

C/2026/185

12.1.2026

Action brought on 20 November 2025 – Google and Alphabet v Commission

(Case T-794/25)

(C/2026/185)

Language of the case: English

Parties

Applicants: Google LLC (Mountain View, California, United States), Alphabet Inc. (Mountain View) (represented by: W. Ellison, lawyer, J. Holmes and J. Williams, Barristers-at-Law)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul (in whole or in part) the Commission's prohibition decision of 5 September 2025 in Case AT.40760 – Google - Adtech and Data-related practices, relating to a proceeding under Article 102 TFEU and Article 54 of the EEA Agreement;
- consequently, or in the alternative, annul or reduce the fine imposed on the applicants in exercise of the Court's unlimited jurisdiction; and
- in any event, order the Commission to bear the applicants' costs and expenses in connection with these proceedings.

Pleas in law and main arguments

The applicants seek annulment of each of the two findings of infringement, the finding that they amounted to a single continuous infringement and the imposition of (and/or amount of) a fine.

In support of the action, the applicants rely on seventeen pleas in law.

1. First plea in law, alleging that the contested decision errs in its assessments of market definition and dominance.
2. Second plea in law, alleging that the contested decision's legal framework for assessing competition on the merits for the conduct referred to in the third, fourth and fifth pleas (the 'Buy-side Conduct') is wrong in law.
3. Third plea in law, alleging that the contested decision errs in finding that Google Ads favours AdX by channelling Google Ads demand preferentially through AdX.
4. Fourth plea in law, alleging that the contested decision errs in finding that Google Ads favoured AdX by inflating the value of the Google Ads impressions channelled through AdX by deliberately second pricing itself.
5. Fifth plea in law, alleging that the contested decision errs in finding that DV360 favoured AdX by placing lower bids by DV360 on rival supply-side platforms ('SSPs') running first price auctions and modified second price auctions with the aims of hindering the adoption of Header Bidding and diverting DV360 spend towards AdX.
6. Sixth plea in law, alleging that the contested decision's legal framework for assessing competition on the merits for the conduct referred to in the seventh, eighth and ninth pleas (the 'Sell-side Conduct') is wrong in law.
7. Seventh plea in law, alleging that the contested decision errs in finding that DFP favours bids placed by AdX compared to bids placed by rival SSPs in the Waterfall channel.
8. Eighth plea in law, alleging that the contested decision errs in finding that DFP favoured bids placed by AdX compared to bids placed by Header Bidders pre-2019.

9. Ninth plea in law, alleging that the contested decision errs in finding that DFP favours bids placed by AdX compared to bids placed by Header Bidders post-2019.
 10. Tenth plea in law, alleging that the contested decision errs in finding that DFP favours bids placed by AdX compared to bids placed by rival SSPs in the Open Bidding channel.
 11. Eleventh plea in law, alleging that the Sell-Side Conduct is not abusive so long as one of the channels is free from favouring in accordance with any or all of the sixth to tenth pleas.
 12. Twelfth plea in law, alleging that the contested decision errs in finding that the Buy-side and Sell-side Conducts are capable of having anticompetitive effects in the EEA-wide market for SSPs.
 13. Thirteenth plea in law, alleging that the contested decision incorrectly finds that the Buy-side Conduct has potential effects in the EEA-wide market for publisher ad servers.
 14. Fourteenth plea in law, alleging that the contested decision errs in finding a single and continuous infringement.
 15. Fifteenth plea in law, alleging that the contested decision errs in finding an infringement in respect of the Sell-side Conduct in France after September 2020.
 16. Sixteenth plea in law, alleging that the contested decision errs insofar as it finds that additional measures are required beyond the broad Cease-And-Desist Obligation in Article 3.
 17. Seventeenth plea in law, alleging that the contested decision errs in imposing and/or calculating a fine and/or periodic penalty payments.
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