

COMPETITION AUTHORITY

COMPETITION BOARD DECISION

File No : 2018-2-052 (Investigation)
Decision No : 21-20/248-105
Date of Decision : 8.04.2021

A. BOARD MEMBERS IN ATTENDANCE

Chairman : Birol KÜLE
Members : Arslan NARİN (Deputy Chairman), Şükran KODALAK
Ahmet ALGAN, Hasan Hüseyin ÜNLÜ, Ayşe ERGEZEN

B. RAPPORTEURS: Hatice YAVUZ, Cemile YÜKSEK, Mesut MORGÜL,
Betül AYHAN, Selçuk YILMAZ, Yunus Salih YİĞİT,
Büşra ÖZCAN

C. APPLICANT : - Yelp Inc.
Representative: Atty. Sibel Yılmaz Atik
Levent Mah. Mektep Sok. No: 14, Beşiktaş/İstanbul

D. UNDER INVESTIGATION :

- Alphabet Inc.
- Google LLC
- Google International LLC
- Google Ireland Limited
- Google Reklamcılık ve Pazarlama Ltd. Şti.
Representatives: Atty. Gönenç GÜRKAYNAK,
Atty. Kemal Korhan YILDIRIM, Atty. Betül BAŞ ÇÖMLEKÇİ,
Atty. Ali Kağan UÇAR, Atty. Görkem YARDIM,
Atty.Hakan DEMİRKAN
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- (1) **E. SUBJECT OF THE FILE:** The claim that the economic entity comprised of **Google Reklamcılık ve Pazarlama Ltd. Şti. Google International LLC, Google LLC, Google Ireland Limited and Alphabet Inc. (Google)** abused its dominant position in the general search services market to highlight its own local search and accommodation price comparison services, foreclosing its competitors.
- (2) **F. SUMMARY OF THE CLAIMS:** The application submitted by Yelp Inc. (Yelp) asserted that Google abused its dominant position in the general search services market to affect the local search services market. In light of the fact that the application concerned complained about the entirety of Google's practices in the field of accommodation, presenting all of Google's vertical services as local search services, and based on the information collected from the undertakings in the sector on Google's practices, Google's accommodation price comparison services in addition to its local search services were examined within the context of the file.
- (3) **G. PHASES OF THE FILE:** The First Examination Report numbered 2018-2-52/İİ was prepared in relation to the application concerned and it was discussed in the Competition Board meeting of 29.11.2028, where the decision no 18-45/710-M was taken to launch a preliminary inquiry on Alphabet Inc., Google Ireland Limited and Google Reklamcılık ve Pazarlama Ltd. Şti. (Google Türkiye).

- (4) Within the scope of the preliminary inquiry, an on-site inspection was conducted at Google Türkiye on 15.01.2019.
- (5) Information and documents were requested from a number of undertakings during the preliminary inquiry process. The responses from the undertakings were received into the Authority records as follows:
- from Google Türkiye, on 29.01.2019 with the number 612, on 04.02.2019 with the number 742, on 08.02.2019 with the number 858;
 - from İlab Holding AŞ (Neredekal) on 29.01.2019 with the number 621;
 - from BN Telekom Haberleşme Ticaret AŞ (Bulurum) on 30.01.2019 with the number 640;
 - from Expedia Group, Inc. (Expedia) on 06.02.2019 with the number 797;
 - from Doktorsitesi Com Bilgi Hizmetleri Teknoloji ve Ticaret AŞ (Doktorsitesi) on 07.02.2019 with the number 835;
 - from Reztoran Elektronik İletişim Yazılım Ticaret AŞ (Reztoran) on 07.02.2019 with the number 828;
 - from ETS Ersoy Turistik Servisleri AŞ (Etstur/Odamax/Otelpuan) on 01.02.2019 with the number 697;
 - from DocPlanner Teknoloji AŞ (Doktortakvimi) on 25.01.2019 with the number 513;
 - from KAYAK Europe GmbH (Kayak) on 07.02.2019 with the number 834;
 - from Yelp on 22.01.2019 with the number 384, on 07.02.2019 with the number 826;
 - from Sahibinden Bilgi Teknolojileri Pazarlama ve Ticaret AŞ (Sahibinden.com) on 13.02.2019 with the number 985.
- (6) The preliminary inquiry report dated 12.02.2019 and numbered 2018-2-52/ÖA containing the analyses and assessments regarding the complaint was discussed during the Board meeting of 21.02.2019, and the decision no 19-08/94-M was taken to launch an investigation on Google Reklamcılık ve Pazarlama Ltd. Şti., Google International LLC, Google LLC, Google Ireland Limited and Alphabet Inc. under Article 41 of the Act no 4054, to examine the claim that Google highlighted its own local search services to foreclose its competitors by abusing its dominant position in the market for general search services. In accordance with Article 43/2 of the Act no 4054, on 06.03.2019 with a letter numbered 2915, Google was notified that an investigation had been launched and that it should send its first written plea within 30 days, which was then received into the Authority records on 05.04.2019, with the number 2483.
- (7) The information note dated 05.07.2019 and numbered 2018-2-52/BN requested an extension for the investigation period, which was discussed in the Board meeting of 24.04.2019 and the decision no 19-26/388-M was taken, extending the duration of the investigation for a period of 6 months following its expiration.
- (8) Within the framework of the ongoing investigation, letters requesting information and documents were sent to Google on 09.10.2019, 12.11.2019, 20.12.2019, 31.12.2019 and 21.01.2020. In addition, interviews were held with the undertakings operating in the relevant market, many of which also received information and document requests. The file also necessitated collection of information from undertakings based abroad, and such requests were forwarded to the parties concerned through the Department of External Relations, Training and Competition Advocacy of the Competition Authority.
- (9) Responses of the undertakings to the requested information and documents were received into the Authority records as follows:

