



## EUROPEAN COMMISSION

DG Competition

Markets and cases II: Information, Communication and Media

**Antitrust: IT, Internet and Consumer electronics**

Brussels, 21/09/2016

COMP/C3/MK/mt/2016/090526

European Digital SME Alliance

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**Subject: Case AT.40099 – Google Android**

Dear Sir,

On 20 April 2016, the Commission adopted a Statement of Objections ("SO") addressed to Alphabet Inc. and Google Inc. (together, "Google") in the above-mentioned case.

In your capacity as an interested third person, we are preparing to send you a redacted version of the SO, on which you can then provide written comments.

To enable us to do so, you are kindly requested to fill in, sign and return the attached confidentiality declaration. Once we have received your signed declaration, we will send you the document. The copy will be marked with your name.

Please note that the redacted version of the SO may not be used for any purposes other than judicial or administrative proceedings for the application of Art. 101/102 TFEU, including proceedings before national courts. Any information contained in the redacted version of the SO may only be used in such proceedings before national courts after the Commission has closed its proceedings against Google by adopting a decision pursuant to Article 7, 9 or 10 of Regulation (EC) No 1/2003 or has otherwise terminated its proceedings.<sup>1</sup>

The redacted version of the SO may be shared only with appropriate employees and management of Digital SME and with its legal counsels and economic consultants, if any, and not with any other external consultants such as management consultants, public affairs consultants or media consultants. Further, it may not be disclosed, either in full or in part, with journalists or media.

Yours faithfully,

Nicholas BANASEVIC  
Head of Unit

Annex: Blank confidentiality declaration to be completed and returned by fax or e-mail (the fax number and the e-mail address are mentioned on the confidentiality declaration)

Copy: Hearing Officer

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<sup>1</sup> Article 16a of the Regulation (EC) No 773/2004, as amended by Commission Regulation (EU) 2015/1348, OJ L 208, 5.8.2015, p. 3.