# Competition Law Bulletin

2026
Second Quarter

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# Notable Reasoned Decisions of the Turkish Competition Board

## The Board Determined That Certain Undertakings Operating in the Pharmaceutical Sector Violated Law No. 4054 Through the Exchange of Competitively Sensitive Information and/or No-Poach Agreements

The Turkish Competition Board (Board) assessed whether several undertakings operating in the pharmaceutical sector violated Article 4 of Law on the Protection of Competition No. 4054 (Law No. 4054) by entering into no-poach agreements and/or exchanging competitively sensitive information regarding the labor market. The investigation was initiated following a complaint alleging that AbbVie had abused its dominant position, and numerous undertakings were subsequently included in the scope of the investigation.

Based on the findings obtained during the on-site inspections carried out within the scope of the investigation, the Board determined that certain undertakings had exchanged current and competitively sensitive information regarding employees' salary increase rates, fringe benefits and other working conditions. The Board further concluded that certain undertakings had entered into no-poach agreements.

During the investigation, GSK, Abdi İbrahim, Menarini, Drogsan and Genveon opted for the settlement procedure, and the proceedings against them were concluded through the imposition of reduced administrative fines in accordance with the relevant settlement decisions.

Moreover, the Board decided to impose administrative fines on the undertakings that continued to contest the investigation without settling and were found to have violated Article 4 of Law No. 4054 through no-poach agreements and/or the exchange of competition-sensitive information.

> The full text of the reasoned decision is available at this link.

## The Board Determined That Certain Undertakings Operating in the Power and Distribution Transformer Sector Violated Law No. 4054

The Board assessed whether certain undertakings operating in the power and distribution transformer sector had violated Article 4 of Law No. 4054 by colluding in tenders conducted by the Turkish Electricity Transmission Corporation (TEİAŞ) and electricity distribution companies, allocating customers and tenders among themselves, and coordinating their pricing behavior.

Having assessed the documents, correspondence and other evidence obtained during the investigation, the Board concluded that certain undertakings had acted in coordination with a view to eliminating competition in tender processes, aligned their bidding behavior and exchanged competitively sensitive information in relation to certain product groups. The Board further concluded that the violation covered various segments, including power transformers, distribution transformers, switchgear cells, and concrete kiosks. However, with respect to certain economic entities, the Board assessed that the relevant conduct should be regarded as constituting a single and continuous violation. Accordingly, the Board decided to impose administrative fines on numerous undertakings. On the other hand, as regards Grid Solutions, the Board concluded that there was insufficient evidence to establish a violation and therefore decided not to impose an administrative fine.

The full text of the reasoned decision is available at this link.

## Competition Concerns Regarding Sahibinden's Otobid Service Were Resolved Through Commitments

As part of its investigation, the Board examined whether Sahibinden had violated Article 6 of Law No. 4054 by leveraging the user data and market power derived from its dominant position in the online vehicle listing platform market in favor of Otobid, its second-hand vehicle buying and selling service.

During the investigation, the Board assessed that Sahibinden's use of user and listing data obtained through its online listing platforms for the purposes of Otobid could give rise to competition concerns in the market for online second-hand vehicle buying and selling services through data combination and leveraging effects. The Board also determined that the intensive promotion and steering practices in favor of Otobid had the potential to create exclusionary effects on competing undertakings.

During the investigation, the Board adopted an interim measure requiring Sahibinden to limit its steering practices in favor of Otobid and to refrain from using user and listing data obtained through its online classified advertising platforms in the provision of online second-hand vehicle trading services.

While the investigation was ongoing, the Board assessed that the commitments submitted by Sahibinden regarding data combination, in-app visibility, and advertising expenditures were suitable to eliminate the identified competition concerns.

Considering the foregoing, the Board decided to make the commitments offered by Sahibinden binding and terminate the investigation.

> The full text of the reasoned decision is available at this link.

## The Board Launched an Investigation into Unilever and Magnum and Decided to Impose Interim Measures

The Board assessed the allegations that Unilever and Magnum violated Articles 4 and/or 6 of Law No. 4054 and failed to comply with the obligations imposed under the Board's decision dated 18.03.2021.

Within the scope of the sector inquiry conducted by the Board, information obtained from competing undertakings, on-site examinations carried out at points of sale, and the results of surveys were assessed. Following the inquiry, the Board determined that Magnum continues to maintain its strong position in the industrial ice cream market, that the obligation introduced under the 2021 decision requiring space to be allocated to competing products has been implemented only to a limited extent in practice, and that certain practices may hinder the activities of competitors in the market. In particular, the Board found that only limited shelf space was effectively allocated to competing products in Magnum-branded freezers and that the competitive structure of the market had weakened.

