

**Case AT.39097 - Watch Repair: decision rejecting a complaint
pursuant to Article 7(2) of Regulation 773/2004**

WEB STATEMENT

Commission closes its investigation into the refusal by several manufacturers of prestige/luxury watches to supply spare parts to independent repairers

The European Commission has closed its antitrust investigation in the sectors of the supply of spare parts and the provision of repair and maintenance services for luxury/prestige watches in several member states (notably France, Germany, Italy, Spain and the UK).

The investigation concerned watches which are typically worth repairing and maintaining (in that regard, the Commission focused on watches sold above a certain retail price). The Commission investigated, further to a complaint by the European Confederation of Watch and Clock Repairers' Association ("CEAHR"), whether the discontinuance of the supplies of spare parts by prestige watch manufacturers to independent watch repairers (i.e. repairers that do not belong to their respective official networks for repair and maintenance services) may constitute an infringement of EU competition rules on restrictive agreements and abuse of a dominant position (Articles 101 and 102 of the Treaty on the Functioning of the EU, respectively). Following a comprehensive investigation, the Commission has concluded that there is limited likelihood of finding such an infringement in the present case.

The Commission has accordingly decided to close its antitrust probe.

Background

In 2004, the European Confederation of Watch and Clock Repairers' Association ("CEAHR") lodged a complaint, alleging that manufacturers of prestige/luxury watches infringed EU competition law. According to the complainant, since 2002, watch manufacturers engaged into anticompetitive practices that threatened to foreclose independent repairers.

On 10 July 2008, the Commission decided to reject this complaint for lack of community interest. The Commission considered that it concerned a sector of limited economic importance, that national authorities and Courts were well placed to investigate the case and that the likelihood of finding an infringement of the EU antitrust rules appeared limited.

In December 2010, the General Court annulled the Commission's decision to reject CEAHR's complaint, ruling that the Commission had committed errors of assessment and insufficiently motivated some of its conclusions.

On 1 August 2011, the Commission decided to open formal antitrust proceedings in order to further investigate the allegations and take account of the General Court's judgment (see IP/11/952). The Commission has fully taken into account this judgment during its new investigation of the complaint.