

# COMPETITION & REGULATORY NEWSLETTER

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## European Commission accepts commitments in respect of Microsoft Teams

The European Commission has [accepted](#) commitments from Microsoft to address preliminary concerns regarding Microsoft's tying of Teams to its productivity applications Word, Excel, PowerPoint and Outlook, which form part of Microsoft's Office 365 and Microsoft 365 suites.

### Commission investigation

The Commission formally opened its antitrust investigation into Microsoft's conduct in July 2023, following a complaint from Slack Technologies in 2020. A further complaint was received in June 2024 from alfaview.

In June 2024 the Commission reached the [preliminary view](#) that, since at least April 2019, Microsoft had abused its dominant position in the market for Software-as-a-Service (SaaS) productivity applications for professional use by tying Teams with its market-leading productivity applications, in breach of Article 102 TFEU. In particular, the Commission was concerned that Microsoft may thereby have given Teams a distribution advantage, which was reinforced by interoperability limitations between Microsoft's productivity applications and Teams' rivals.

The Commission also took the view that changes Microsoft had announced (following the opening of the Commission's investigation) to the way it distributed Teams did not address these concerns such that more extensive changes were required to restore competition.

### Microsoft's commitments

In light of the Commission's preliminary findings, Microsoft made an initial commitments offer which involved:

- Offering EEA customers versions of its Office 365 and Microsoft 365 suites without Teams, at a significantly lower price than the corresponding suites with Teams. Microsoft also committed not to offer discounts on Teams or on suites with Teams which are higher than those discounts offered on suites without Teams;
- Providing EEA customers with periodic opportunities to move to suites without Teams, and permitting those suites to be utilised in datacentres globally;
- Allowing Teams' rivals and certain third parties interoperability with certain Microsoft products and services, as well as allowing them to embed Office Web Applications in their own products and integrate their products in Microsoft's core productivity applications; and
- Allowing EEA customers to export their Teams messaging data for use in competing products.

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Following feedback from the market test earlier this year, Microsoft made further amendments to its offer - in particular, increasing the price differential between some Microsoft 365 and Office 365 suites without Teams and equivalent suites with Teams by 50 per cent.

The Commission concluded that the final commitments - which will last for seven years (ten years for those linked to interoperability and data portability) and will be overseen by a monitoring trustee - adequately address its concerns.

## Conclusion

By offering commitments, Microsoft has avoided both a potentially large antitrust fine and an infringement finding. Competition Commissioner Teresa Ribera has [welcomed](#) such a solution - which she is referring to as “soft enforcement” - as “particularly important in digital markets, where new products and integration strategies often challenge the boundaries of regulation” and require “quick and cooperative interventions”. It is also notable that Microsoft has unilaterally decided to roll out the commitments worldwide.

[Comments](#) made by Ribera hint that such “soft enforcement” may be her preferred approach where possible going forward, particularly as innovations like cloud computing and AI continue to evolve. But she has nevertheless also fired a warning shot that the Commission will not shy away from hard enforcement where necessary.

## OTHER DEVELOPMENTS

### MERGER CONTROL

#### IonQ/Oxford Ionics merger receives conditional clearance under NSIA

On 11 September 2025 the UK Government [announced](#) that it had approved the USD 1.08 billion acquisition of Oxford Ionics Limited by IonQ Inc under the UK National Security and Investment Act 2021 (NSIA), subject to conditions. IonQ is a US-based quantum computing and quantum networking company; Oxford Ionics is a UK-based trapped-ion quantum computing company. A final order issued by the Chancellor of the Duchy of Lancaster under the NSIA granted approval for the deal to go ahead subject to conditions to keep the technology and talent anchored in Britain. The UK Government made clear that certain measures had to be put in place based on the strategic importance of quantum technology and the associated “risks to national security” relating to Oxford Ionics’ “leading role” in developing “cutting-edge quantum computing capabilities”.