The Board concluded that the findings gave rise to serious concerns that Magnum may have engaged in exclusionary practices against its competitors and may have limited the effectiveness of the Board's 2021 decision. The Board also considered that interim measures were necessary to prevent further harm to the competitive structure during the investigation.

Considering these assessments, the Board decided to initiate an investigation into Unilever and Magnum. Pending the conclusion of the investigation, the Board ordered interim measures requiring Magnum to allocate 30% of the total capacity of its ice cream freezers at the relevant sales points to competing products, not to place its own products within that allocated space, to increase the allocated space to 50% upon request by the sales point, and to leave the relevant space empty where no competing products are available.

The full text of the reasoned decision is available at this link.

## The Board Determined That Med Yapım and Ay Yapım Violated Law No. 4054 Through the Exchange of Information on Employee Salaries

The Board assessed whether Med Yapım and Ay Yapım, which operate in the television series production sector, violated Article 4 of Law No. 4054 by exchanging information regarding employee salaries and salary increase rates.


Within the scope of the investigation, the Board examined the WhatsApp correspondence obtained during the on-site inspections and determined that the parties had exchanged information regarding the salary increase rates to be applied to employees and the salary levels of certain employees. The correspondence also revealed that Med Yapım shared with Ay Yapım the salary increase rate it planned to implement and included statements indicating that the salary of a particular employee should be maintained at the same level as that offered by the competing undertaking.

The Board assessed that employee salaries and salary increase rates constitute competitively sensitive information in labor markets and that the exchange of such information between competing employers may restrict competition in labor markets by eliminating strategic uncertainty regarding their wage policies. Accordingly, the Board concluded that the information exchange between the parties undermined their independent decision-making processes and constituted a violation of Article 4 of Law No. 4054.

During the investigation, Med Yapım and Ay Yapım submitted settlement applications, acknowledging the existence and scope of the violation. The Board accepted the settlement applications, applied a 25% reduction to the administrative fines, and concluded the investigation with respect to the information exchange allegations.

> The full text of the reasoned decision is available at this link.

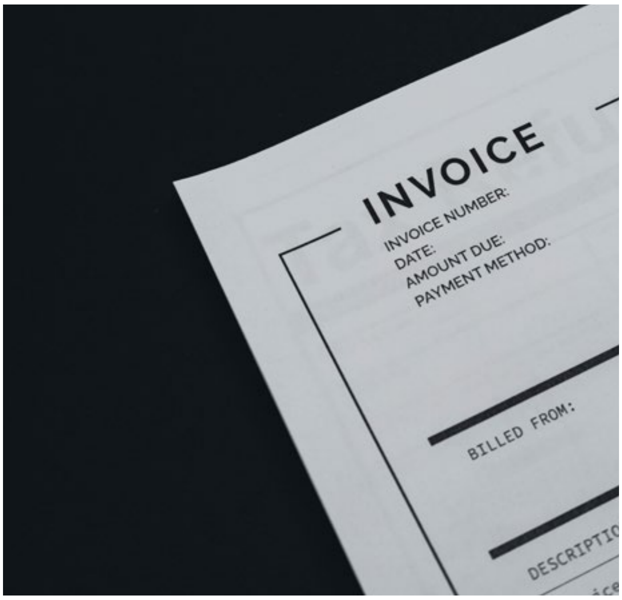
# Important Announcements Published by the Turkish Competition Board

## The Board Initiated an Investigation into Google Regarding Its Billing and Commercial Practices in Relation to Online Advertising Services

The Board decided to initiate an investigation to determine whether Google's billing practices and commercial practices towards advertisers and advertising agencies within the scope of its online advertising services violate Article 6 of Law No. 4054.

The investigation was initiated following allegations that Google engaged in discriminatory practices by invoicing advertisers and advertising agencies through different legal entities in relation to its online advertising services. Within the scope of the investigation, the Board is assessing the differences in costs arising from the fact that customers invoiced through Google Ireland are subject to withholding tax under Turkish tax legislation, whereas customers invoiced through Google Turkey are not.

In its preliminary assessments, the Board reached findings indicating that Google's international billing structure and the related tax obligations may create different cost structures for certain undertakings operating at the same level of the market, which may, in turn, give rise to discriminatory effects. Accordingly, the Board will be assessing whether the practices in question constitute an abuse of dominant position within the scope of Article 6 of Law No. 4054.