- from Google on 19.11.2019 with the number 8092, on 10.12.2019 with the number 8573, on 10.12.2019 with the number 8576, on 09.01.2020 with the number 219, on 14.01.2020 with the number 392, on 20.01.2020 with the number 556, on 27.01.2020 with the number 838, on 30.01.2020 with the number 996, on 06.02.2020 with the number 1287, on 07.02.2020 with the number 1350, on 12.02.2020 with the number 1492;
- from Facebook Inc. (Facebook) on 26.11.2019 with the number 8233, on 08.01.2020 with the number 195, on 27.01.2020 with the number 844;
- from Sahibinden.com on 13.11.2019 with the number 7917, on 19.12.2019 with the number 8878, on 19.12.2019 with the number 8885;
- from Bulurum on 21.10.2019 with the number 7109;
- from Glokal Dijital Hizmetler Pazarlama ve Ticaret AŞ (Hürriyetemlak) on 25.10.2019 with the number 7388;
- from Enuygun Com İnternet Bilgi Hizmetleri Teknoloji ve Ticaret AŞ (Enuygun) on 14.10.2019 with the number 6907, on 07.01.2020 with the number 166;
- from Doktortakvimi on 17.10.2019 with the number 7012, on 21.11.2019 with the number 8154;
- from Etstur on 21.10.2019 with the number 7129, on 02.12.2019 with the number 8370;
- from Foursquare Labs Inc. (Foursquare) on 07.01.2020 with the number 140;
- from Expedia on 26.11.2019 with the number 8235, on 20.12.2019 with the number 8899, on 20.12.2019 with the number 8903, on 07.02.2020 with the number 1321;
- from Letgo Global BV (Letgo) on 25.12.2019 with the number 9038;
- from Zingat Gayrimenkul Bilgi Sistemleri AŞ (Zingat) on 25.10.2019 with the number 7393, on 08.01.2020 with the number 172;
- from Neredekal on 28.10.2019 with the number 7474, on 20.12.2019 with the number 8930, on 24.01.2020 with the number 748;
- from Zomato İnternet Hizmetleri Tic. AŞ (Zomato) on 15.01.2020 with the number 422, on 07.02.2020 with the number 1322;
- from Armut Teknoloji AŞ (Armut) on 02.12.2019 with the number 8365, on 07.02.2020 with the number 1356;
- from Grupanya İnternet Hizmetleri İletişim Organizasyon Tanıtım ve Pazarlama AŞ (Grupanya) on 30.10.2019 with the number 7507;
- from Odamax on 24.10.2019 with the number 7319, on 02.12.2019 with the number 8370;
- from Sporarena Dijital Hizmetler Pazarlama ve Tic. AŞ (Yakala.co) on 25.10.2019 with the number 7417;
- from Kolay Randevu İnternet Hizmetleri AŞ (Kolayrandevu) on 22.10.2019 with the number 7187, on 19.12.2019 with the number 8890;
- from Otel puan on 21.10.2019 with the number 7130, on 02.12.2019 with the number 8370;
- from Reztoran on 05.11.2019 with the number 7667, on 05.11.2019 with the number 7665, on 06.02.2020 with the number 1311;
- from Kayak on 05.12.2019 with the number 8469, on 07.02.2020 with the number 1319;
- from Kurs Bilişim AŞ (Kurs) on 20.12.2019 with the number 8911;
- from DLT Turizm ve Ticaret AŞ (Tatilsepeti) on 04.11.2019 with the number 7603, on 25.11.2019 with the number 8196, on 24.01.2020 with the number 746, on 18.02.2020 with the number 1722;

- from Tatilbudur Seyahat Acenteliği ve Turizm AŞ (Tatilbudur) on 05.11.2019 with the number 7671, on 20.12.2019 with the number 8927, on 21.02.2020 with the number 1848;
 - from Özaltun Otelcilik Turizm ve Ticaret AŞ (Tatil.com) on 24.10.2019 with the number 7322, on 17.02.2020 with the number 1689;
 - from Club Jolly Turizm ve Ticaret AŞ (Jollytur/Club Jolly) on 24.10.2019 with the number 7333, on 27.11.2019 with the number 8262;
 - from Doktorsitesi on 11.11.2019 with the number 7852, on 20.12.2019 with the number 8915, on 07.02.2020 with the number 1377,
 - from Taksim Danışmanlık ve Yazılım Hizmetleri Gıda Dayanlı Tük. Mal. San. Tic. Ltd. Şti. (İsfirmarehberi) on 02.01.2020 with the number 12;
 - from İş ve Hizmet Bilgi Teknolojileri Ticaret Ltd. Şti. (Ustanerede) on 18.12.2019 with the number 8829;
 - from 06 Grup Medya ve Bilgi Teknolojileri (06 Grup) on 18.12.2019 with the number 8826, on 18.12.2019 with the number 8827, on 18.12.2019 with the number 8828;
 - from Yelp on 30.01.2020 with the number 991, on 30.01.2020 with the number 999, on 30.01.2020 with the number 1017, on 30.01.2020 with the number 1018;
 - from Özkar İnşaat Sanayi ve Ticaret AŞ (JW Marriott Ankara Oteli) on 07.02.2020 with the number 1318.
- (10) The investigation report (Report), dated 21.02.2020 and numbered 2018-2-52/SR, prepared within the scope of the investigation conducted was received by Google on 26.02.2020.
- (11) On Google's request, the Board granted a 30-day extension to the period for the second written plea with its decision dated 12.03.2020 and numbered 20-14/184-M, in accordance with Article 45.2 of the Act no 4054.
- (12) Thus, Google's second written plea was received into the Authority records within due time, attached to the letter dated 27.04.2020 and numbered 3977.
- (13) Under Article 45 of the Act no 4054 investigation committee prepared an Additional Opinion dated 12.05.2020 and numbered 2018-2-52/EG in response to the written plea submitted upon the notification of the investigation report, and this was notified to Google.
- (14) The third written plea in response to the additional written opinion was submitted to the Authority records within due time. In its written pleas, Google requested a hearing to be held.
- (15) The Board took its final decision in accordance with the Report prepared as a result of the investigation conducted, with the Additional Opinion, with the evidence collected, as well as with the written pleas submitted and the contents of the file under examination.
- (16) **H. RAPPORTEURS' OPINION:** The relevant report and the Additional Opinion concludes that
1. The economic entity under investigation, comprised of Google Reklamcılık ve Pazarlama Ltd. Şti., Google International LLC, Google LLC, Google Ireland Limited and Alphabet Inc., held dominant position in the general search services market.
 2. Google violated Article 6 of the Act no 4054 on the Protection of Competition by

