

PRESS RELEASE

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New Delhi: October 10, 2022: Competition Commission of India (CCI) found merit in the complaint filed by News Broadcasters & Digital Association (NBDA) against Alphabet Inc, Google LLC, Google India Pvt Ltd, Google Ireland Ltd and Google Asia Pacific Pte Ltd, which stated that Google was abusing its dominant position in violation of the Competition Act, 2002. Accordingly, CCI in its order dated 6.10.2022, clubbed the matter with the ongoing investigations in similar complaints filed by other affected bodies i.e. INS & DNPA and also directed the Director General to investigate the present matter and submit a consolidated investigation report in all matters.

NBDA, an association of national and regional private news and current affairs broadcasters and digital news media entities, had filed a complaint under Section 19(1)(a) of the Competition Act, 2002 before the Competition Commission of India (CCI) seeking investigation against the tech giant Alphabet, Inc. and its subsidiaries (Google) alleging abuse of dominant position which is in violation of the Competition Act.

In its complaint, NBDA *inter alia* alleges that the revenue shared by Google with its Members does not adequately and fairly compensate the Members for the content generated by them on the platform. The complaint also states that Google free-rides on the content of its Members by forcing them to provide their news content to Google in order to prioritize their web links in the Search Engine Result Page (SERP) of Google.

Apart from the above, NBDA also states in its complaint that Google exploited the dependency of its Members on the search engine offered by Google for referral traffic to build its services such as Google News, Google Discover and Google Accelerated Mobile Pages (AMP), which utilizes the value of content created by the Members for its own economic benefit. The inclusion of 'Snippets' in Google Search, which provide short headlines accumulated from a variety of news agencies/news organizations, is an example of such feature/measure employed by Google, which adversely affects the revenues of the Members.

Furthermore, the complaint states that Google abuses its dominant position to dictate terms and conditions which unilaterally favour Google. Members of NBDA have no negotiating or bargaining power while entering into any agreement with Google, due to the dominant position of the tech giant.

The complaint also states that Google not only operates the largest ad exchange where advertisements are sold and purchased but also represents both “buy ” and “sell” sides in the transactions, i.e., both publishers and advertisers through a chain of third-party intermediaries (also called ad tech stack) to match supply and demand of digital advertisements. NBDA states that Google is able to abuse its dominant position to restrict its Members from routing ad inventory to multiple exchanges and by preferentially routing Members inventory to Google’s exchange, which is a matter of serious concern for the Members.

Simultaneously, Google also uses its dominant position to force the Members into using AMP or the Members lose their ranking in the mobile search result. It is also stated that Google uses AMP to subvert revenues of Members by preventing them from forming a direct relationship with the user, as the readers/users spend more time on Google’s site, seeing Google’s advertisement as opposed to any paid advertising on the content provider’s site.

NBDA has also stated in its complaint that the manner in which Google operates results in discouraging technical or scientific development relating to goods or services, which causes prejudice to the consumers, violates Privacy of users and the Intellectual Property Rights of its Members.



Annie Joseph
Secretary General