During the investigation, the Board will examine in detail the criteria based on which Google classifies its advertiser and advertising agency customers, whether such classification is based on objective criteria, how it is reflected in Google's billing practices, whether it gives rise to different cost implications for undertakings, and whether Google engages in any other discriminatory practices on the basis of such classification.

> The full text of the announcement is available at this link.

## The Board Initiated an Investigation into Undertakings Operating in the Health Insurance Market, Private Healthcare Providers, and Undertakings Providing Technical and Operational Support to Private Healthcare Providers

The Board initiated an investigation to determine whether insurance companies operating in the health insurance market in Turkey, private healthcare providers, and certain undertakings providing technical and operational support to private healthcare providers violated Law No. 4054.

The investigation follows the preliminary investigation conducted on the basis of examinations carried out following complaints and allegations submitted to the Authority. Within the scope of the investigation, the Board will assess allegations that insurance companies operating in the health insurance market engaged in anticompetitive practices by jointly determining insurance premiums, allocating customers, regions or products, and exchanging competitively sensitive information. The investigation will also examine allegations that exclusionary agreements may have been concluded between health insurance companies and healthcare service providers.

> The full text of the announcement is available at this link.

## The Board Launched a Sector Inquiry into Artificial Intelligence

The Board has launched a sector inquiry to assess the structure of the artificial intelligence ecosystem and the competition law issues that may arise in this field.

According to the Authority’s announcement, developments in generative artificial intelligence have given rise to new competitive dynamics centered around data, computing capacity, and digital platforms. In this context, it was stated that the functioning of the artificial intelligence ecosystem and the competitive conditions in the market will be examined through a holistic approach.

The announcement further noted that the artificial intelligence value chain consists of infrastructure, foundation model development, and application layers, and that access to input such as data, computing power, technical expertise, and financing plays a decisive role, particularly in the development of foundation models. It was also emphasized that, due to the general-purpose nature of foundation models, they can be deployed across different sectors and applications, making them significant from the perspective of market structure and competitive dynamics.

The Board stated that the findings of the sector inquiry are expected to contribute to the identification of structural trends and potential competition risks in the field of artificial intelligence, support policy-making processes, and help preserve competitive market structures.

> The full text of the announcement is available at this link, Our client alert on the subject is available at this link.

## The Board Announced the Launch of Its Study on Competition Policies in the Digital Age

Board announced the launch of a study titled "Competition Policies in the Digital Age" with a view to assessing the effects of digitalization on competition law and policy.

The study aims to examine the competition issues arising from the increasing importance of digital platforms, the widespread adoption of data-driven business models, and the strengthening of ecosystem structures. Within this framework, it will address the position of undertakings operating in digital markets, key market trends, and emerging competition issues.

In addition, the study will comparatively assess ex ante regulatory approaches and ex post enforcement under competition law by examining the practices adopted in different jurisdictions and an analysis of the effectiveness of the regulatory tools adopted therein. It will also evaluate the applicability of competition law tools in digital markets, including administrative fines, interim measures, and commitment mechanisms.

As an outcome of the study, the Board will prepare the Competition Policies in the Digital Age Report, which aims to assess recent developments in digital markets and contribute to the development of Turkey's policy framework in this area. The Report will also revisit the findings set out in the previously published study titled "Reflections of Digital Transformation on Competition Law" considering recent developments.

> The full text of the announcement is available at this link, Our client alert on the subject is available at this link.

## The Authority Updated the Merger and Acquisition Guidelines

The Authority published the updated merger and acquisition guidelines in line with the amendments introduced to Communiqué No. 2010/4 on Mergers and Acquisitions Requiring the Approval of the Competition Board (Communiqué No. 2010/4) in February 2026.

Accordingly, the Guidelines on Cases Considered as Mergers and Acquisitions and the Concept of Control and the Guidelines on Undertakings Concerned, Turnover and Ancillary Restraints in Mergers and Acquisitions were updated in parallel with the amendments made to Communiqué No. 2010/4.

The Guidelines on the Assessment of Horizontal Mergers and Acquisitions and the Guidelines on the Assessment of Non-Horizontal Mergers and Acquisitions were also revised to introduce principles governing the assessment of coordination effects that may arise between parent undertakings because of joint venture transactions.

> The full text of the announcement is available at this link, Our client alert on the subject is available at this link.