obstructing the operations of its rivals and distort competition in the local search services and accommodation price comparison services market, by favoring its own local search and accommodation price comparison services in terms of location and presentation on the general search page in comparison those of its rivals and by refusing access of competing local search sites to the Local Unit.

3. Thus, administrative fines must be imposed on Google in accordance with Article 16/3 of the Act no 4054 on the Protection of Competition and the provisions of the Regulation on Fines to Apply In Cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position.
4. The following obligations must be imposed on Google to ensure the termination of the violation mentioned in Article 2 and the establishment of effective competition in the market:
 - a. Within a reasonable period (a period of 3 months is deemed appropriate), Google must ensure that competing local search services and competing accommodation price comparison services are no longer at a disadvantage before Google's own related services on the general search results page;
 - b. Google must periodically submit annual reports to the Authority for a period of five years, starting on the date of implementation of the first compliance measure.
5. A daily administrative fine must be imposed on Google in case it fails to fulfill the obligations listed in Article 4(a) in full and within due time.

I. EXAMINATION, GROUNDS AND LEGAL BASIS

I.1. Party under Investigation: Google

- (17) Google Türkiye is a limited company founded in Türkiye on August 1, 2005, and is a legal entity independent of Google LLC. Google Türkiye's main area of operations is the marketing and promotion of Google products. Google Türkiye does not operate Google Search (Google Search Engine) or Google Adwords, and neither does it provide these services to the users. Google Search and AdWords are operated and managed by Google LLC, while AdWords ads are provided to the advertisers in Türkiye by a separate legal entity established in Ireland, namely Google Ireland Limited (*GIL*). It is noted that Google Türkiye is also fully independent from this company in Ireland and from its operations.
- (18) The support activities Google Türkiye provides to Google LLC to facilitate the latter's services in Türkiye may be summarized as follows:
 - The promotion and marketing of the digital advertisements and other services, which are operated and managed by Google LLC and provided to the users in Türkiye by GIL,
 - Conducting informational activities aimed at consumers, advertisers and institutions on the features, usage, relevant policies, operation and benefits of the products and services,
 - Conducting informational activities on the application methods for users to submit their complaints and demands related to the products and services to Google LLC, which is the operator of the services and products, as well as to GIL, which is the provider of the advertisement services and products in Türkiye.

- (19) As of December 1, 2017 (.....) owns (.....)% of the shares in Google Türkiye, while (.....) holds (.....)%. As mentioned above, Google Türkiye's main shareholder is the company (.....). (.....) is in direct control and organizational management of Google International LLC is done by Google LLC. Thus, Google Türkiye is an indirect subsidiary of Google LLC.
- (20) Google LLC is a US-based company whose headquarters is in Mountain View, California. Google's main field of business is the operation of the search engine called Google, which allows its users to enter queries and search for information online. Google also provides several other online services and software products. As a member of the Open Handset Alliance (OHA), Google also provides the open-source mobile software platform Android. A majority of Google's aforementioned services are offered worldwide, including in Türkiye.

I.2. Interviews and Observations under the File

I.2.1. Interviews with Third Parties

- (21) As part of the file, interviews were conducted with third parties to be utilized in the assessments of the relevant market. The issues raised by the officials of the undertakings interviewed are provided below, in chronological order:
- (22) The following points were made in the interview held on 25.12.2019:
- (.....) officials noted that the marketing activities of the undertaking were fully managed from abroad and therefore they could not respond to the questions asked to the undertaking. It was decided during the interview that information on any issues concerning the subject matter of file would be requested from the undertaking in writing as per Article 14 of the Act no 4054. A request for information and documents was submitted to the aforementioned undertaking on 26.12.2019, with the letter numbered 15359. The response of the undertaking stated that all decisions concerning which platforms they would do business with were taken by the (.....)'s central regional office globally.
- (23) The following points were made in the interview with confidentiality request, held on 8.01.2020:
- There are three main business models in the field of travel, consisting of tour operators (Etstur, Club Jolly, Tatilbudur, Tatilsepeti, etc.) that can make direct sales and have physical stores, online travel agencies that only operate over the internet (Booking.com, Agoda.com), and metasearch sites (such as Trivago, TripAdvisor, Neredekal, etc) that collect and compare information on accommodation facilities from providers (facility operators), tour operators and online travel agencies.
 - In Türkiye, the players operating in the metasearch field are the websites (.....).
 - In light of the fact that users search for a facility within a certain geographical area, websites such as Etstur and Trivago are functionally the same with the facility search services provided by by Google, and therefore Google's search services, operators such as Etstur and metasearch sites such as Trivago may be seen as competitors in terms of attracting traffic.
 - Tour operators and online travel agencies can only list those hotels they have an agreement with, while metasearch sites like TripAdvisor and Neredekal are able to list hotels with which their business partner tour operators and online

travel agencies have agreements, in addition to a large number of hotels which do not work with those firms but have a membership package with the website.

