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## European Commission fines Gucci, Chloé and Loewe more than €157 million for resale price maintenance

On 14 October 2025, the European Commission announced that it had imposed fines of over €157 million (total) on three high-end fashion companies: Gucci, Chloé and Loewe. The fines follow an investigation by the Commission into the three companies which found that each had engaged in resale price maintenance (RPM) by restricting the ability of independent third-party retailers to set their own retail prices for products designed and sold by the brands.

### Background to the Commission's announcement

In April 2023, the Commission carried out dawn raids at the premises of Gucci (in Italy), Chloé (in France) and Loewe (in Spain), in order to investigate concerns that these companies had violated EU antitrust rules under Article 101 of the Treaty on the Functioning of the European Union (TFEU) and Article 53 of the European Economic Area (EEA) Agreement. Following a preliminary investigation, the Commission then opened formal proceedings against the three brands in July 2024. The Commission's announcement of 14 October 2025 marks the conclusion of the proceedings.

### The conduct and breach found

The Commission investigation concluded that the three brands had, independently of each other, engaged in RPM by limiting the freedom of their independent resellers, both online and in physical stores, to set their own resale prices for nearly all products sold under the companies' brand names.

Specifically, the Commission found that the three companies interfered with the pricing strategies of their retailers by imposing restrictions including requirements to follow recommended retail prices, to adhere to maximum discount limits and to observe specific timeframes for setting promotions – including, in some instances, banning retailers from offering any discounts at all. The brands' aim, according to the Commission, was to align retailer pricing and sales terms with those used in their own direct sales channels, thereby shielding their sales from being undercut by their retail partners.

To enforce these pricing rules, the companies monitored retailer pricing and took measures when retailers deviated from the rules. The investigation found that in most cases, retailers followed the pricing policies either immediately or after being pressured to comply. Additionally, Gucci imposed further online sales restrictions on one particular product line, instructing retailers to stop selling it through online platforms.

In stripping retailers of their autonomy to set prices, these practices reduced competition among them – an infringement which the Commission has found to result in higher prices and reduced choice for consumers.

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The Commission found that Gucci's infringing conduct was the longest running, beginning in April 2015, followed by Loewe (December 2015) and Chloé (December 2019); in all instances, the infringing conduct was found to cease in April 2023 when the Commission opened its investigation.

### Fines imposed

The fines imposed on the companies are notable for the extent they were reduced – up to 50% for Gucci and Loewe – in accordance with the Commission's antitrust cooperation procedure, by which companies which acknowledge their liability can cooperate to reduce the administrative burden on investigators and the duration of the probe in exchange for a reduction in any final sanction. Variations in the reduction reflect the timing and value of the cooperation by each company. For instance, Gucci's cooperation included revealing an infringement of European competition rules not yet known to the Commission, while Loewe's cooperation allowed the Commission to extend the timeframe of its infringement. In addition, each of the companies has since publicly pledged its commitment to compliance with antitrust rules.

In setting the fines prior to accounting for cooperation by the companies, in accordance with its Guidelines the Commission considered the value of direct and indirect sales of the products concerned during the infringement period, as well as the seriousness and duration of the infringements, and their geographic scope.

The fine imposed on each company is as follows:

| Company | Reduction for cooperation | Fine (after reduction) |
|---|---|---|
| Gucci | 50% | €119,674,000 |
| Chloé | 15% | €19,690,000 |
| Loewe | 50% | €18,009,000 |

### Conclusion

Compared with other unilateral anti-competitive practices and cartel behaviour, such as price fixing, RPM is comparatively easy to prosecute, given the wealth of written agreements and other evidence that is often available.

The announcement of these penalties follows increased interest in RPM within the EU in recent years. After fining Guess for RPM in 2018, and continuing to classify RPM as a hardcore restriction in the 2022 revised Vertical Block Exemption Regulation, in November 2024 the Commission fined Pierre Cardin for restricting cross-border sales to retailers that offered the clothing to consumers at lower prices and/or at a discount.

While the three fashion brands acted independently of each other in this case, many of the retailers concerned sold products designed by all three brands. EU competition chief Teresa Ribera was clear that the decision will have broader ramifications, sending "*a strong signal to the fashion industry and beyond that we will not tolerate these kinds of practices in Europe*".

## OTHER DEVELOPMENTS

## ANTITRUST

### SAMR opens antitrust investigation into Qualcomm/Autotalks deal

On 10 October 2025, China's State Administration for Market Regulation (SAMR) announced that it had officially opened a gun-jumping investigation into Qualcomm's acquisition of Israel-based semiconductor company Autotalks, which completed in June 2025. This is the first time SAMR has publicly announced the initiation of a gun-jumping investigation in such a high-profile way.