## The Investigation Conducted Regarding Mastercard and Visa was Concluded Through Commitments

The Board concluded the investigation conducted regarding Mastercard and Visa by accepting the commitments submitted by the parties.

Within the scope of the investigation, the Board identified competition concerns arising from Mastercard's and Visa's activities in the card scheme services market in Turkey, as well as from Mastercard's digital wallet services, which were considered capable of hindering the activities of competitors in the relevant markets.

With respect to the card scheme services market, Mastercard and Visa submitted commitments aimed at making the discount and incentive mechanisms offered to acquirers more transparent, objective, and measurable. The commitments also included improvements to the interchange fee rates applicable to cross-border transactions.

With regard the digital wallet services market, Mastercard submitted various commitments concerning product placement and campaign conditions within the scope of its contractual and de facto relationships with merchants using the Masterpass service. The Board found the commitments sufficient and decided to conclude the investigation.

> The full text of the announcement is available at this link.

## The Board Initiated an Investigation into Meta and Adopted Interim Measures

The Board decided to initiate an investigation to determine whether the economic entity comprising Meta Platforms, Inc., Meta Platforms Ireland Limited, WhatsApp LLC, and Meta Platforms İstanbul Bilişim Hizmetleri Limited Şirketi violated Article 6 of Law No. 4054 through the integration of Meta AI into WhatsApp and its practices concerning the provision of services by third-party artificial intelligence providers via WhatsApp.

Within the scope of the preliminary investigation, the Board found indications that Meta prevented third-party general-purpose generative artificial intelligence chatbots and artificial intelligence assistants from offering artificial intelligence services as primary services through WhatsApp. The Board assessed that such practices could hinder market access and the activities of competing artificial intelligence service providers.

The Board also decided to impose interim measures on Meta to prevent serious and irreparable harm that may arise during the investigation. Accordingly, the Board ordered Meta to establish the necessary conditions to enable third-party general-purpose generative artificial intelligence chatbots and artificial intelligence assistants to offer artificial intelligence services as primary services via WhatsApp, in a manner that does not de facto or economically hinder the provision of such services.

> The full text of the announcement is available at this link.

## The Investigation Conducted Regarding Netflix, BluTV, Disney+, Amazon Prime Video, Exxen, and Gain was Concluded Through the Commitment Procedure

The Board concluded the investigation conducted regarding Netflix, BluTV, Disney+, Amazon Prime Video, Exxen, and Gain, all of which operate in the subscription-based video-on-demand platform market, by accepting the commitments submitted by the parties.

Within the scope of the investigation, the Board examined the competitive effects of Netflix's selection of independent producers to produce its original Turkish content, certain provisions contained in its agreements with Turkish producers, and the parties' exclusivity practices concerning content and creative talent.

Under the commitments submitted by Netflix, it was undertaken to improve independent producers' access to the platform, increase the transparency of content selection processes, and limit practices in contractual relationships with producers that could give rise to competition concerns. In addition, the scope of the exclusivity practices concerning content and creative talent was narrowed, and commitments were made to increase the ability of producers, distributors, and creative professionals to work with alternative platforms.

The commitments submitted by Netflix, BluTV, Disney+, Amazon Prime Video, Exxen, and Gain focused on eliminating the competition concerns arising from content and creative talent exclusivity. In this context, the parties undertook various obligations, including limiting the duration of content exclusivity and eliminating exclusivity practices concerning creative talent.

The Board concluded that the commitments submitted were suitable to eliminate the identified competition concerns, rendered the commitments binding on the parties, and concluded the investigation through the commitment procedure.

> The full text of the announcement is available at this link.

## The Investigation Conducted Regarding Undertakings Operating in the Tire Manufacturing and Distribution Sector was Concluded

The Board concluded the investigation conducted regarding undertakings operating in the tire manufacturing and distribution sectors in the automotive industry. Within the scope of the investigation, the Board examined allegations relating to concerted practices concerning price movements, the exchange of competitively sensitive information, resale price maintenance, regional and customer restrictions, and anticompetitive practices in labor markets.

Within the scope of the investigation, administrative fines exceeding TRY 497 million were imposed on Petlas, Tatko, Üstündağ Lastik, and various distributor undertakings, and the proceedings were concluded through the settlement procedure.

