The Autorité de la concurrence hands out a €220 millions fine to Google for favouring its own services in the online advertising sector

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Google, did not dispute the facts, wished to settle with the Autorité, which granted its request.

Google also proposed commitments, accepted by the Autorité, that will change the way its advertising service DFP and its sales platform AdX function.

Following referrals from News Corp Inc., Le Figaro group[1] and the Rossel La Voix group, the Autorité de la concurrence issues today a decision sanctioning Google, up to 220 million euros, for having abused its dominant position in the advertising server market for website and mobile applications publishers. The Autorité noted that Google granted preferential treatment to its proprietary technologies offered under the Google Ad Manager brand, both with regard to the operation of the DFP ad server (which allows publishers of sites and applications to sell their advertising space), and its SSP AdX sales platform (which organises the auction process allowing publishers to sell their “impressions” or advertising inventories to advertisers) to the detriment of its competitors and publishers.

The practices in question are particularly serious because they penalised Google's competitors in the SSP market and publishers of mobile sites and applications. Among these, the press groups - including those who were at the origin of the referral to the Autorité - were affected even though their economic model is also strongly weakened by the decline in sales of print subscriptions

and the decline in associated advertising revenue.

The Autorité recalls that a company in a dominant position is subject to a particular responsibility, that of not undermining, by conduct unrelated to competition on the merits, to an effective and undistorted competition.

Google, which did not dispute the facts, wished to benefit from the settlement procedure. The Autorité granted its request. Google proposed commitments to improve the interoperability of Google Ad Manager services with third-party ad server and advertising space sales platform solutions and end provisions that favour Google. The Autorité accepted these commitments and makes them binding in its decision.

Isabelle de Silva, President of the Autorité de la concurrence stated on the occasion of this decision: "The decision sanctioning Google has a very special meaning because it is the first decision in the world to look into complex algorithmic auctions processes through which online display advertising works. The particularly rapid investigation revealed processes by which Google, building on its considerable dominance in ad servers for websites and applications, outperformed its competitors on both ad servers and SSP platforms. These very serious practices penalised competition in the emerging online advertising market, and allowed Google not only to maintain but also to increase its dominant position. This sanction and these commitments will make it possible to re-establish a level playing field for all players, and the ability for publishers to make the most of their advertising space. "

[1] Le Figaro group withdrew its complaint on 6 November 2020.

PRESS RELEASE

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See the press release