- Also, tour operators and online travel agencies have a different business model thanks to their ability to take reservations, in addition to which websites such as TripAdvisor and Neredekal can provide services similar to a travel guide while tour operators and online travel agencies offer no such services. Google carries out all of the functions listed above (exploration, price comparison and reservation) within the framework of its verticalization strategy.
- As a result, TripAdvisor and Neredekal can provide exploration opportunities for a user at the beginning stages of his travel plans who wants to decide where and how to take a vacation, while tour operators and online travel agencies can list hotel alternatives to those users who have already decided on where they will stay. As a result, there may or may not be a substitution relationship between the two different types of platforms, depending on what the user is looking for.
- The service offered by Google is different from those offered by websites such as Etstur, since the latter can only include reviews by its own customers while Google can show reviews by those users who leave comments on Google as well as those on other platforms, which seems safer and more attractive to users. Besides, while Etstur can only show their contracted facilities, Google does not have to have contracts with the facilities it lists.
- The source of the traffic is very important for websites, but Google's practices make it harder to receive traffic from organic results. Since both text ads and the Local Unit or Hotel Ads products take a larger space in Google's search results, with the latter enriched with visuals, organic result are gradually pushed lower down on the page. Considering a majority of users tend to click on higher ranking results, this leads to a significant loss of organic traffic for websites, and this policy of Google forces undertakings to take out more ads in order to compensate the decreasing traffic.
- Google implements a tagging method called "meta tag" which is thought to get websites higher on search results. While websites do not have to use these tags, it is also believed that failure to use them demotes websites in organic search results, and moreover, relevant websites are shown with an enriched presentation that is different from the standard presentation as a result of the tagging. This practice requires the website to share the address information, reviews/points of the facilities with Google.
- Google's revenue model for Hotel Ads is based on a commission taken over reservations. As a result, the platform that wants to present a price offer within the Hotel Ads area must be able to take reservations. Trivago and TripAdvisor are able to show their offers in this area since these platforms cooperate with firms that can make sales/reservations. Thanks to this cooperation, the user is able to complete his reservation without leaving Trivago's/Tripadvisor's domain. However, any such cooperation does not allow reservations/sales for every facility listed by the platform, yet those platforms can be included in the Google Hotels area.
- (.....)
- Removing Local Unit from the general search results page or reducing its visibility would increase competition. While this area seems to be free-of-charge,

Google generates revenue through the advertisements shown when the user clicks on the “other hotels”.

- The space taken by text ads and the Local Unit lowers the ranking in the organic results, which makes it important to be included in the Local Unit to compensate this loss. However, it does not look like competition can be effectively established by simply ensuring that websites are included in this area.
- If platforms competing with Google were included in the Local Unit, this would enrich the content quality to the benefit of the consumers, since it would allow for a wider variety of price and facility options.
- Substitutability of websites which do and do not offer rankings and reviews would depend on the features of the product the user is searching for. For instance, a user who needs locksmith services would choose the closest one regardless of the ranking, while for accommodation services users’ reviews may be important at certain times but at other times features such as location may become more prominent.
- While becoming more vertical, Google not only manipulates search results but also emerges as a competitor. It is believed that Google’s next step will be to penetrate even deeper in the vertical, foreclosing other players. Such practices by Google may force undertakings in the vertical to exit the market due to a loss of traffic and increasing costs. In terms of the consumers, Google may remain the only player in the field and competition may be eliminated if such practices are allowed to continue.
- (.....)
- (.....), and its second choice would be for Google to arrange the search results page so as to allocate 10% to adwords ads, 70% to organic results and 20% to Google products (which should be placed at the bottom).

(24) The following points were made in the interview with confidentiality request, held on 09.01.2020:

- Growth in search volume is slowing down, and thus Google is trying to maintain growth by entering into vertical and specialized areas.
- Google has made acquisition attempts in the fields of finance and restaurant business; for instance, it tried to acquire Yelp and when negotiations fell apart Google copied all features of Yelp, and transferred Yelp reviews over specifically.
- (.....),
- The classic listing model is not practical since availability of the service providers are important. In that sense, the similar service offered by Google does not work well. Google started to transition to this model in the US and UK and is expected to make a similar transition in Türkiye, as well.
- Local search services offered by Google and (.....) are the same in terms of user needs.
- Websites who do and do not engage in sales can be substitutes for each other since these lines are gradually blurring, with websites that do not make sales gaining the ability to provide those services in time.

- It is observed that (.....) are planned (.....), with the planning of more comprehensive (.....) lasting up to (.....); services that require immediate work makes up around (.....)% of the total market.
- If the service is to be consumed on-site, the map/image becomes important for the users, however if the service providers are going to the customers' location then maps/images cannot be as important. Google differentiates between service providers in this way, as well.
- User reviews are critical for all local search services.
- (.....),
- Google made a design change in March of 2019, with which it increased ads, made it harder to distinguish ads from organic results, and these practices resulted in a change in user traffic from organic results to the ads.
- In case a sufficient number of businesses/business owners cannot access Local Unit, Google is able to improve itself through partnerships.
- Of the (.....) listed on Google 90% are swindlers; for instance, relevant (.....) were still listed on Google even after widespread news of (.....) swindling.
- In order to establish competition in this field, either Google must exit the field or competitors must be allowed access to Local Unit.
- Inclusion of (.....) in Local Unit will improve service quality,
- (.....).

