

On 10/11/2020, the Commission decided to initiate antitrust proceedings in case AT.40703 - Amazon Buy Box within the meaning of Article 11(6) of Council Regulation No 1/2003 and Article 2(1) of Commission Regulation No 773/2004.

The proceedings were opened with a view to adopting a decision in application of Chapter III of Council Regulation No 1/2003 and concern the conditions and criteria that govern the selection mechanism of the Buy Box that prominently shows the offer of one single seller for a chosen product on Amazon's websites, with the possibility for consumers to directly purchase that product, as well as the conditions and criteria that govern the eligibility of third party sellers to offer products under the Prime label to users of Amazon's Prime programme. Infringements, within the meaning of Article 102 of the Treaty on the Functioning of the European Union and Article 54 of the EEA Agreement, insofar as they may lead to a distortion of competition in favour of Amazon' retail business and/or third party sellers which make use of the "Fulfilment by Amazon" service, were allegedly committed by **Amazon.com, Inc.; Amazon Services Europe SARL; Amazon EU SARL; Amazon Europe Core SARL** and all legal entities directly or indirectly controlled by them. The investigation shall cover the European Economic Area with the exception of Italy.

The initiation of proceedings does not signify that the Commission has made a definitive finding of an infringement but merely signifies that the Commission will deal with the case as a matter of priority.