In its final decision, the Board concluded that Brisa, Goodyear, Hankook, Michelin, Pirelli, Prometeon, and Otomotiv Lastikleri Tevzi, together with certain manufacturer and distributor undertakings, violated Article 4 of Law No. 4054 by engaging in concerted practices concerning price movements, resale price maintenance, regional and customer restrictions, the exchange of competitively sensitive information, and anticompetitive practices in labor markets. Accordingly, the Board imposed administrative fines totaling approximately TRY 3.1 billion. Together with the fines imposed under the settlement decisions, the total amount of administrative fines reached approximately TRY 3.6 billion.

On the other hand, with respect to manufacturers and supplier undertakings operating in the retread tire market that were parties to the investigation, the Board imposed a number of behavioral obligations aimed at preventing the indirect exchange of information through dealers Accordingly, the undertakings were required to use watermark systems capable of identifying dealers in price lists and announcements relating to pricing elements circulated to dealers, to communicate notifications regarding prices and pricing elements only through digital platforms accessible individually by each dealer, and to establish contractual arrangements preventing dealers from sharing forward-looking price information with competing undertakings or other dealers. The Board further decided that these obligations must be implemented and certified within three months following the notification of the reasoned decision.

> The full text of the announcement is available at this link.

## The Investigation Conducted Regarding Coca-Cola Satış ve Dağıtım A.Ş. was Concluded Through Commitments

The Board concluded the investigation conducted regarding Coca-Cola Satış ve Dağıtım A.Ş. (CCSD) to determine whether it had violated Articles 4 and 6 of Law No. 4054 by accepting the commitments submitted by CCSD.

Within the scope of the investigation, the Board assessed whether CCSD's exclusivity practices and its discount and support mechanisms hindered the activities of competing undertakings. Under the commitments accepted by the Board, it was decided that 35% of CCSD-branded coolers located at sales points in the traditional and on-premise consumption channels would be made available for competing products, that awareness of the cooler access rule would be enhanced, and that new measures would be introduced to improve the visibility of competing products.

The Board also accepted commitments providing for the abolition of minimum purchase requirements linked to the provision of coolers and the completion invoice practice, the restructuring of incentive and bonus schemes applicable to the sales organization, and the strengthening of dealers' competition law compliance obligations. In addition, the commitments included obligations to ensure that investment support is granted on the basis of objective criteria, is not conditional upon the exclusion of competing products, and that discount policies are implemented independently for each product category.

> The full text of the announcement is available at this link.

## The Board Granted Clearance for Uber's Acquisition of Certain Business Lines of Getir

The Board granted clearance, subject to the commitments submitted by the notifying party, for the transaction concerning the acquisition of sole control by Uber of Getir's online food ordering and delivery services business line and its online grocery ordering and delivery services business line.

Within the scope of its review, the Board assessed the effects of the transaction on competition in the relevant markets. The Board's decision noted that, under the commitment package submitted by Uber, a total investment of USD 500 million would be made in Turkey. The Board stated that the investment is expected to support high-quality employment, strengthen local engineering capabilities, and contribute to the development of Turkey's digital and technological infrastructure.

> The full text of the announcement is available at this link.

## The Board Found Meta's Application Regarding Threads to be in Compliance with Its Commitments

In the investigation initiated in 2024 concerning allegations that Meta had abused its dominant position through tying and data combination practices in relation to its Threads application, the Board had adopted an interim measure. However, following Meta's suspension of Threads' operations in Turkey, the interim measure became devoid of purpose. The investigation was subsequently concluded through the commitments submitted by Meta.

According to the Board's announcement dated 23.06.2026, Meta's application concerning the resumption of Threads' operations was found to be in compliance with the commitments, and the Threads application was reintroduced in accordance with those commitments.

> The full text of the announcement is available at link.

## The Authority Hosted a Workshop on "Competition Policies in the Digital Age"

The Authority hosted the Competition Policies in the Digital Age Workshop ("Workshop") in Ankara on 26 June 2026, where current competition policy developments in the fields of digitalization and artificial intelligence were discussed.

Within this framework, (i) regulatory approaches to digital markets, (ii) ex ante and ex post intervention models, (iii) algorithmic pricing, (iv) data-driven competition concerns, (v) platform economies, and (vi) competition dynamics within the artificial intelligence ecosystem were comprehensively discussed from multiple perspectives with the participation of representatives from academia, the public sector, and the private sector.

The Authority stated that the Workshop is expected to make a significant contribution to its policy development efforts concerning digital markets and to strengthen inter-institutional cooperation.

> The full text of the announcement is available at this link.

