

**Question for written answer E-006157/2014
to the Commission**
Rule 130
Keith Taylor (Verts/ALE)

Subject: Consumer choice and fair competition in the IT sector

Article 102 of the Treaty on the Functioning of the European Union states that 'any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States'.

In its answer to written question E-000847-14 on the restriction of access to computer hardware and software updates whereby access to updates is only granted to customers who have maintenance agreements with the equipment manufacturers, the Commission asserted that 'in order to establish a violation of EU competition rules, a whole range of legal, economic and factual details have to be assessed in every case, including whether or not an undertaking holds a dominant position in a relevant market'.

In this connection, given that the technology company IBM is currently attempting to force customers to sign maintenance agreements with it, can the Commission indicate how it intends to prevent market operators from reducing consumer choice and fair competition in this sector?

Furthermore, can the Commission indicate when it intends to look into this and how long it will take?