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Court case Google vs European Commission (competition law, abuse of dominant position)

General Court of the EU largely dismisses Google's and Alphabet's legal action and upholds fine of €2.42 billion as set out in a 2017 Commission Decision



In a landmark judgment of 10 November 2021 on abuse of dominant position in the market for online general search services, the General Court of the EU largely dismissed the claim by Google¹ principally, for annulment of a Commission Decision of 2017 (relating to proceedings under Article 102 TFEU and Article 54 of the EEA Agreement), and, in the alternative, for annulment or reduction of the fine imposed on the applicants.

The four key elements of the judgment are

- The General Court recognises the anticompetitive nature of the practice at issue;
- The Commission correctly found harmful effects on competition;
- The General Court rules out any objective justifications for Google's conduct;
- Following a fresh assessment of the infringement, the General Court confirms the amount of the penalty.

¹ Since 2 October 2015, Google LLC has been a wholly owned subsidiary of Alphabet, Inc., the ultimate parent company of the group (together, 'Google').