation, respecting the rights of defence of the parties concerned, will enable the Board to determine, after exchanging written observations and following an oral hearing, whether the objections are well-founded.

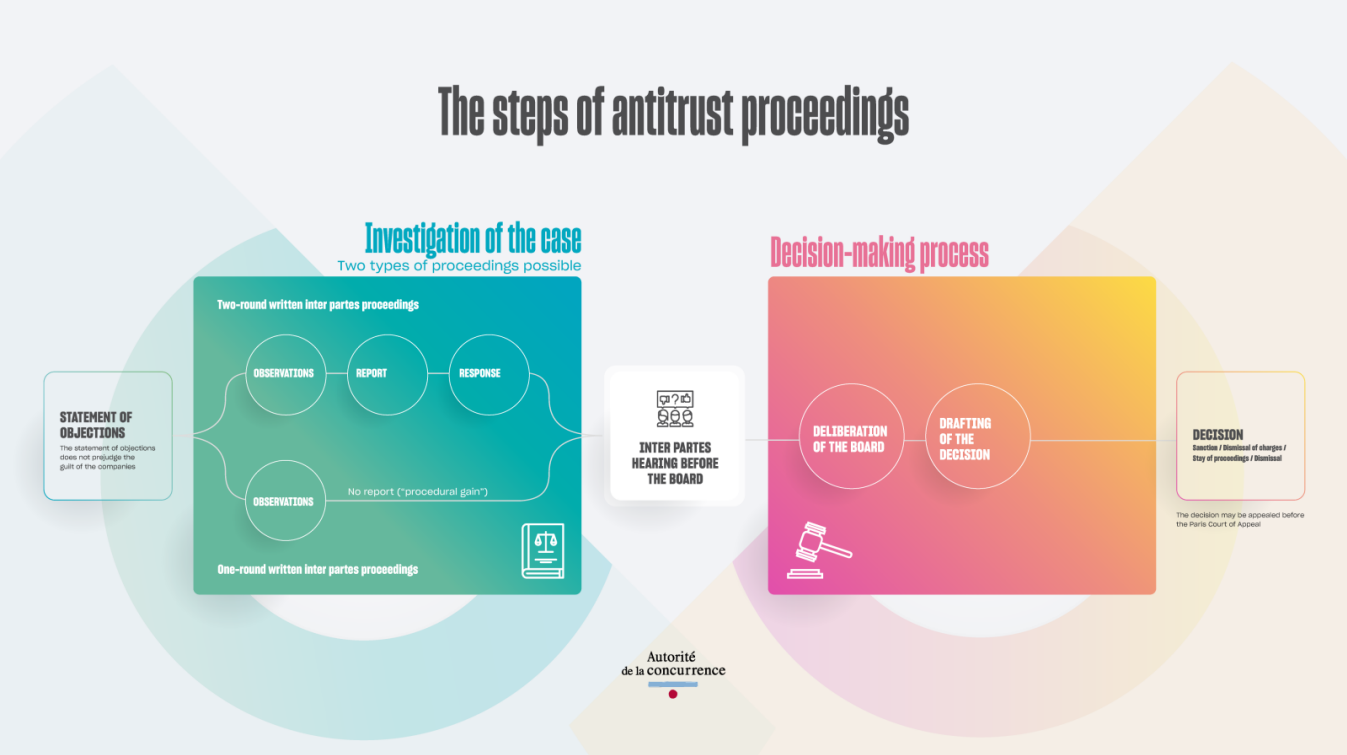
The *Autorité de la concurrence* will not comment further on the practice in question.

The Autorité can communicate on its investigative actions

Article L. 463-6 of the French Commercial Code (*Code de commerce*) provides that the *Autorité* may publish brief information relating to the actions (statement of objections, preparation of a report) that it takes with a view to the investigation, observation or sanction of anticompetitive practices, when the publication of this information is carried out in the public interest and in strict compliance with the presumption of innocence of the companies or associations of companies concerned.

The report is the Investigation Services' response to the observations made by the parties after the statement of objections, which is the "indictment". The statement of objections is sent by the Investigation Services to companies or organisations suspected of having implemented anticompetitive practices (mainly cartels and abuse of dominant position).

The investigative action of notifying the report opens the second round of the *inter partes* proceedings before the *Autorité*, during which the parties can make any legal or factual observations, in accordance with their rights of defence. The second *inter partes* round is followed by an oral hearing before the Board, during which the parties, the Government Commissioner and, where applicable, witnesses or experts are heard.



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