

The CNMC initiates disciplinary proceedings against SGAE for possible abuse of dominant position

- It is investigating possible anti-competitive practices in the markets for the management of the intellectual property rights of authors and publishers of audiovisual and musical works.
- These would affect the granting of authorisations and remuneration of copyright for the reproduction and public communication of musical and audiovisual works.

Madrid, January 21, 2022.- The CNMC has begun disciplinary proceedings against Sociedad General de Autores y Editores (SGAE) for possible anti-competitive practices arising from a possible abuse of a dominant position, specifically concerning the design and application of averaged availability tariffs in the television and radio markets, as well as for licensing its catalogue to users on the basis that it is allegedly universal.

This conduct might have the aim and the effect of reinforcing SGAE's monopolistic position, preventing both competitive pressures from other management organisations and the entry and expansion of new operators into the market.

The investigation has been initiated following complaints from the entities Derechos de Autor de Medios Audiovisuales, Entidad de Gestión (DAMA) and Unison Rights, S.L.

In view of the initial information available, the CNMC considers that there are reasonable indications that SGAE has committed an infringement of Article 2 of [Law 15/2007, of 3 July, on the Defence of Competition](#), and Article 102 of the [Treaty on the Functioning of the European Union](#) in relation to anti-competitive conduct in the field of the management and exploitation of intellectual property rights.

The initiation of these proceedings does not prejudice the final outcome of the investigation and the CNMC will now have a maximum period of 18 months to investigate and resolve the case.