I.2.2. Examinations Conducted by Other Competition Authorities on Google

- (25) Recently, Google's practices in various markets have been the subject of competition law reviews around the world. Examinations conducted by competition authorities emphasized Google's dominant position in different markets, and scrutinized the restrictive effects of the undertaking's conduct on competition. The current file examines the claim that Google abused its dominant position in the market for general search services to highlight its own local search services to the detriment of its rivals. This chapter will include investigations conducted by other authorities as well as court decisions concerning Google, including those decisions which examined Google's behavior in other countries that were similar or related to those comprising the subject matter of the file.
- (26) Search services provided by Google have gone through many changes since their introduction, both in terms of technology and design. The change that grabbed the highest amount of attention was the Universal Search¹ concept, introduced in 2007². It was after Universal Search that agencies began to receive competition law violation claims against Google.
- (27) Universal Search presents users with various vertical and specialized search results. In other words, search results found in response to a query entered by the user are categorized. These categories may include various areas such as shopping, local results (restaurants, hotels, doctors, plumbers, etc. in a certain region), images and

¹ These are searches concerning types of specialized information such as news, images, local results, etc.

² <https://searchengineland.com/google-20-google-universal-search-11232>

news. Specialized results are presented as a whole, together with organic results³ and ad results. Some results blended using Universal Search may be shown in a separate unit (OneBox)⁴ on the results page of the search engine. Within the framework of the examination conducted under the file, “local search services” are a type of specialized and vertical search service. Information provided by Google notes that when a query on a local venue or business is entered, the results may be shown in the form of local result groups (Local Unit). In that scope, some of the examinations conducted by other competition authorities with regard to search services were related to certain specialized services, while others were more comprehensive in nature.

- (28) Lastly, explanations provided by Google points out that the complaint comprising the subject matter of the file was brought before different competition authorities by Yelp but that no competition authority took action after examining the claims. Some portions of the explanations below include the above-mentioned issues noted by Google as well.

European Commission

- (29) Three separate investigations conducted by the European Commission (Commission) on Google were concluded with the finding of a violation⁵. Furthermore, there are currently ongoing examinations before the Commission. It has been stated on various channels that Google Local Search and Google Jobs⁶, described as Google’s vertically specialized services, are under examination. On the other hand, the Commission also launched an investigation concerning Google’s practices related to data gathering and utilization, under which it requested documents and information from undertakings⁷.
- (30) In the Shopping decision⁸ of the Commission concerning the shopping services offered by Google in connection with its general search services, Google was imposed a fine of €2.42 billion on 27.07.2017, on the grounds that Google, as a search engine, abused its dominant position by illegally favoring the comparison shopping service, which is another Google product, and thereby violated EU Competition Law rules.
- (31) EU’s Competition Commissioner Margrethe Vestager made the following statement on the aforementioned decision:

Google has come up with many innovative products and services that have made a difference to our lives. That's a good thing. But Google's strategy for

³ In other words, “plain blue links” or “generic results”.

⁴ OneBox emphasizes news, shopping, images and other results blended by Universal Search into ordered lists within the unit.

⁵ (i) European Commission Competition DG, Case AT.40099, Google Android, http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_40099, Accessed: 17.02.2020; (ii) European Commission Competition DG, Case AT.39740, Google Search (Shopping), (https://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_39740, Accessed: 17.02.2020 and (iii) European Commission Competition DG, Case AT.40411, Google Search (Adsense), https://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_40411, Accessed: 17.02.2020.

⁶ (i) BBC News “Google faces EU investigation over job-search tool” <https://www.bbc.com/news/technology-49483655>, Accessed: 17.02.2020; (ii) CNBC “Google is facing another EU antitrust probe — this time over its jobs search tool” <https://www.cnbc.com/2019/08/28/google-faces-eu-antitrust-probe-over-jobs-search-tool.html>, Accessed: 17.02.2020.

⁷ Reuters “Exclusive: EU antitrust regulators say they are investigating Google's data collection” <https://www.reuters.com/article/us-eu-alphabet-antitrust-exclusive/exclusive-eu-antitrust-regulators-say-they-are-investigating-googles-data-collection-idUSKBN1Y40NX>, Accessed: 17.02.2019.

⁸ Google Search (Shopping), CASE AT.39740 (2017).

its comparison shopping service wasn't just about attracting customers by making its product better than those of its rivals. Instead, Google abused its market dominance as a search engine by promoting its own comparison shopping service in its search results, and demoting those of competitors.

What Google has done is illegal under EU antitrust rules. It denied other companies the chance to compete on the merits and to innovate. And most importantly, it denied European consumers a genuine choice of services and the full benefits of innovation.

