

Opinion of the Advisory Committee on restrictive practices and dominant positions at its meeting on 23 January 2018 concerning the draft decision relating to Case AT.40220 (2) — Qualcomm (Exclusivity Payments)

Rapporteur: Austria

(2018/C 269/14)

1. The Advisory Committee agrees with the Commission that a fine should be imposed on the addressee of the draft decision.
 2. The Advisory Committee agrees with the Commission that Qualcomm's direct and indirect sales to third parties in the EEA should be taken into account for the purpose of the calculation of the basic amount of the fine.
 3. The Advisory Committee agrees with the Commission on the basic amount of the fine set in this case.
 4. The Advisory Committee agrees with the Commission that an additional amount ('entry fee') should be applied in this case.
 5. The Advisory Committee agrees with the Commission that there are no aggravating and no mitigating circumstances applicable in this case.
 6. The Advisory Committee agrees with the Commission on the final amount of the fine.
 7. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
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