

Search syndication and online advertising sectors: the *Autorité* rejects the complaint on the merits filed by Qwant against Microsoft and the request for interim measures

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Background

Qwant S.A.S. ("Qwant"), which operates in the general online search services sector, asked the *Autorité de la concurrence* for interim measures against Microsoft Corporation ("Microsoft"), which is also active in the same sector and, in particular, in search-related online advertising services.

Qwant accused Microsoft of abusing both its dominant position and the situation of economic dependence in which Qwant was kept by Microsoft.

According to Qwant, Microsoft had engaged in exclusivity and tied selling practices, thereby restricting the ability of Qwant to develop an artificial intelligence (AI) model and discriminating against Qwant in access to search-related online advertising.

The *Autorité* considers that Qwant failed to provide sufficient evidence to demonstrate that Microsoft is in a dominant position in the market described in its complaint or that the conditions for abuse of economic dependence are met.

The *Autorité* therefore rejects the complaint on the merits and, consequently, the request for interim measures.

The general online search services sector

Qwant operates in the general online search services sector, offering internet users a search engine service that is presented as respectful of user privacy. To provide its search results, Qwant has partly been using Microsoft technology since 2016, deployed through the Bing search engine.

- **The key role of paid search queries in how the sector operates**

The business model of general search engines is based on a balance between providing users with free access to search services and generating revenue through search advertising.

In concrete terms, when a user makes a query on a search engine, the engine delivers two types of results: (i) algorithmic search results, ranked solely according to their relevance thanks to sophisticated algorithms developed by the search engine provider, and (ii) paid results selected through an auction process managed by advertising platforms, where advertisers submit bids for the display of their advertisements. The two main advertising platforms for search-related advertising are Google (Google Ads) and Microsoft (Microsoft Advertising).

The general online search market therefore comprises two interdependent sides, linked by strong “network” effects: the more users that a search engine attracts, the more the engine can improve the relevance and targeting of its advertising and thus increase its advertising revenues.

- **Search result syndication**

Other than Google and Microsoft, very few operators have the technology to generate results, whether organic or paid. The other search engines acquire and then integrate the results into their own search interface, under "syndication" agreements. These agreements can be concluded:

- between two search engines, for example when a search engine does not have its own search technology or its technology does not provide sufficiently efficient or accurate responses to certain queries;
- between a search engine and a website publisher, which integrates a search bar into its site;
- for the benefit of a third-party company for use other than as a search tool, in particular to ground the results of a generative AI model.

Google and Bing are the two main suppliers of syndication services for organic and paid search results. Brave, Mojeek and, since June 2025, European Search Perspective (a joint venture between Qwant and Ecosia) also provide syndication services, limited to organic search results.

Qwant's allegations of a dominant position and economic dependence are unsubstantiated

- **Qwant failed to provide evidence of Microsoft's dominant position**

The *Autorité* found that Qwant provided no evidence of Microsoft's dominant position in the market for search result syndication services.

On the one hand, it appears that Google also provides syndication services. On the other hand, any search engine whose service is based on syndication agreements displays paid results in addition to organic results, thereby generating revenue. As confirmed by the *Autorité* during the investigation, the relevance, quality, variety and volume of available advertising contribute to the attractiveness of an operator providing syndication services for a search engine. As a result, any syndication market would also be dependent on the search-

related online advertising market, in which, according to the Commission, Google holds an ultra-dominant position.

Google's pre-eminent position on the revenue-generating side of the market is therefore likely to exert strong competitive pressure on the syndication side of the market, ruling out, in the absence of any evidence to the contrary in the case file, any hypothesis of Microsoft's dominance in the search engine syndication market.

- **Lack of evidence of economic dependence**

For a situation of economic dependence to exist, the relationship between two given companies must meet several objective criteria, including: the share of the company in question in the revenue of its partner(s), the size of its market share, its reputation and the absence of technically or economically equivalent solutions. While the criterion relating to the significance of the results provided by Microsoft in Qwant's revenue is met, the *Autorité* considers the other criteria are not.

With regard to the brand reputation criterion, the *Autorité* notes that, although Bing is perceived by market players and alternative search engines as one of the only companies capable of providing a complete syndication service, this reputation is relative given Google's dominance and much higher profile than Bing in the general search and search-related online advertising markets.

Secondly, with regard to Qwant's claim that it would be impossible to find an alternative solution that was technically and economically equivalent to Microsoft's offering within a reasonable timeframe, the *Autorité* considers the claim to be contradicted by several observations. Not only does Qwant have its own search capabilities, but it is also the only search engine contractually authorised by Microsoft to develop its own search technology for syndication. Furthermore, in June 2025, Qwant itself launched a joint syndication offering with Ecosia, based on their own search technology. The *Autorité* therefore concludes that Qwant is not economically dependent on Microsoft.

In addition, the *Autorité* examined the practices alleged by Qwant as constituting an abuse of its situation of dependence. Qwant accused Microsoft of exclusivity in the supply of advertising, the tied selling of organic and paid search results, discrimination in access to advertising and restrictions on the development of an AI model. For each of these practices, the *Autorité* considered there was insufficient evidence to support the allegations made by Qwant.

Therefore, the *Autorité* rejected the complaint on the merits for lack of sufficient evidence and, consequently, the request for interim measures attached to the complaint.

Contact(s)

Nicola Crawford
Communications Officer
+33155040151
Contact us by e-mail

Maxence Lepinoy
Chargé de communication,
responsable des relations avec les
médias
06 21 91 77 11
Contact us by e-mail