- (32) Within the framework of the file, it was found that Google abused its dominant position to illegally favor its own comparison shopping service and that Google restricted competition in the comparison shopping market due to the special position it allocated to Google Shopping.
- (33) On the other hand, more than 30 undertakings including platforms such as Tripadvisor, Expedia, HomeToGo claimed that Google unfairly highlighted its own holiday rental search service, and they filed an official complaint with the European Commission⁹. The text of the complaint¹⁰ submitted to Margrethe Vestager, EU Commissioner for Competition, claimed that similar to its practices concerning comparison shopping and online job opportunities, Google abused its dominance in general search services with regard to holiday rental search service, by showing it at the top of the general search results page in a visually rich box. The undertakings noted their concerns under three headings they deemed anti-competitive:
- (i) Google tied its general search service with its vacation rental search service, which is provided in a visually-rich manner;
 - (ii) Google positions and displays its own unit service above competitors providing similar services;
 - (iii) By pushing its own service above those of its rivals in general search results pages at no cost, Google will make it impossible for its rivals to compete with Google's service through investments and innovations. This will direct the traffic towards Google's own service in time, which will force content providers to prefer Google, making it harder for rivals to create content and improve user experience. Ultimately, it could lead to anti-competitive market foreclosure.
- (34) Lastly, in accordance with the statement made by the Commission on March 20, 2019, the agreements signed between Google and the partners of the online search advertising service *AdSense* were examined and violations were found. There are differences between the above-mentioned investigation and the claims and practices examined under the decision herein.
- (35) In the *AdSense* decision, it was announced that the Commission imposed a fine of €1.49 billion on Google for violating EU Competition Law rules.¹¹ That decision was about Google's advertisement product, *AdSense*. In that context, it would be worthwhile to mention the *AdSense* service. Google provides advertisements to those websites that wish to publish them through *AdSense*. In this system Google acts like

⁹ *Google accused of competition abuse in holiday rentals*, <https://www.ft.com/content/dc59e070-49c0-11ea-aeb3-955839e06441>, Accessed: 17.02.2020.

¹⁰ https://www.deutscher-ferienhausverband.de/wp-content/uploads/2020/02/Travel-Sector-Raises-Concerns-Against-Favouring-of-Google-Vacation-Rentals_10-02-2020.pdf, Accessed: 17.02.2020.

¹¹ *Press Release, Antitrust: Commission fines Google €1.49 billion for abusive practices in online advertising, 20 March 2019*, https://ec.europa.eu/commission/presscorner/detail/en/IP_19_1770.

an intermediary bringing together website owners who wish to profit from the available spaces on their websites with advertisers. The file in question focuses on advertisement services and is not directly related to vertical search services.

US Federal Trade Commission

- (36) On January 3, 2013, US Federal Trade Commission (FTC) finalized an investigation concerning the claims that Google unfairly promoted its own content on the results page of the search engine and demoted the contents of its rivals, also known as search bias. Within the framework of that file, some vertical search sites claimed that Google promoted its own product in some search types, such as shopping or local search, local by presenting search results within universal search units, and that further, Google demoted competing vertical search websites in the rankings via search algorithms. FTC examined whether Google made changes to the algorithm intended to exclude its existing or potential competitors and harm the competition process, and whether any such changes improved Google's search product and the general consumer experience.
- (37) During the examination more than nine million documents were examined, interviews were conducted with the parties as well as with participants from different sectors and Google executives, and Google was asked to submit its defense. FTC found that Google's main goal in publishing this content was to provide users with results more relevant to their search queries, return faster results and thus increase the benefits users derived from the product, and that the users did benefit from this. In addition, it was noted that other general search engines introduced similar design changes, which demonstrates that this was not an anti-competitive practice, but rather came about to improve quality. As a result, the investigation was terminated on the grounds that Google's highlighting of its own content could be seen as an improvement in the quality of Google's general search product and that, similarly, the investigation could not collect a sufficient number of documents suggesting that Google engaged in practices that used its search algorithms to disadvantage vertical search websites competing with its own vertical search features.¹²
- (38) In the first written plea submitted by Google, it was noted that FTC did not find a violation during the investigation and unanimously decided that Yelp's complaint was groundless.
- (39) Google's Chief Legal Consultant David Drummond interpreted this to mean that "*Google's services were beneficial for the consumer and competition*," but the decision was criticized on the grounds that consumer choice was restricted and that competitors could return much better results in various fields.¹³ Google's defense noted that these criticisms originated from anti-Google lobbying groups and from Fairsearch, claimed to be a dummy corporation of Oracle and Naspers.
- (40) In 2012 FTC conducted a study¹⁴ on the matter, where it also examined the claims that Google took some user-generated content from certain websites, using a method

¹² *Statement of the Federal Trade Commission Regarding Google's Search Practices In the Matter of Google Inc. FTC File Number 111-0163, January 3, 2013*, https://www.ftc.gov/sites/default/files/documents/public_statements/statement-commission-regarding-googles-search-practices/130103brillgooglesearchstmt.pdf, Accessed: 17.02.2020.

¹³ *FTC Closes Google Antitrust Case: "Law Protects Competition Not Competitors," Not Enough Evidence To Prove "Search Bias"* January 3, 2013, <https://searchengineland.com/ftc-law-protects-competition-not-competitors-says-not-enough-evidence-to-prove-search-bias-144119>, A: 17.02.2020.

¹⁴ <https://graphics.wsj.com/google-ftc-report/img/ftc-ocr-watermark.pdf>, Accessed: 18.11.2019.

known as scraping. The report in question included the claims that, in the field of local search services where user opinions carried particular importance, Google tried to acquire Yelp to access a larger number of user reviews but was refused.

