



## EUROPEAN COMMISSION

Competition DG

Director General

Brussels, 06/03/2014  
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John M. Simpson  
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Dear Mr Simpson,

Thank you for your letter of 6 February 2014 to President Barroso, who has asked me to reply on his behalf.

You refer to the revised commitments offered by Google on 31 January 2014 in the ongoing investigation in Case 39740. You comment on the fact that these revised commitments will not be subject to another market test and will not be made public. You also express a number of concerns as regards the substance of the revised commitments.

As you know, the Commission has carried out two extensive rounds of market feedback of previous commitments offered by Google in which Consumer Watchdog participated. We are grateful for your engagement in this regard.

As Vice-President Almunia has outlined, on the basis of all the information on its file the Commission has come to the preliminary view that the revised commitments submitted by Google can adequately address the competition concerns identified by the Commission. Whilst I understand that your organisation has concerns about the content of Google's revised commitments, the Commission must at a certain point come to such a preliminary view. Otherwise, there would be a perpetual back and forth if revised commitments were to be market tested until every market participant was happy on every point. Moreover, if the nature or scope of commitments is not altered, there is no requirement to conduct an additional market test. Whilst there have been improvements in certain key elements of Google's revised commitments, these do not change their nature or scope.

As a result, in the coming period, the Commission will send complainants a detailed provisional assessment, setting forth the reasons why it is of the preliminary view that the revised commitments can adequately address the concerns in this case. I can assure you that the Commission will duly examine the responses before taking a final decision on whether to make Google's revised commitments legally binding.

More generally, Google has made its revised commitments public. Therefore, complainants, third parties and members of the public can provide input on them as appropriate.

Finally, let me assure you that the President and all the Members of the College are fully informed about the ongoing Google investigation.

Yours sincerely,

A handwritten signature in black ink, consisting of a horizontal line that curves upwards and then loops back down to the right, ending in a small hook.

Alexander Italianer