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Deutsche Telekom Said to Weigh New Antitrust Complaint Against Google

By **Mark Scott** October 19, 2015 3:16 pm

Deutsche Telekom, the German telecom company, has long been an outspoken critic of United States tech companies' dominance over how Europeans access online services. Google, in particular, has been in the company's sights. More than a year ago, Deutsche Telekom filed a complaint with the European Commission over its antitrust investigation into Google's online search practices.

Now, Deutsche Telekom, which owns a controlling stake in T-Mobile US, the cellphone carrier, appears ready to get involved in Europe's investigation into Google's Android mobile software as well. Deutsche Telekom is expected to file a formal complaint with European competition authorities in the coming weeks, according to several people with direct knowledge of the discussions.

The complaint, which may be submitted by early November, focuses on whether Google uses its Android mobile operating system to unfairly promote its own products like Google Maps and online search over those of rivals, the people said. They would speak only on the condition of anonymity because they were not authorized to speak publicly.

The move by Deutsche Telekom would make it an official complainant in the case, allowing the company to provide information and potential evidence on why it believes Google abuses its control over Android. The evidence could include data on which mobile services the carriers' tens of millions of users regularly access on their cellphones. Such information could help European competition officials decide

whether to bring formal charges against Google linked to the region's Android investigation.

Competition authorities have been focusing their attention on Google's Android operating system, which powers more than 80 percent of the world's smartphones, according to Gartner, a research firm. A number of large tech companies, including Oracle and Nokia, as well as small start-ups like Aptoide, a Portuguese online marketplace for smartphone applications, already have filed complaints to European officials connected to the Android investigation.

Last month, for example, the Federal Trade Commission started an investigation into whether Google unfairly used Android to help its other mobile services, according to two people involved in the inquiry who requested anonymity because they were not authorized to speak publicly. The European Commission also has opened a formal investigation into the company's mobile operating system, based on complaints dating from 2013.

And Russia has given Google until Nov. 18 to stop unfairly bundling its own mobile services with Android, or face potential fines.

Al Verney, a Google spokesman, declined to comment on Deutsche Telekom's potential antitrust complaint, though he said the Android software had increased competition in the global smartphone industry.

"It's an open-source operating system that can be used free-of-charge by literally anyone," Mr. Verney said in a statement on Monday. "Some Android devices use Google services, others don't."

Andreas Middel, a Deutsche Telekom spokesman, declined to comment specifically on whether the company would file a complaint against Google's Android software.

"We are involved in the investigation of the E.U. Commission," he said in an emailed statement.

A spokesman for the European Commission declined to comment.

Europe's continuing antitrust investigation — the region's authorities formally accused Google in April of abusing its dominance in web searches — also is likely to move forward this week.

European regulators are expected to send out a redacted version of Google's response to the antitrust charges to rival companies that have complained about what they say are Google's competition abuses, according to three people with knowledge of the matter, who spoke on the condition of anonymity because they were not authorized to speak publicly. The procedural step will allow competitors to respond to Google's rebuttals of Europe's competition charges.

In its official response made public in August, Google denied it had broken the region's tough antitrust rules, saying there was significant competition in the region's online search market and that its services increased choice for local consumers.

Competition lawyers and industry executives expect Margrethe Vestager, Europe's competition chief, to rule on Google's potential antitrust abuses in the online search investigation some time early next year.