

Creation of discriminating conditions by Microsoft

In 2017, in accordance with the statement of the company Kaspersky Lab, the FAS Russia considered the case on the violation of antimonopoly legislation against Microsoft Corporation. Practices of the Microsoft Corporation aimed at providing benefits to its own antivirus application and encouraging users to abandon third-party antivirus applications were reviewed.

Circumstances and commodity markets that had not previously been subject to review by the antimonopoly authority were examined.

In the course of case consideration, the multilateral market of operating systems for stationary devices (computers and laptops) of end users, trial versions of operating systems for stationary devices (computers and laptops) for adaptation of third-party application software was analyzed. The analysis found that Microsoft Corporation, having a dominant position in this multilateral commodity market, has an impact on related commodity software application markets, as it owns the operating system (Microsoft Windows) for which the application software is created.

FAS Russia issued two warnings to Microsoft Corporation regarding the termination of actions (inaction) that contain signs of violation of the antimonopoly legislation (abuse of dominant position – Article 10, and unfair competition – Article 14 of the Law on Protection of Competition).

In consequence of the execution of warnings, Microsoft Corporation made the necessary adjustments to the "Antimalware Platform Requirements". This document regulates the interaction between Microsoft Corporation and independent vendors of antivirus software. Moreover, Microsoft Corporation eliminated all calls for the abandonment of third-party software.

Execution of the requirements of the FAS Russia created equal conditions for developers of antivirus products across not only the Russian Federation, but also other territories where Microsoft Corporation is present, thereby ensuring effective competition in the global information technology market.