# Significant Developments Around the World

## The European Commission Updated the Competition Rules Applicable to Technology Transfer Agreements

The European Commission (Commission) updated the Technology Transfer Block Exemption Regulation and the Guidelines on the application of Article 101 of the Treaty on the Functioning of the European Union to Technology Transfer Agreements (Guidelines).

The new rules, which entered into force on 1 May 2026, aim to update the competition law framework applicable to technology licensing agreements considering the evolving dynamics of the digital economy and current market conditions. In this context, the Guidelines introduce new guidance on data licensing agreements and licensing negotiation groups, while also revising the framework applicable to licensing agreements relating to technologies that have not yet been commercialized and to technology pools.

> The full text of the press release is available at this link.

## The Commission Launched a Public Consultation on the Draft EU Merger Guidelines

The Commission published the draft EU Merger Guidelines (Draft EU Merger Guidelines) on 30 April 2026 and launched a public consultation. The Draft EU Merger Guidelines, which are intended to replace the existing Horizontal Merger Guidelines and Non-Horizontal Merger Guidelines, are regarded as the most comprehensive revision of the EU merger control regime in the last twenty years.

The Draft EU Merger Guidelines aim to update the framework for assessing the competitive effects of mergers and acquisitions considering recent economic and technological developments. In this context, they revisit the assessment of market power, foreclosure effects, coordination, potential competition, killer acquisitions, and the effects of transactions on innovation and investment. The Draft EU Merger Guidelines also provide guidance on sustainability and economic resilience considerations and set out more detailed assessment criteria for innovative undertakings.

> The full text of the Draft EU Merger Guidelines is available at this link.

## The Commission Published Its 2025 Competition Policy Report

The Commission published its 2025 Competition Policy Report. According to the Report, digital markets, artificial intelligence technologies, data use, and platform economies continued to be among the Commission's enforcement priorities in the field of competition law. The Report also noted that efforts to simplify competition rules, enhance legal certainty, and reduce the regulatory burden on businesses remain ongoing.

According to the Report, a total of 384 merger and acquisition transactions were notified to the Commission in 2025. Of these transactions, 97% were unconditionally cleared, while 88% of the decisions were adopted under simplified procedure. The Report further noted that no merger or acquisition transaction was prohibited during the year.

With respect to cartel enforcement, the Report highlighted decisions concerning the automotive and digital services sectors and noted that the first sanction concerning anticompetitive practices in labor markets was imposed in 2025. In addition, it stated that the first administrative fines under the Digital Markets Act were imposed in relation to anti-steering practices and the "pay or consent" model.

> The full text of the Report is available at this link.

## The Commission Adopted Interim Measures Against Meta

The Commission adopted interim measures on 9 June 2026 requiring Meta to restore free access to the WhatsApp Business API for competing general-purpose artificial intelligence assistants.

The interim measures are based on the Commission's preliminary assessment that Meta's policy change introduced in October 2025, which prevented third-party artificial intelligence assistants from providing services through WhatsApp, may constitute an abuse of dominance in the market for consumer communication applications.

In this context, the Commission found that, although access had been restored in March 2026, the fees currently charged produced effects equivalent to the previous restriction. Accordingly, the Commission required Meta to reinstate the free access conditions that applied prior to 15 October 2025 and to maintain those conditions until the conclusion of the investigation.

> The full text of the press release is available at this link.

## The Brazilian Competition Authority Outlined Its Approach to Transactions Involving Artificial Intelligence and Digital Markets

The Brazilian Competition Authority (CADE) outlined its approach to merger control in digital markets by reviewing various transactions involving major technology companies and artificial intelligence developers, including Microsoft/Mistral AI, Microsoft/Inflection AI, and Google/Character.AI. In this context, CADE emphasized that transactions in the digital, technology, and artificial intelligence sectors may give rise to significant changes in terms of assets, capabilities, technology, intellectual property rights, key employees, and competitive advantages, even where the parties do not generate significant turnover in Brazil.

CADE concluded that Microsoft's transaction with Inflection AI, involving a technology licensing arrangement and the hiring by Microsoft of a significant portion of Inflection AI's employees ("acqui-hire"), should have been notified despite not meeting the applicable notification thresholds, considering its potential competitive effects. By contrast, CADE closed its review of the Microsoft/Mistral AI transaction after finding no change of control or evidence of adverse effects on competition. Similarly, with respect to Google/Character.AI, CADE concluded that, although the arrangements involving technology licensing and the transfer of specialized employees warranted examination, they did not give rise to a notification obligation.

CADE also announced that it had initiated reviews into Google's transactions with Windsurf and Hume AI and would continue its economic studies on artificial intelligence markets.

