

Google 15 Years On

Key Learnings,
Antitrust
Challenges, and
the Road Ahead



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Welcome and Introduction



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is the recipient of

**THE SVERIGES RIKSBANK PRIZE IN ECONOMIC
SCIENCES IN MEMORY OF ALFRED NOBEL 2025**

with Peter Howitt for the theory of sustained growth
through creative destruction, jointly with Joel Mokyr.



Welcome and Introduction

- Today, we mark the 15th anniversary of the official opening of *Google Shopping* by issuing a Statement of Objection (30 November 2010)
- The case was formally closed in 2024 with the Court of Justice's ruling, but the follow-on litigation is pending, and the same applies to the many cases that have been opened in the wake of the EU's Decision
- *Google Shopping* was not the first attempt to apply antitrust to Google. That honor goes to the Federal Trade Commission (2013) and a German Court (2013), but neither identified any infringement
- Safe for a Russian decision, *Google Shopping* was the first Decision that did not exonerate Google of any wrongdoing, and subsequently, just about every jurisdiction has opened antitrust investigations
- So, nominating *Google Shopping* as one of the most significant antitrust decisions of the century is not an attempt by EU lawyers to monopolize this market

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- To celebrate *Google Shopping*, the principle it stands for what we have learned, we have compiled a program that will allow us to understand this in the course of a single day
- Considering the complexity of the case, and cases, a single day cannot do justice to this, which is why we have been forced to make some drastic choices
 - Each speaker will have a 30-minute slot. For practical reasons, this will likely amount to closer to 25 minutes, but we are committed to strict time management
 - To cut time, we will not introduce each speaker lengthily but refer to their CV
 - The speakers are very competent and intimate with the subject they cover, but might have a horse in the race by representing either Google or some of the plaintiffs. I have asked them to disclose this very briefly with a short disclaimer to cut time
 - We have chosen not to organize panel discussions on one or two specific cases but focus on how the original Google Shopping case has evolved into multiple global cases. The overarching narrative is therefore twofold: (a) what we have learned, and (b) where we are today
 - We have, in particular, tasked the speakers with considering what we have learned and where we are now compared to 15 years ago. Naturally, some early understood what was going on, but I think most have learned much from the Google saga on ecosystems and antitrust
 - Another thing we have asked the speakers to consider is how the cases are linked, including if, and how, jurisdictions might take inspiration from each other, building on others' work
 - Some of the cases are unpublished or pending. This is, e.g., the EU AdTech Decision and IP antitrust cases. Here, we have asked the speakers to provide some details to allow us to understand the merits of the cases

Welcome and Introduction

There will be some breaks with refreshments for in-person participants

10:00–10:15	Welcome and Introduction Fifteen years have passed since the formal opening of Google Shopping in 2010. Besides introducing the event and some house rules, Dr. Landman will outline how the day is dedicated to exploring what we have learned since and where we are now concerning Google. Google Shopping has been closed at the EU-level, but claims for damages are pending, and many other cases and issues can trace their lineage back to Google Shopping. Not only in the EU, but globally.	Lawrence B. Landman , Senior Vice President of Lateral Link's Bridgeline Solutions and Director, Antitrust Division
10:15–10:45	Why did it take so many years to get the Google antitrust cases up and running It took several years for the EU to render its Google Shopping Decision (2017), and not until several rounds of settlement attempts, the arrival of a new chief enforcer, and an overhaul of the theories of harm. The EU has already opened its investigations in 2010; so why did it take so many years to address Google's issues?	Paul Csiszár , Senior Advisor at Brunswick, former director of DG Competition
10:45–11:15	The World Against Google – Taking stock Almost 200 investigations have been opened against Google globally, but most fall into eight key groups/issues. The most prominent are Google Search, Google Android, Google AdTech, and claims for damages utilizing these. Across most jurisdictions, Google's desire to remain the internet gatekeeper is a recurring theme, and the late understanding of this probably explains why enforcers were slow to react.	Christian Bergqvist , Associate Professor at Copenhagen University
11:15–11:30	Short break (coffee and cake)	
11:30–12:00	The Asian Way Several Asian countries supplement their provisions on abusive actions with Unfair Trading Practices clauses. These allow countries like Japan to police the tech sector similarly to what is now done with the EU's Digital Markets Act. Is this a superior solution, and what is the experience of having several overlapping enforcement options?	Yuka AOYAGI , Professor, Hosei University, Tokyo
12:00–12:30	Did the US Finally Manage to Crack the Nut? In 2013, the FTC decided not to advance a case against Google after an extensive investigation, as the FTC largely concluded that the design changes on Google Search were procompetitive and preferred by users. Thus, the FTC saw little support for finding that self-preferencing was anticompetitive. In 2020, an alliance of the DOJ and several state AGs opened a series of federal cases. What has changed, why does the DOJ think they will succeed where the FTC failed, and where are we now?	John M. Yun , Professor at George Mason University, USA
12:30–	From Google Search to Google Shopping – Abusive Self-Favoring? Several jurisdictions have investigated Google for favouring its services in generic search results. In almost all cases, Google has been exonerated for any wrongdoing, and while DG COMP initially investigated Google Shopping for abusive self-	Lena Hornkohl , Assistant Professor at Vienna University
13:00–13:30	Lunch (sandwich)	

