

On 11/06/2015, the European Commission initiated formal antitrust proceedings against Amazon.com, Inc. and Amazon EU S.à.r.l ("Amazon"). The in-depth investigation will assess the compatibility of certain clauses found in Amazon's contracts with e-book publishers which aim at ensuring that publishers will provide Amazon with similar terms and conditions as offered to Amazon's competitors. The Commission will investigate whether such clauses are in breach of EU and EEA rules prohibiting anticompetitive agreements and the abuse of dominant market positions (Articles 101 and 102 of the Treaty on the Functioning of the European Union and Articles 53 and 54 of the EEA Agreement).

The initiation of proceedings is based on Article 2(1) of Commission Regulation No 773/2004 relating to the conduct of Antitrust proceedings by the Commission. Pursuant to Article 11(6) of the Antitrust Regulation (Council Regulation No 1/2003) this initiation of proceedings relieves the competition authorities of the Member States of their competence to apply Articles 101 and 102 of the Treaty on the Functioning of the European Union to the same case.

The opening of formal proceedings does not prejudice the outcome of the investigation. It merely implies that the Commission will deal with the case as a matter of priority.