

Google Ireland Limited

Gordon House, Barrow Street,
Dublin 4, Ireland

To Google Inc. representative
N.N. Afinogenova

7 Lesnaya St., Moscow 125047
(Business Center «White Gardens»,
12 fl.)

LLC Yandex
16 Leo Tolstoy St., Moscow 119021,
Russia

RULING

on closed consideration of the case of administrative offense No. 4-19.5-
1125/00-11-16

November 1, 2016

Moscow

I, deputy head of the Federal Antimonopoly Service of Russia Sergey Anatolievich Puzyrevsky, having considered the petition of the defender N.N. Afinogenova on closed consideration and materials of the case of administrative offense No. 4-19.5-1125/00-11-16 initiated in relation to Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland),



ESTABLISHED:

The Google Ireland Limited's defender N.N. Afinogenova (by power of attorney of September 24, 2015) submitted a petition of Google Inc. on holding a closed consideration on the case of administrative offense No. 4-19.5-1125/00-11-16. The petition is based on the provisions of Article 24.3 of the CoAO and the factual circumstances: during consideration of the case of administrative offense No. 4-19.5-1125/00-11-16 the materials of the case included the information containing commercial secret of Google Inc.

In accordance with Part 1 Article 24.3 of the CoAO, cases of administrative offenses are subject to open consideration except the cases when this may lead to disclosure of commercial secrets.

According to paragraph 1 of Article 3 of the Federal Law of July 29, 2004 No. 98-FZ "On Commercial Secrets" (hereinafter the Law on Commercial Secrets), commercial secrets is the regime of information's confidentiality allowing to its owners under really or potentially existing circumstances to increase revenues, avoid unjustified risks, to retain positions on the markets of goods, works, services or to get other commercial benefits.

The materials of the case of administrative offense No. 4-19.5-1125/00-11-16 contain the letter from Google Ireland Limited marked as "Commercial secret" in accordance with paragraph 5 Part 1 Article 10 of the Law on Commercial Secrets, with mentioning the owner of this information, i.e. Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland), (ref. of September 2, 2016 No. 13043-ДСП/16).

Consequently the materials of the case of administrative offense No. 4-19.5-1125/00-11-16 contain the information upon which the regime of commercial secrets had been introduced.

As a result of consideration of the petition based on Parts 1, 2 Article 24.3, Article 24.4 of the CoAO,

RULED:

1. To satisfy the petition from Google Ireland Limited of November 11, 2016 on holding a closed consideration of the case of administrative offense No. 4-19.5-1125/00-11-16;
2. To hold a closed consideration of the case of administrative offense No. 4-19.5-1125/00-11-16 initiated in relation to Google Ireland Limited.

A.S. Puzyrevsky