> The full text of the press release is available at this link.

## The Belgian Competition Authority Published Guidelines on Sustainability Agreements

The Belgian Competition Authority (BCA) published guidelines on the assessment of cooperation agreements pursuing sustainability objectives under competition law. The Guidelines set out the principles for designing sustainability agreements in compliance with competition rules.

The Guidelines address the general principles applicable to the competition law assessment of sustainability agreements, common sustainability standards and the conditions for exemption, sector-specific exemptions applicable to the agricultural sector, and the mechanisms through which undertakings may request informal guidance or advice from the BCA in relation to planned sustainability initiatives.

> The full text of the press release is available at this link.

## The Japan Fair Trade Commission Published an Updated Report on the Generative Artificial Intelligence Market

The Japan Fair Trade Commission (JFTC) published an updated version of its report titled “Report Regarding Generative AI Version 2.0.” The JFTC stated that the report builds on its previous market study and aims to support the sustainable development of generative artificial intelligence technologies while safeguarding a fair competitive environment.

In this context, the JFTC announced that it had expanded its review to cover autonomous driving technologies and updated its competition law assessments under the Antimonopoly Act.

The JFTC also announced that it would continue its efforts to promote fair competition in generative artificial intelligence markets and strengthen cooperation with other competition authorities through international platforms.

> The full text of the press release is available at this link.

## The UK Competition and Markets Authority Launched a Strategic Market Status Investigation into Microsoft

The UK Competition and Markets Authority (CMA) launched an investigation to assess whether Microsoft holds Strategic Market Status in relation to its business software ecosystem. The investigation will examine Microsoft's position in business software products, including Windows, Word, Excel, Teams, and Copilot, as well as the effects of that position on businesses and public sector organizations in the United Kingdom.

In this context, the CMA will assess, in particular, whether product bundling, restrictions on interoperability, and default settings limit customer choice. The investigation will also examine the extent to which competing artificial intelligence services can integrate with Microsoft's business software.

The CMA is expected to reach a decision by February 2027.

> The full text of the press release is available at this buradan.

## The CMA Published Draft Guidance on Technology Transfer Agreements

The CMA published for consultation draft guidance on the application of the Technology Transfer Agreements Block Exemption Order. The draft guidance sets out the general framework for the assessment of technology transfer agreements under the provisions of the Competition Act 1998 prohibiting anticompetitive agreements.

The draft guidance also addresses the safe harbor conditions applicable to technology transfer agreements, the principles governing restrictive provisions and individual exemption assessments. The CMA stated that the guidance is intended, in particular, to contribute to maintaining an appropriate balance between promoting innovation and safeguarding competition.

> The full text of the draft guidance is available at this link.

## The Competition Bureau Canada Published Its 2026–2027 Annual Plan

The Competition Bureau Canada published its strategic plan for the 2026–2027 period, which aims to protect consumers while improving accessibility and expanding choice. The Bureau stated that the plan is built around three strategic priorities: (i) protecting consumers through enforcement, (ii) promoting competition in Canada, and (iii) investing in institutional capacity.

In this context, the Bureau stated that it aims to ensure the effective enforcement of the strengthened provisions of the Competition Act. It also emphasized that anticompetitive conduct and mergers in key sectors, including food, housing, digital services, artificial intelligence, telecommunications, financial services, healthcare, and infrastructure, will be prioritized.

> The full text of the press release is available at this link.

## The CMA Introduced a New Conduct Requirement for Google's Search Services

The CMA announced that, having designated Google as holding Strategic Market Status in relation to its general online search services, it has imposed a new conduct requirement on Google. The CMA stated that the conduct requirement aims to give publishers greater control over the use of their content while increasing transparency in search services.

Under the conduct requirement, Google will enable publishers to prevent their content from being used in Google's artificial intelligence-powered search features and will clearly identify the sources of content used in search results generated by Google's artificial intelligence. The conduct requirement will also enable publishers to determine their preferences regarding the use of their content for the training and development of artificial intelligence models.

The CMA further stated that it is closely monitoring Google's recent developments aimed at further integrating artificial intelligence technologies into its search services and that, where considered necessary, additional measures concerning value sharing between publishers and Google may be assessed. The CMA also announced that it will monitor the implementation of the conduct requirement through regular reporting and oversight mechanisms.

> The full text of the press release is available at this link.

