European Antitrust Enforcers Move on Holders of Big Data


Although public attention has so far mostly focused on search and privacy issues, "big data" should be considered as a potential antitrust issue. For example, the Commission assessed whether the combination of the parties' databases would compromise competition, privacy issues were raised but not yet play any role in the Commission's decision. In "Facebook/Whatsapp"[fn]Case COMP/M.4731, 11.03.2008. (fn) the Commission considered the role of the social networking site in protecting consumer privacy, the concentration of data and the need for merger notification in the market of online social networks, consumer privacy, and the concentration of consumer data in the online social networks market. As a result, the Commission concluded that Facebook's acquisition of WhatsApp could not affect the level of protection of consumers隐私. More recently, in Facebook/Whatsapp[fn]Case COMP/M.4854, 14.05.2008, the Commission looked at the role of the social networking site in protecting consumer privacy, the concentration of data and the need for merger notification in the market of online social networks, consumer privacy, and the concentration of consumer data in the online social networks market. As a result, the Commission concluded that Facebook's acquisition of WhatsApp could not affect the level of protection of consumer privacy.

European Competition and European Data Protection Supervisor

The European Commission has analyzed data issues in the past, in a number of merger control cases. In "E*Trade/Thomas Cook",[fn]Case COMP/M.4489, 11.11.2006 (fn) the Commission assessed whether the combination of the parties' databases would compromise competition, privacy issues were raised but not yet play any role in the Commission's decision. In "Facebook/Whatsapp"[fn]Case COMP/M.4731, 11.03.2008. (fn) the Commission considered the role of the social networking site in protecting consumer privacy, the concentration of data and the need for merger notification in the market of online social networks, consumer privacy, and the concentration of consumer data in the online social networks market. As a result, the Commission concluded that Facebook's acquisition of WhatsApp could not affect the level of protection of consumer privacy. More recently, in Facebook/Whatsapp[fn]Case COMP/M.4854, 14.05.2008, the Commission looked at the role of the social networking site in protecting consumer privacy, the concentration of data and the need for merger notification in the market of online social networks, consumer privacy, and the concentration of consumer data in the online social networks market. As a result, the Commission concluded that Facebook's acquisition of WhatsApp could not affect the level of protection of consumer privacy.

Recently, the Commission and the French antitrust authority (Autorité de la concurrence) have been looking at the potential antitrust issues related to big data collection. The Autorité de la concurrence, France's national competition authority, has initiated a market investigation into big data and its potential implications for competition. The Autorité is interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The Autorité is also interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The Autorité is also interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport.

In Spain, although there has been no case to date focusing on "big data," in 2009 the Spanish Competition Authority (Autoridad de la Concoración Empresarial) announced that it would start an investigation into big data and its potential implications for competition. The Autoridad de la Concoración Empresarial is interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The Autoridad de la Concoración Empresarial is also interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport.

In November 2015, the UK's Financial Conduct Authority (FCA) issued a call for input in relation to big data in financial services. The FCA is interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The FCA is also interested in the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport.

The Franco-German report conclusions mirror a report on the commercial use of consumer data published in 2016 by the UK Competition and Markets Authority (CMA). The report highlighted the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The report also highlighted the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport. The report also highlighted the potential antitrust implications of big data collection, with a particular focus on how big data could affect competition in the market for insurance products, banking, and transport.

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