According to a detailed timetable published by SAMR, it was first alerted to a deal between the parties in 2023 following a complaint. After conducting an assessment, SAMR decided that the transaction had the potential to raise competition concerns and in March 2024 exercised its power to "call in" the transaction, despite the fact that it did not meet the merger filing thresholds. This meant Qualcomm was prevented from closing the transaction before obtaining SAMR's approval. In any event, Qualcomm abandoned the deal two days after receiving the notice from SAMR.

A year later, in June 2025, Qualcomm announced it had completed an acquisition of Autotalks. It was reported that Qualcomm submitted a letter to SAMR explaining that, from its perspective, the 2025 deal had a different structure and a significantly reduced consideration, and thus it was a different deal altogether from the one it had abandoned the previous year. This meant that the previous standstill obligation was no longer relevant. Qualcomm also noted that Autotalks' financial condition had deteriorated and general market conditions had changed.

The timing of this investigation has been widely interpreted as a deliberate countermeasure by Beijing in the context of the escalating trade war with the U.S. Nevertheless, this case raises a legitimate question of when the standstill obligation falls away in the context of a transaction that has been "called in" by SAMR. It is clear that Qualcomm and SAMR have conflicting interpretations of whether the May 2023 and June 2025 transactions are entirely separate transactions (given the different commercial terms) or are in fact the same continuing transaction (given the potential competition concerns may not have changed). The outcome of this investigation will provide valuable insight into SAMR's position on similar cases in the future, which will be important as it continues to exercise its power to "call in" below-threshold transactions.

## GENERAL COMPETITION

### CAT finds overcharge from export cables in power cables cartel

On 10 October 2025, the Competition Appeal Tribunal (CAT) ruled that power-cable manufacturer Nexans must pay damages to wind farm London Array for cartel conduct that resulted in overcharges on certain cable purchases.

In 2014 the European Commission found that 11 producers of underground and submarine high voltage power cables, including Nexans, had engaged in a market-sharing cartel between 18 February 1999 and 28 January 2009.

The claimants participated in a joint venture to develop and operate the London Array offshore wind farm. In 2008 and 2009, London Array ran two distinct tender processes for the purchase of inter-array and export cables respectively. Nexans Norway won the tender to supply export cables, and a company called JDR (which was neither involved in the cartel nor an addressee of the Commission decision) won the tender to supply inter-array cables. The claimants alleged that the prices for both types of cable were inflated as a result of the cartel behaviour – as a direct effect of the cartel behaviour in the case of export cables, and by virtue of the "umbrella effect" in the case of inter-array cables.

The CAT found that there had been an overcharge in respect of export cables as the auction process had been affected by cartel behaviour. As regards inter-array cables, the CAT found that London Array had not discharged its burden of proof to establish that the price it had paid for inter-array cables was inflated because of the cartel. Indeed, the evidence from the bidding processes ran counter to this narrative – in particular, the fact that there were many more bidders than for the export cables tender, with non-cartel members being the frontrunners in the inter-array tender and submitting more competitive bids.

## European Commission publishes fifth annual FDI screening report

On 14 October 2025, the European Commission published its fifth annual report on the screening of foreign direct investment (FDI) into the EU.

The report indicates that the number of notifications to the EU's cooperation mechanism has increased by 15% since 2021. In 2024, 21 EU Member States notified 477 investments to the cooperation mechanism, which triggered questions from other Member States in around 10% of cases. 92% of cases were closed within two weeks, with the rest requiring in-depth assessment. Around half of these in-depth assessments related to manufacturing, often due to concerns around security of supply, potential technology or knowledge leakage. Defence-related activities accounted for 37% of the notifications subject to in-depth assessment, up from 26% in 2023.

The report notes that the Commission is continuing to encourage all Member States to adopt national FDI screening mechanisms - as of the end of 2024, 24 Member States had national FDI screening legislation. Despite the Commission encouraging Member States to align these mechanisms, noticeable differences persist between national screening mechanisms, including as to what constitutes a formal screening of an FDI, procedural timelines, sectoral coverage and notification requirements. These differences are one of the reasons for the Commission's January 2024 proposal to revise the FDI Screening Regulation, which is currently being finalised and aims to tackle the main shortcomings of the current framework, including the absence of screening in all Member States, regulatory fragmentation and the lack of a standardised approach to the transactions that Member States are screening.

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