Official Journal
of the European Union

EN
C series

C/2025/2790

16.5.2025

Communication from the Commission published pursuant to Article 27(4) of Council Regulation (EC) No 1/2003 in Cases AT.40721 – Microsoft Teams and AT.40873 – Microsoft Teams II

(C/2025/2790)

1. Introduction

(1) According to Article 9 of the Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty ([1]), the Commission may decide – in cases where it intends to adopt a decision requiring that an infringement is brought to an end and the parties concerned offer commitments to meet the concerns expressed to them by the Commission in its preliminary assessment – to make those commitments binding on the undertakings. Such a decision may be adopted for a specified period and shall conclude that there are no longer grounds for action by the Commission. According to Article 27(4) of the same Regulation, the Commission shall publish a concise summary of the case and the main content of the commitments. Interested parties may submit their observations within the time limit fixed by the Commission.

2. Summary of the Case

(2) On 25 June 2024, the Commission adopted a Statement of Objections ('SO') concerning alleged infringements of Article 102 of the Treaty on the Functioning of the European Union (the 'Treaty') and of Article 54 of the Agreement on the European Economic Area ('EEA Agreement'). The SO constitutes a preliminary assessment within the meaning of Article 9(1) of Regulation (EC) No 1/2003.

(3) The SO preliminarily found that Microsoft abused its dominant position by tying its Software-as-a-Service ('SaaS') unified communication and collaboration tool Teams to its dominant SaaS productivity applications for professional use, Word, Excel, PowerPoint and Outlook (the 'tying products').

(4) Since at least 2019, customers were unable to obtain the tying products, which are sold as part of the Office 365 and Microsoft 365 ('O365/M365') suites, without Teams. This provided Teams with a distribution advantage that competitors were unable to offset and which was further exacerbated by limited interoperability between Microsoft's products and rival solutions.

(5) During the investigation, Microsoft unilaterally implemented changes to its conduct, notably introducing versions of the O365/M365 suites without Teams for knowledge and frontline workers, at a lower price than the suites with Teams, first in the EEA (2023) and then globally (2024). The SO preliminarily found that these changes, when assessed in their totality, were insufficient to end the infringement and its effects.

3. The Main Content of the Offered Commitments

(6) Microsoft does not agree with the Commission's SO. It has nevertheless, building on its unilateral changes, offered commitments pursuant to Article 9 of Regulation (EC) No 1/2003, to address the Commission's competition concerns. The key elements of the commitments are:

(a) Microsoft shall offer to customers purchasing in the EEA ('EEA customers') versions of its O365/M365 suites for knowledge workers ('Covered Suites') without Teams ('Without Teams Suites') and do so at a lower price than the corresponding Covered Suites that include Teams ('Price Delta') ([2]). The Price Delta of the larger Without Teams Suites will be higher than the price delta under Microsoft's unilateral changes. The price of Teams will be equal to or above the Price Delta. Discount rates offered on Teams or Covered Suites shall not exceed discount rates offered on Without Teams Suites.

([1]) OJ L 1, 4.1.2003, p. 1. With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become Articles 101 and, respectively, 102 of the TFEU. The two sets of provisions are in substance identical. For the purposes of this notice, references to Articles 101 and 102 of the TFEU should be understood as references to Articles 81 and 82 of the EC Treaty when applicable.

([2]) We understand that Microsoft intends to globally align their suites offers and pricing.

(b) EEA customers shall be permitted to deploy Without Teams Suites in datacentres worldwide. EEA customers in long-term contracts shall be afforded recurrent opportunities to switch to suites without Teams.

(c) For specific functionalities, Microsoft shall allow access to and effective interoperability with identified Microsoft products and services and their successors for Teams' competitors and third parties that enable interoperability between Teams' competitors and said Microsoft products and services.

(d) Microsoft shall enable Teams' competitors to embed Office Web Applications (Word, Excel and PowerPoint) to provide equivalent functionality in terms of viewing, editing, collaboration, presentation and 'live' experiences as these Office Web Applications provide to Teams.

(e) Microsoft shall enable Teams' competitors to be prominently integrated in the tying products.

(f) Microsoft shall enable EEA customers to extract their Teams messaging data for use in an alternative solution, in case they would like to use an alternative solution instead of, or parallel to, Teams.

(g) The duration of the commitments shall be seven years from the Effective Date, except for the interoperability and data portability provisions which shall have a ten-year duration. Microsoft shall appoint a Monitoring Trustee to monitor its compliance with the commitments and mediate in case of disputes. If a concern persists, the dispute will be subject to fast-track arbitration.

(7) The commitments are published in full in English on the website of the Directorate-General for Competition at:

https://ec.europa.eu/competition-policy/index_en

4. **Invitation to make Comments**

(8) Subject to market testing, the Commission intends to adopt a decision under Article 9(1) of Regulation (EC) No 1/2003 declaring the commitments summarised above and published on the Internet, on the website of the Directorate-General for Competition, to be binding.

(9) In accordance with Article 27(4) of Regulation 1/2003, the Commission invites interested third parties to submit their observations on the proposed commitments. These observations must reach the Commission not later than one month following the date of this publication. Interested third parties are also asked to submit a non-confidential version of their comments, in which any information they claim to be business secrets and other confidential information should be deleted and replaced as required by a non-confidential summary or by the words 'business secrets' or 'confidential'.

(10) Answers and comments should preferably be reasoned and should set out the relevant facts. If you identify a problem with any part of the proposed commitments, the Commission would also invite you to suggest a possible solution.

(11) Observations can be sent to the Commission under reference numbers AT.40721 – Microsoft Teams and AT.40873 – Microsoft Teams II either by e-mail (COMP-GREFFE-ANTITRUST@ec.europa.eu) or by post, to the following address:

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