In particular, the UK Government imposed the following measures, as set out in its final order:

- First, current and future generations of Oxford Ionics’ trapped-ion quantum computing hardware must be hosted in the UK to allow for its independent assessment and validation on request as part of current or future government programmes or contracts; and
- Second, Oxford Ionics’ science, engineering and infrastructure functions must remain in the UK - including suitably qualified and experienced personnel, tangible and intangible assets and manufacturing capacity related to the development of trapped-ion quantum computing hardware.

The decision is a good example of the balancing act undertaken by the UK Government to secure inward investments on the one hand, whilst protecting strategic technologies on the other. The case also signals that the NSIA framework extends beyond acquirers from so-called “higher-risk” countries, given that in this case the acquirer is a US company.

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## ANTITRUST

### European Commission fines Eurofield and Unanime for incomplete response to antitrust information request

On 8 September 2025, the European Commission [announced](#) that it has fined Eurofield SAS and Unanime Sport SAS (the parent of Eurofield at the time of the infringement), a total of around €172,000 for failure to provide complete information to the Commission in an antitrust investigation into the synthetic turf sector.

The Commission sent Eurofield a first “simple” request for information in June 2023. However, comparisons with documentation gathered from the Commission’s unannounced inspections which had taken place earlier that month led the Commission to suspect that Eurofield’s reply was incomplete. In October 2023, the Commission sent a second request for information – this time by decision pursuant to Article 18(3) of Regulation 1/2003 – making Eurofield aware of its concerns. However, the second response received was also deemed incomplete, leading the Commission to open an investigation into the suspected procedural breach in November 2024.

The parties subsequently cooperated with the Commission, acknowledged liability, and agreed to pay a fine. In determining the fine, the Commission considered that the infringements were “*serious*” and were committed “*at least negligently*”. The Commission concluded that a fine of 0.3 per cent of the parties’ combined total turnover was “*proportionate*” and a “*deterrent*”. This was then reduced by 30 per cent to recognise the parties’ cooperation.

This marks the first instance in which the Commission has imposed a fine for the failure to provide complete information in response to a request for information in an antitrust investigation.

### China’s Supreme People’s Court published five antitrust cases covering livelihood sectors

On 10 September 2025, China’s Supreme People’s Court (SPC) released a [statement](#) featuring five antitrust decisions in core livelihood areas, including housing, healthcare, and transportation. This statement provides useful insight into the types of cases considered by the SPC and underscores the judiciary’s commitment to ensuring fair competition in sectors crucial to people’s everyday lives.

In the “Shared E-bike” case, the Court ruled that a local city bureau’s grant of an exclusive franchise right for shared e-bike services to a single local operator was anti-competitive and mandated the policy’s revocation. This was the first time the SPC ruled against a government authority for abusing their power by eliminating or restricting competition. The decision signalled a significant shift – bringing protectionist policies, an area which previously seemed to have fallen off the regulatory radar, under rigorous judicial scrutiny.

The “Concrete Enterprises” case addressed the evidentiary challenges that victims of cartel activities face when claiming damages. The Court affirmed a plaintiff-friendly approach to the burden of proof, establishing that defendants bear the onus of proving that any price increase was attributable to reasons that are not anti-competitive.

The remaining three cases provide further clarity on identifying monopolistic behaviour. In line with the continued regulatory focus on the pharmaceutical sector, as discussed in one of our previous newsletter [editions](#), the “Camphor API” case demonstrated the SPC’s readiness to narrow market definitions to protect competition in impactful industries such as pharmaceuticals. In the case, three camphor API manufacturers were found to have reached a horizontal monopoly agreement involving market division and price fixing, despite ostensibly producing different types of camphor and not therefore being direct competitors.

Similarly, the “Formaldehyde Sales Market” case illustrated the Court’s application of a substance-over-form approach when examining anti-competitive clauses in transaction documents. The Court scrutinised the actual commercial dynamics between the parties, re-characterising a non-compete clause in a vertical supply contract between a manufacturer and a distributor as a *de facto* horizontal monopoly agreement.

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Finally, the “Cement Association” case expanded liability for trade associations, establishing that playing a “decisive role” - for example, organising meetings and facilitating communication of consensus on pricing - constituted a violation of the Anti-Monopoly Law, even without active participation.

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