

## **The CNMC sanctions the cartel of two of the main companies providing business information database services in Spain**

- The companies sanctioned are Bureau Van Dijk Publicaciones Electrónicas S.A. and jointly and severally its parent company Moody's Corporation, and Informa D&B S.A.U. and jointly and severally its parent company Compañía Española de Seguros de Crédito a la Exportación S.A., Cía de Seguros y Reaseguros (SME).
- They agreed on customer sharing and pricing for the marketing of the Sabi, Amadeus and Orbis business information databases.
- Both companies have benefited from the leniency programme as they have acknowledged the anti-competitive practices and have provided evidence of their existence which has been used to prove the unlawful conduct.

**Madrid, 10 July 2023.-** The CNMC has sanctioned the cartel of two of the main companies providing business information database services in Spain ([S/0002/21](#)).

### **The market for business information services**

Bureau Van Dijk Publicaciones Electrónicas S.A. and Informa D&B S.A.U. are active in the market for the provision of business information services (economic and financial) to third parties. Informa is the leading company in the Spanish market.

The main products jointly marketed in Spain by BvD and Informa are Sabi, Amadeus and Orbis.

### **The anti-competitive agreement**

The companies have acknowledged, as the documentary evidence corroborates, the existence of a meeting on 16 September 2002, in which both companies reached an agreement that would become the basis for the relations between them from then until 2021.

The main purpose of the agreement was not to interfere with the other company's customer acquisition and to avoid price competition in the marketing of Amadeus and Sabi products and, subsequently, Orbis.

The distribution of customers was organised through a number of different strategies. The regular exchange between the two companies of customer and

prospect lists <sup>1</sup>to avoid interfering with each other's customers and negotiations, and the bundling of the three above-mentioned products as part of the non-aggression pact, were a constant feature throughout the cartel's duration.

The companies have also acknowledged, as evidenced in the decision, the direct fixing of prices and maximum discounts between them. Evidence has even been gathered on agreements to equalise prices so that customers would not have to choose between the two companies based on this parameter.

This type of agreement is prohibited in Article 1 of Law 15/2007, on the Defence of Competition, and is a very serious infringement constituting a cartel, with fines of up to 10% of the companies' turnover.

### **Both companies have benefited from the leniency programme**

Both companies have taken advantage of the leniency programme. BvD has been exempted from paying the applicable fine for being the first company to submit a leniency application.

Informa has benefited from a 30% reduction of the amount of the applicable fine (7.8% of the company's total turnover). The fine finally imposed amounts to a total of 3,558,135 euros.

The CNMC considers that both companies, as leniency applicants, meet the requirements to be excluded from the prohibition to enter into contracts with the public sector provided for in Article 71.1.b) of the Public Sector Contracts Act.

### **Related content:**

- Case “Business information databases” ([S/0002/21](#))
- [Press release](#) (22/12/2021): The CNMC initiates disciplinary proceedings against several companies marketing databases with business information
- [Leniency programme](#)
- [Notice 1/2023](#) of 13 June 2023 on the criteria for determining the ban on contracting for distortion of competition
- [Press release](#) (23/06/2023): The CNMC approves the criteria that shall govern the prohibition for companies that distort competition to enter into contracts with the public sector.

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<sup>1</sup>Potential customers in negotiation phase.