- (41) The report stated that Google later decided to redesign Google Maps to allow users to write their reviews directly and tried to increase the volume of user opinions on its website to acquire more user reviews. It was noted that, in order to create its own content, Google used content from websites such as Yelp and Tripadvisor with their consent; however when Yelp asked Google to remove all content from Yelp, Google presented its own reviews for a period of more than two years but ultimately failed to reach a certain volume of user reviews. When Google started scraping content from the websites in question without their consent, Yelp, Tripadvisor and CitySearch submitted a complaint to Google concerning this practice and asked that their content be removed from Google Places/Hotspot. However, Google replied that if they complied with this request, the websites concerned would not be crawled, i.e. it would have to completely remove any facility to browse these websites. This would mean excluding the websites in question, which use Google's general search service to reach their users. Examining the claims listed above, FTC decided that these practices by Google reduced the incentives for vertical websites to invest in and develop content.
- (42) At the same time, FTC is currently conducting a separate competition infringement investigation on Google, which was launched by 48 state prosecutors. According to the statements and news released on September 10, 2019, the investigation in question focuses on Google's advertisement services.¹⁵ It is explained that the investigation requires asking information on numerous subjects including how each ad service works, what types of pricing and revenue generation methods they use, how they act concerning data collection etc., and that if this is not done it would be impossible to understand how online advertisement services work and what the dynamics of the market are. Moreover, the statements and news on the investigation emphasize the gradual extension of Google's advertisement services.
- (43) Within the framework of the investigation above, Google's vertical specialized services will also be scrutinized and one dimension of the examination could involve the services aimed at travel and job opportunities. As mentioned above, it is known that Google is in competition with other undertakings in these fields with its own services. One of the highlighted claims is that Google prioritizes its own services for flight and accommodation reservations. Some undertakings offering travel and hotel search services are known to complain from increasing costs and the decreasing demand coming from Google search. It is noted that an examination into these issues may be a part of the investigation.
- (44) It is pointed out under the file that Google's power in the online advertising market is very important. According to eMarketer, Google attracts more than 20% of the online and offline ad expenditures in the US. In addition, 74.6% of the ad expenditures in the search network belongs to Google. Google has a 37.2% market share in the online advertisement market in USA. Facebook comes second with 22.1%.
- (45) A second point of note is that, in addition to competition concerns, the investigation will also address data protection with relation to how the data is shared and monitored. A press release by Ken Paxton, Attorney General of Texas, emphasized Google's

¹⁵ *Google's ad business will be scrutinized like never before in antitrust investigation*, September 11, 2019, <https://www.cnn.com/2019/09/11/google-antitrust-investigation-to-focus-on-advertising-business.html>, Accessed: 17.02.2020

dominant position and its use of consumer data.¹⁶

French Competition Authority

- (46) The French Competition Authority (*Autorité de la concurrence* – ADLC) examined a number of claims about Google in 2018. The claims concerned abusive practices by Google, involving the use of the ranking algorithms as a tool to demote suppliers or customers in the rankings or excluding them from the rankings altogether. The complaint by Interactive Lab claimed that Google abused its dominant position through its discriminatory and exclusionary practices in the provision of its AdWords service. Google was charged with changing the outcomes of the AdWords bidding system in order to increase customer numbers and revenue. The complainant claimed that it encountered exclusionary practices as a result. The French competition authority rejected these claims due to insufficient evidence. It is also noted that the complaint was rejected by the Commission as well.¹⁷
- (47) On the other hand, with a press release¹⁸ of December 20, 2019, ADLC announced that it imposed a fine of €150 million on Google for abusing its dominant position, at the conclusion of a four-year investigation. The Gibmedia Company (Gibmedia), which was the complainant, provides weather forecasts, company data and phone information to users through the websites it owns. Some of these services are offered for a fee. When its Google Ads account was suspended without any notification, Gibmedia submitted a complaint of anti-competitive practices, and demanded interim measures. The complaint was based on the claim that the method and suspension procedures used by Google were not objective or transparent, and that Google followed discriminatory policies.
- (48) ADCL stated that the rules concerning Google Ads were unclear and difficult to understand, which provided Google a measure of discretion when characterizing or interpreting those rules. ADCL noted that Google's advertisement platform had to define objective, transparent and non-discriminatory rules. In addition, the decision stated that Google sometimes made changes to the rules but failed to notify these changes to the websites, and that the variability of the rules and the lack of notification created distrust by causing unforeseeable situations for the advertisers. It was concluded that Google did not act consistently when applying the rules, suspending the account of one of the websites with the same content while allowing the other to continue, which resulted in a discriminatory application of the rules.
- (49) The decision imposed administrative fines and introduced behavioral measures to eliminate Google's unfair practices related to Ads rules.

¹⁶ (i) *Google's ad business will be scrutinized like never before in antitrust investigation*, September 11, 2019, <https://www.cnbc.com/2019/09/11/google-antitrust-investigation-to-focus-on-advertising-business.html>, Accessed: 18.11.2019 (ii) *Tech's New Monopolies*, September 10, 2019, <https://www.bloomberg.com/quicktake/why-eu-is-reining-in-tech-giants-while-the-u-s-is-hands-off>, Accessed: and (iii) *Google Hit With Sweeping Demand From States Over Ad Business*, September 11, 2019, <https://www.bloomberg.com/news/articles/2019-09-10/google-hit-with-sweeping-demand-from-states-over-its-ad-business>, Accessed: 17.02.2020.

¹⁷ (i) *Décision n° 18-D-13 du 20 juillet 2018 relative à des pratiques mises en œuvre par Google dans le secteur de la publicité en ligne*, decision dated July 20, 2018, <https://www.autoritedelaconcurrence.fr/sites/default/files/commitments//18d13.pdf>, Accessed: 18.11.2019 and (ii) Bundeskartellamt and Autorité de la concurrence, *Algorithms and Competition*, November 2019, p. 25.