## The CMA Launched a Consultation on Proposed Revisions to the Rivalry-Enhancing Efficiencies Section of Its Merger Assessment Guidelines

The CMA launched a public consultation on draft revisions to the section of its Merger Assessment Guidelines concerning the assessment of rivalry-enhancing efficiencies.

The draft revisions have been prepared in line with the CMA's "4Ps" framework, comprising pace, predictability, proportionality, and process, which underpins its approach to merger reviews. In this context, the draft revisions aim to introduce a more analytical approach to the assessment of rivalry-enhancing efficiencies and to make the review process more detailed and predictable.

> The full text of the consultation document is available at this link.

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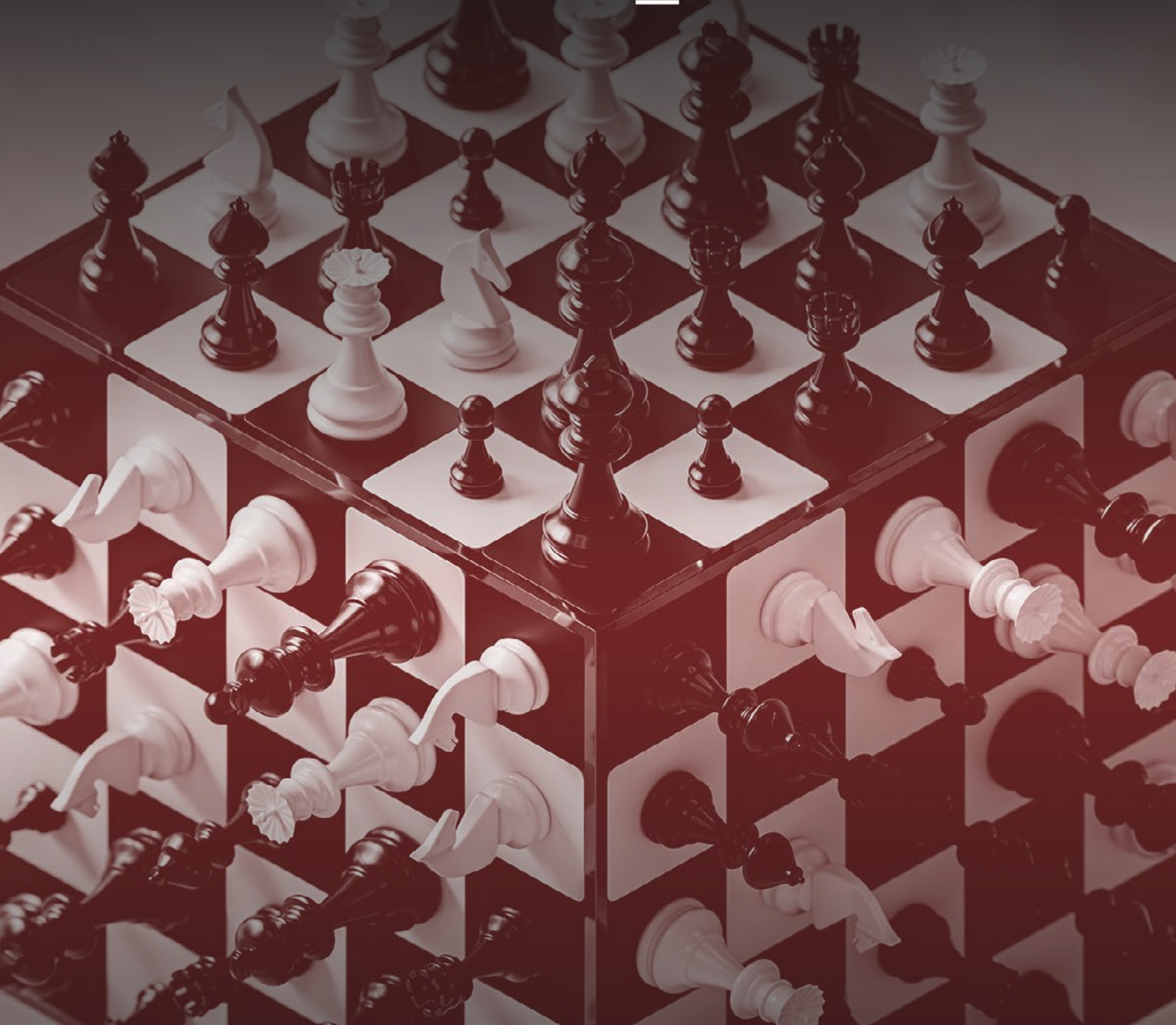


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