

ANNEX I

QUESTIONNAIRE

Cases COMP/AT.39740 – Google
Google's revised proposed commitments text of 21 October 2013
DEADLINE FOR REPLY: 25 November 2013

When you reply to this questionnaire, please provide TWO versions of your reply: (i) a CONFIDENTIAL version; and (ii) a NON CONFIDENTIAL version which excludes business secrets or other confidential information.

For all administrative inquiries (e.g. if you would like to receive an electronic version of this questionnaire) please send an e-mail to the functional mailbox [REDACTED] [REDACTED] clearly indicating the reference **Cases COMP/AT.39740 – Google – Google's revised proposed commitments text of 21 October 2013**, as well as the name of your company.

If you have questions on the substance of this questionnaire, please do not hesitate to contact one of the officials dealing with the case:

[REDACTED]

[REDACTED]

[REDACTED]

I. Business secrets

1. **Reminder: Does your reply contain any parts that you regard as business secrets?**

YES NO

2. **If yes, have you provided a non-confidential version of your reply? (see Annex III for details and instructions)**

YES NO

II. Contact details and undertaking information

3. In order to facilitate possible further enquiries, please indicate the person responsible for the replies to this questionnaire

Company:	
Contact person:	Phone:
Position:	Fax:
e-mail:	
Address:	Country:
Company web-site:	

III. Questions

Please be aware that your reply should cover all information concerning your entire undertaking, including all connected undertakings, such as your ultimate mother company and its subsidiaries.¹

4. Based on the provisions of paragraphs 1 to 9 and the definitions of paragraph 25 of the revised proposed commitments, do you consider that there are entry points for searches on Google which are not covered by the revised proposed commitments? If so, please explain and give concrete examples.

¹ See the definition on the term of connected undertakings in point 12.2 of the Commission Notice on agreements of minor importance which do not appreciably restrict competition under Article 81(1) of the Treaty establishing the European Community (de minimis), OJ C 368, 22.12.2001, p. 13–15.

5. Based on the provisions of paragraphs 1 to 9 and the definitions of paragraph 25 of the revised proposed commitments, do you consider that there are specialised web search services of Google which are not covered by the revised proposed commitments, in part or whole?² If so, please explain and give concrete examples.

Please reply to questions 6 to 14 if you operate one or several specialised web search services in the EEA.

6. Please provide an analysis of the visibility of rival links as defined in paragraphs 2(c) and 3(c) of the revised proposed commitments and displayed in Annex 3 thereof, as compared to the visibility of rival links in the version of the proposed commitments that was market tested on 26 April 2013.
7. In your experience, does the presence of additional text describing the content of a search result affect the click-through rate on that result compared to the situation when such additional text is not present? Please substantiate your answer.
8. In your experience, does the shading of search results affect the click-through rate on that result? Please substantiate your answer.
9. Would your specialised web search service(s) be eligible for participation in the Vertical Sites Pools provided for in Annex 1, article 1(a), of the revised proposed commitments? If so, please specify which ones. If not, please explain why. In particular, if you consider that your service(s) would not be eligible because it does not meet all eligibility criteria listed in Annex 1, paragraphs 3 and 4, of the revised proposed commitments, please specify which criteria and why you consider that your service(s) would not meet them. Please also specify whether, in your opinion, the relevant competing Google specialised search service(s) meet(s) these criteria.
10. Please provide an estimate of the rank of each your specialised search services for each of the Traffic thresholds listed in Annex 1, paragraph 4(b), of the revised proposed commitments.
11. Annex 1, paragraphs 12 and 14, of the revised proposed commitments provide that Google will display next to Rival Links text up to a maximum length of two lines of 13 “m” characters each.

With regard to industry practice, how does this maximum size compare with the typical maximum size for text displayed next to free and/or commercial links within search results or search advertisements?

If you operate in the EEA one or several specialised web search services which are in your opinion covered by the provisions of paragraph 3 of the revised proposed commitments, please reply to question 12.

² Specialised web search services are web-based services that are by their design limited to a predefined specific category of information on the web. Horizontal web search services are web-based services that allow users to search for all information on the web, irrespective of the nature of the information.

12. Annex 1, paragraph 12, of the revised proposed commitments provides that Google will display together with Rival Links dynamically generated snippet text derived from the Vertical Search Sites.

In your opinion, would static text, provided by the Vertical Search Sites but independent of the query, be more relevant for the user than generated snippet text derived by Google from the Vertical Search Site as proposed in the revised proposed commitments? Please substantiate your answer.

If you operate in the EEA one or several specialised web search services which are in your opinion covered by the provisions of paragraph 2 of the revised proposed commitments, please reply to questions 13 to 14.

13. Please provide the average revenue per visit on each of your specialised web search services for traffic coming from Google. Please split this per EEA country where your service is active, and distinguish between natural search traffic and paid search traffic.
14. Annex 1, paragraphs 15 to 22, of the revised proposed commitments describe the mechanism that Google will use in order to select and rank Rival Links showing the best relevance as well as exclude Rival Links of low quality from showing in the Rival Links space.

In your opinion, does this mechanism appropriately select between high and low quality Rival Links? Please elaborate (please provide concrete examples) on (i) the machine-learning regression model to calculate the pCTR of a Rival Link, (ii) the minimum cost-per-click threshold and (iii) the minimum pCTR threshold.

In your opinion, is this mechanism objective, neutral and non-discriminatory or can it be subject to manipulation? Please elaborate. If your answer is no, could you describe alternative mechanisms that reduce the risk of potential manipulation?

15. In your opinion, will the opt out possibilities provided for in paragraphs 10 to 22 of the revised proposed commitments, including in particular the provisions of paragraphs 13 and 21, improve your bargaining power in discussions with Google concerning the use by Google of your web sites' content? Please explain.

Thank you for your co-operation

<p>Reminder: Does your reply contain business secrets or other confidential information? Have you attached a non-confidential version of your reply? For details and instructions, see Annex III.</p>
