



Press release

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Bundeskartellamt / Digital Economy

Statement of objections issued against various of Google's practices in connection with Google Automotive Services and Google Maps Platform

Bonn, 21 June 2023: The Bundeskartellamt has today forwarded its preliminary legal assessment of Google's practices in connection with Google Automotive Services (GAS) to Alphabet Inc., Mountain View, USA, and Google Germany GmbH, Hamburg. At the present stage of the proceeding, the Bundeskartellamt intends to prohibit various of Google's anti-competitive practices in application of the new provisions for large digital companies (Section 19a of the German Competition Act (GWB)).

Andreas Mundt, President of the Bundeskartellamt: *"Google uses a number of practices regarding the licensing of services for infotainment systems in vehicles that in our current view are not compatible with the new provisions of Section 19a GWB. In particular, we take a critical view of Google offering its services for infotainment systems as a bundle only, as this reduces its competitors' chances to sell their competing services as individual services."*

Google Automotive Services is a bundle of products that Google licenses to vehicle manufacturers. It comprises the Google Maps map service, a version of the Google Play app store and the Google Assistant voice assistant. Google Automotive Services runs on a version of Android developed by Google, the Android Automotive Operating System (AAOS). The combination of the three services and AAOS – the GAS infotainment platform – essentially provides a complete infotainment system for vehicles. It supports drivers in navigating, provides access to media content, allows

the use of voice telephony and messenger services and enables the control of vehicle functions by voice. As a standard practice, Google offers vehicle manufacturers the three services as a bundle only and prescribes how the services are to be presented in the infotainment system so the driver will prefer them over other services.

According to the Bundeskartellamt's preliminary assessment, Google's practices fulfil the requirements of several of the criteria under the new Section 19a GWB. Based on this provision, the Bundeskartellamt can oblige the addressees of the norm to stop the practices in question unless they are objectively justified.

In this case, the bundling of services may pose a significant risk to competition as Google might use this practice to expand its position of power to markets which are still competitive. Further problems may arise from agreements that Google has concluded with some vehicle manufacturers on sharing the advertising revenue generated through the use of Google Assistant on condition that Google Assistant be the only voice assistant installed on the GAS infotainment platform. Moreover, according to the Bundeskartellamt's preliminary assessment, contractual provisions imposed by Google that oblige GAS licence holders to set Google services as a default or display its own services before displaying other applications may qualify as an impediment to market access. Such default settings carry the risk of alternative services being hardly noticed and thus rarely used. Google already successfully implemented such practices with mobile devices to expand and secure its market position. Finally, Google could in the Bundeskartellamt's preliminary view hamper or refuse the interoperability of its services with third-party services on the GAS infotainment platform. As a result, the use of functions of services provided by Google's competitors, for example a speech assistant for controlling navigation in Google Maps, is restricted or not possible at all.

Google now has the opportunity to comment on the allegations in factual and legal terms.

Meanwhile the Bundeskartellamt will continue to investigate the extent to which Google's terms of use for the Google Maps Platform fulfil the prohibition criteria of Section 19a(2) GWB (see [press release of 21 June 2022](#)). Based on its preliminary assessment the Bundeskartellamt considers putting an end to Google's restrictions on combining its own Google Maps Platform map services with third-party map services. These restrictions may impede competition between applications relating to map services as used by logistics, transport and delivery service providers, for instance. They may also have a negative effect on competition between services for infotainment systems in vehicles because they make it more difficult for map service

providers to develop effective alternatives to Google Maps. The Bundeskartellamt has heard the parties to the proceeding on this matter and is currently evaluating the opinions provided.

The Bundeskartellamt is working closely with the European Commission in this proceeding. The European Commission is currently implementing the Digital Markets Act (“DMA”), which entered into force at the beginning of May this year and subjects large online platforms to special abuse control.