



HELLENIC REPUBLIC  
HELLENIC COMPETITION COMMISSION

Athens, 04 November 2008

### PRESS RELEASE

**Ex officio investigation of the Directorate General for Competition on exclusive distribution agreements concluded between “APOLLON”, “EFSTATHIADIS” and publishing firms for possible infringement of the provisions of law 703/77 as in force and article 81, paragraph 1, and 82 of the EC Treaty.**

Following its Decision no 342/V/2007, the Competition Commission will meet on 15 January 2009 to examine the ex officio investigation of the Directorate General for Competition regarding exclusive distribution agreements concluded between “APOLLON” S.A. PUBLISHERS AND DISTRIBUTORS OF TEACHING BOOKS, EFSTATHIADIS GROUP S.A. and publishing firms for possible infringement of the provisions of law 703/77 as in force and article 81, paragraph 1, and 82 of the EC Treaty.

According to the Report of the Directorate General for Competition regarding the exclusive distribution agreements concluded between certain publishing firms and APOLLON and EFSTATHIADIS, clauses fixing retail prices, restricting exports and restricting passive sales to specific groups of customers infringe articles 1 of law 703/77 as in force and 81 of the EC Treaty. Therefore, the Directorate General for Competition proposes the imposition of a fine on the undertakings concerned. According to the Report the undertakings involved should refrain from such conduct in future.

Moreover, according to the Directorate General for Competition distribution exclusivities enjoyed by the above wholesalers until the end of the year 2007 should be lifted, unless the latter prove that the conditions for individual exemption are met for each exclusivity respectively, pursuant to article 81, paragraph 3 of the EC Treaty<sup>1</sup>.

According to the Report of the Directorate General for Competition, a fine should be imposed on the undertakings concerned for failing to notify their cooperation agreements (concluded after 02-08-2008) in breach of article 21 of law 703/77.

**It should be noted in this respect that the Report of the Directorate General for Competition is not binding on the Commission, which shall decide after having previously taken cognizance of and evaluated the views of the parties involved.**

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<sup>1</sup> It is noted that, according to article 21 of law 703/77 as in force, in case of omission to notify article 1 paragraph 3 shall not be applied.