

PRESS RELEASE

Brussels, 14 July 2021

European press publishers welcome the decision by the French competition authority forcing Google to remunerate newspaper and magazine publishers for the use of their content

In the context of the implementation of the publishers' right in France, the *Autorité de la concurrence* imposed on Google a sanction of EUR 500 million for disregarding several injunctions issued in its decision of April 2020 relating to requests for precautionary measures presented by the Syndicat des éditeurs de la presse magazine or SEPM (EMMA member) and the l'Alliance de la presse d'information Générale or APIG (ENPA member).

The decision not only fines Google to pay EUR 500 million but also forces it to present press publishers with a concrete offer for the use of their content. In addition, the French competition authority recognised the violation of obligations aimed at ensuring the neutrality of the negotiation vis-à-vis the display of protected content and existing economic relations by elsewhere between Google on the one hand publishers and news agencies on the other.

Furthermore, it is important to highlight that the basis of remuneration includes all forms of direct and indirect revenues, as provided for by law, and is not limited to direct advertising revenues alone. The French competition authority orders Google, under penalty, to provide the precise information necessary to value the neighbouring right, taking into account the use of press content within its services, beyond direct and indirect advertising revenues.

In line with the historic decision of the French competition authority, EMMA and ENPA insist on the necessity to establish at EU level through the Digital Markets Act (DMA) a regulation aimed at market dominant gatekeeping platforms granting non-discriminatory access of all legal publications and offerings, as well as a prohibition of self-preferencing and undue hindering, with a regulatory binding mechanism obliging market dominant platforms to negotiate with all rightsholders of the publishers' right fair payment for their content.

The judgement on the merit assessing whether Google has abused its dominant position towards press publishers should be issued by the end of the year.

For further information, please contact:

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EMMA, the European Magazine Media Association, is the unique and complete representation of Europe's magazine media, which is today enjoyed by millions of consumers on various platforms, encompassing both paper and digital formats. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital.

See: www.magazinemedia.eu/

ENPA, the European Newspaper Publishers' Association (ENPA) is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European countries, and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union. See: www.enpa.eu/