**9 April 2020 -** **The French Competition Authority released its preliminary ruling in favour of publishers against Google (see** [**EN**](https://www.autoritedelaconcurrence.fr/en/press-release/neighbouring-rights-autorite-has-granted-requests-urgent-interim-measures-presented) **press release). Press publishers’ unions and Agence France Presse lodged a complaint back in November 2019, asking for urgent interim measures. The Authority gave right to their claim on the ground that Google’s new terms and conditions following the introduction of the neighbouring right (French Copyright Law July 2019) were likely to constitute an abuse of dominant position and caused serious and immediate harm to the press sector.**

The outcome:

* The Authority has ordered **urgent interim measures** to protect publishers facing a serious and imminent financial threat as a result of Google’s behaviour.
* The measures oblige Google to enter into genuine negotiations with publishers & agencies - that are willing to – on the remuneration of the re-use of their content.
* During the three-month negotiations, Google must continue to display press content (videos, extracts, photos).
* Google must report every month to the Authority about the progress of negotiations.
* The measures are valid until the publication of the decision on the merits of the case.

The grounds:

* **Potential abuse of dominant position:**Google may have abused its dominant position (90% for search in 2019) by proposing inequitable contractual terms;
* **Circumvention of the law:** The choice not to pay for content is incompatible with the spirit and objective of the Copyright Directive. In other words, Google has over-exploited the opportunity offered by the law to freely display certain types of content;
* **Discrimination:**applying the same terms (no remuneration) to all press publishers, regardless of their situation and content value, may constitute an abuse of dominant position.

Important procedural point:

* Note that these measures are **preliminary.** They are designed to protect agencies and press publishers from consequences of a potential anti-competitive behaviour.
* Further investigations will be conducted by the Authority to assess whether Google has breached competition law. So a further **ruling on the substance of the case** is awaited.

Richard Gingras, Google's Vice President for News, reacted: "Since the European copyright law came into force in France last year, we have been engaging with publishers to increase our support and investment in news". He added: "We will comply with the [competition regulator's] order while we review it and continue those negotiations."

The full decision has been published in [FR](https://www.autoritedelaconcurrence.fr/sites/default/files/integral_texts/2020-04/20mc01.pdf). There is currently no EN version available. We have placed a request to the Authority’s press service.

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