

**Opinion of the Advisory Committee on restrictive practices and dominant positions at the meeting
on 7 October 2019 concerning a draft decision in Case AT.40608 – Broadcom**

Rapporteur: Lithuania

(Text with EEA relevance)

(2021/C 81/10)

1. The Advisory Committee (9 Member States) agrees with the Commission's assessment that the conduct covered by the draft decision *prima facie* constitutes an abuse of a dominant position that infringes Article 102 TFEU and Article 54 of the EEA Agreement.
 2. The Advisory Committee (9 Member States) agrees with the Commission's assessment in the draft decision on the urgent need for interim measures due to the risk of serious and irreparable damage to competition.
 3. The Advisory Committee (9 Member States) agrees with the Commission that it is necessary and appropriate to impose interim measures pursuant to Article 8(1) of Regulation (EC) No 1/2003, in the terms set out in the draft decision.
 4. The Advisory Committee (9 Member States) agrees with the Commission on the duration of the interim measures, as set out in the draft decision.
 5. The Advisory Committee (9 Member States) recommends the publication of its Opinion in the *Official Journal of the European Union*.
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