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13:30–14:00	Google Android – On context, causality and the meaning of exclusionary effects Google offers the open source Android Operating System (OS) to smartphones manufacturers, contributing to the fast and successful rollout of these devices. Unlike other OS providers, Google licenses Android for free, subject only to the non-exclusive pre-installation of certain Google offerings. The European Commission sanctioned this conduct with the largest competition fine ever imposed in the EU. The General Court only partially annulled the Commission's decision. The pending appeal before the CJEU raises fundamental questions that will shape EU law on abuse of dominance for years to come	Alfonso Lamadrid de Pablo , Partner, Antitrust and Competition practice, Latham & Watkins
14:00–14:30	Google AdTech – When Google Trades with Itself In the AdTech sector, Google represents both buyers and sellers of online advertising space and owns the marketplace where they meet. Several enforcers, including DG COMP and DOJ, see an inherent conflict of interest, but so far only the French NCA has identified an infringement. Based on this, several damage claims have been filed.	Jorge Padilla , partner, Compass Lexecon
14:30–15:00	Google Auto – the death of Bronner In Google Auto, Google had declined to invest resources into linking a third-party app with its auto screen, prompting the Italian NCA to open an Article 102 case. The matter ultimately came before the Court of Justice, which rephrased the facts and questions to provide a clear ruling on the non-applicability of the restrictive Bronner criteria to the issue of interoperability between technical devices.	Fernando Castillo de la Torre , European Commission, Legal Service
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15:15–15:45	Compensation for the damages caused by Google – Private enforcement in the national courts Following the antitrust decisions that held Google in violation of Article 102 (e.g. EU's Google Shopping, EU Google Android or the French AdTech Decision), claims for damages have been filed across various jurisdictions in Europe. This includes cases in the UK, France, Germany and the Netherlands. While claimants can rely on the binding effect of the antitrust decisions, private enforcement raises complex procedural and strategic considerations. These include litigation costs, mechanisms for claim aggregation, or divergent approaches to determining — all of which may influence the choice of forum and the prospects for effective redress.	Johannes Wick , Counsel Geradin Partner
15:45–16:15	Google and IP rights Google is subject to several IP cases involving the "use" of third-party information. Google includes this information in its search results but also relies on it to develop its chatbots. This might infringe upon IP rights, but is there also an antitrust angle to the matter?	Stijn Huijts , partner Geradin Partners
16:15–16:45	How do we stop Google's (alleged) crime spree While many of the antitrust investigations are open or pending appeals, it remains that Google's business model persistently clashes with competition law. This raises the question of how we can stop this, assuming we don't simply exonerate Google of all charges. Can the DMA or other ex ante interventions do what competition law cannot?	Giorgio Monti , Professor at Tilburg Law School, Netherlands
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Presentations will be available subsequently

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- A big thanks to the speakers, but also a big thanks to those who have made this event possible by providing financial and organizational support

