

Press Release

Antitrust Complainants raise significant questions on Google's corporate structure

European Commission Google Antitrust Case Investigation

Brussels, June 2013 – Everyone knows Google's search engine, and most rely on it every day to find anything they might be looking for. For webmasters too, Google has become vitally important: the vast majority of website visitors surfs to them via the search giant, whose market share in some countries exceeds 95%*.

Hot-Map.com is an international map website which features interactive versions of high quality, real print cartography. The featured maps on hot-map.com are of the style one would usually buy as an atlas or folding map in a bookstore, and are Hot Map's own and those of other cartographers. The Hot Map team has been running some of the world's largest map websites since 1998, serving many millions of web users from around the world, and empowering classic map publishers small or large to bring their maps to consumers online.

Hot Map is member of the ICOMP Council since the beginning of 2011.

In 2010 Hot Map has filed German and EU anti-trust complaints against Google, as well as a lawsuit in Hamburg valued at 1,25 million euros questioning Google's AdWords "Auction" system and "Quality Factor":

Unlawful obstruction 1: Price undercutting (dumping)

The anti-trust complaints are about Google Maps API and other mapping tools being licensed to web developers free of charge, giving all legitimate online mapping companies worldwide a run for their money. The same is true for Google "Places" and other forms of free local business listings with maps.

Google Maps API being a no-cost tool opens the door for literally millions of low quality "Mapspam" sites by third parties that consist of little more than syndicated Google Maps, AdSense ads and affiliate links, while clogging up the search result pages for consumers to find real cartography and high quality information.

Unlawful obstruction 2: Favouring of Google services in search results

Also Hot Map massively criticizes the self-promotion via Google's "Universal Search" results pages and mobile search, where Google Maps are pre-installed on the page top with a large interactive map image, search "penalties" against rivals and various other Google doings within organic search.

Unlawful obstruction 3: Violation of EU Digital Single Market concept

Hot Map's statistics analyses strongly suggest International discrimination against Google competitors, i.e. that Google is locking Europe's digital companies into their respective national home markets, denying access into other EU and worldwide markets, most notably the USA, if the company refuses to buy Google advertising, by making its website practically invisible. Here Google is in total violation of the EU's Digital Single Market concept.

Michael Weber, CEO of hot-map.com said:

From recent disclosures in UK Parliamentary Proceedings on tax questions, Google's trading structure has recently become clearer. What is not clear is whether Google's Proposals are addressed to all Google entities, which will be important for effective enforcement in the EU. For example, in Google's Proposals a "Google" is defined as "Google Inc.". In the event that Google Inc. were to be in breach, it is not clear how the Commission would be able to enforce the 'legally binding' nature of the obligations that are intended to be contained in the Proposals. The identity of the entities in the Google corporate structure which are trading in the European Union, and which hold assets here that cannot easily be shifted elsewhere in the world is also unclear.

The identity of the entities within the Google corporate structure to which the proposals are addressed is also important for the purposes of facilitating follow on claims in national proceedings. Accordingly, any commitments should also cover Google's subsidiaries that are trading in the EU and which, for example, make sales in various countries and run Google's relevant search domains, and receive payment for inclusion or ranking and conduct advertising businesses in the EU. The entities that are defined as providing such services and trading in the EU should be specified by the Commission in its decision.

We are dismayed by the approach adopted by Google and the effect of its approach on European users and consumers of Internet services. We see the continuing actions of Google in proposing ineffective remedies as allowing its practices to go unchecked, with continuing effects on competition within the EU, especially for smaller and medium sized businesses that are dependent on Google for access to the market. The effects on the wider European economy will inevitably have been and continue to be significant.

We again suggest that the Commission swiftly resume its Article 7 process and issue its Statement of Objections and insist on truly effective remedies.

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About hot-map.com

www.hot-map.com is a web service with country and city maps, with free to view interactive maps worldwide, based on real, printed cartographic maps from various publishers small and large. Other websites can obtain licenses to use them within their pages.

Reprint free of charge, please forward a copy by E-mail, PDF-file, link or postal mail. Many thanks!

More information at hot-map.com/press :

- This text as an editable file
- Study test reports in full
- Background information on the Google anti-trust complaints and investigations
- Interview contacts in English and other languages in various countries

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