¹⁸ The Autorité de la concurrence hands down a €150M fine for abuse of a dominant position <https://www.autoritedelaconcurrence.fr/en/press-release/autorite-de-la-concurrence-hands-down-eu150m-fine-abuse-dominant-position>, Accessed: 26.12.2019

Competition Commission of India

- (50) The application submitted to the Competition Commission of India (CCI) by matrimony.com and the Consumer Unity & Trust Society (CUTS) in 2012 claimed that Google was biased with relation to the rankings for general search services and online advertisement services in India, that Google Flights was favored against its rivals and that Google abused its dominant position with some of its other practices in the field of online advertising. The claims in question are said to involve search bias and the design of the Google's search engine results page. CCI found that Google favored its own specialized search options or services (shopping or local search) against its rivals on the search engine results page. Based on this finding of violation, CCI imposed a fine of €17.2 million on Google.¹⁹

Brazilian Competition Authority

- (51) In 2013, Buscape and Bondfaro, websites operating in the field of comparison shopping in Brazil, and Microsoft made an application to the Administrative Council for Economic Defense (CADE), claiming that Google put pressure on advertisers not to take ads with other search engines, based on a provision included in the Adwords agreements.²⁰ In spite of the fact that Microsoft retracted its complaint in 2015, the investigation continued and CADE published a press release²¹ on its official website, stating that the complaint on Adwords was not yet concluded. On the other hand, Buscape and Bondfaro claimed that the Google took reviews created by their users (customers opinions on the products/services and stores) without their consent, using a method known as scraping, and these reviews were later used by Google in its vertical services. The complaint noted that Google did not allow its rivals access to the reviews left with its own specialized search tabs, but utilized the user reviews at competing websites, thereby deriving competitive advantage for itself. Additionally, CADE also received complaints claiming that Google abused its dominant position by updating its algorithm with an aim to reduce traffic to comparison shopping websites and by refusing these sites access to the Shopping tab. As a result of the examination of these claims, no sanctions were imposed on the grounds that sufficient evidence was not found to prove that Google reduced traffic to its competitors, and that refusing comparison shopping websites access to the shopping tab would be to the advantage of the users.²²

Taiwanese Fair Trade Commission

- (52) Taiwanese Fair Trade Commission (TFTC) evaluated the complaints received concerning how Google displays search results. While at first the TFTC investigation concerned all applications by Google, later it focused more specifically on mapping services. In August 2015 TFTC rejected all complaints related to Google's search rankings and map display.

¹⁹ Press Release, *CCI issues order against Google for search bias, imposes penalty*, 08.02.2018, https://www.cci.gov.in/sites/default/files/press_release/Press%20Release-%2007%20%26%20%2030%20of%202012_0.pdf?download=1, Accessed: 17.02.2020

²⁰ *Brazil investigates Google over antitrust charges*, <https://www.reuters.com/article/us-google-brazil-idUSBRE99A0JM20131011>, Accessed: 17.02.2020

²¹ http://en.cade.gov.br/press-releases/cade-investigates-google2019s-possible-anticompetitive-practices-in-the-brazilian-online-search-market/cade_english/topics/topics/bilateral_cooperation/legislation/bilateral-cooperation

²² *Cade, Brazilian antitrust watchdog, requests a withdrawal of Google probe*, 28.11.2018, <https://www.conjur.com.br/en/2018-nov-28/brazilian-antitrust-watchdog-requests-withdrawal-of-google-probe>, Accessed: 17.02.2020.

Hamburg District Court

- (53) In Germany, the Association of German Weather Service Providers filed a lawsuit against Google's search rankings, and especially the placement of its weather forecast service OneBox at the top of the search results had a negative effect on competition. The Hamburg District Court dismissed the relevant lawsuit, on the following grounds: (i) *The fact that other companies may be displayed as normal among the organic search results should not prevent Google from implementing those innovations it deems beneficial, (ii) the ban on the abuse of a dominant position was not intended to safeguard old business models that can no longer withstand change, and (iii) Google can implement changes to the search rankings in order to increase the attractiveness of its general search engine.*²³

Competition Bureau Canada

- (54) Competition Bureau Canada launched an investigation on Google in 2013, in response to the complaints received. One of the claims examined under the investigation concerned whether Google prioritized its own services (Google Maps, Google Flights, etc.) on the results page of its search engine. Competition Bureau Canada concluded the investigation in April 2016, on the grounds that sufficient evidence in support of the claims could not be found²⁴.

High Court of England and Wales

- (55) In response to an application by Streetmap, which is a platform providing online map services, the High Court of England and Wales examined the claim that Google abused its dominant position in the general search services market by placing a visual and clickable image of Google Maps at the top of the page²⁵. The Court concluded that Google's practices did not have a significant effect and did not risk market foreclosure, and found that Google's conduct was not against the law. The Court also noted that Google did not have an effective and proportionate alternative method for achieving the same legitimate goal.

I.2.3. Documents Collected during the On-Site Inspection

- (56) Within the framework of the file, an on-site inspection was conducted at Google's Turkish headquarters. Among the documents collected during the aforementioned on-site inspection, those that will be assessed within the framework of the file are presented below, together with their Turkish translations, done by the Department of External Relations, Training and Competition Advocacy.
- (57) The presentation titled "*Local Search Ads*," collected from the undertaking personnel (.....)'s computer using the hash method in Document-1 includes the following information:

²³ *Google Wins Vertical Search Antitrust Case In Germany*, May 7, 2013, <https://searchengineland.com/google-wins-vertical-search-antitrust-case-in-germany-158544>, Accessed: 17.02.2020.

²⁴ *Competition Bureau statement regarding its investigation into alleged anti-competitive conduct by Google*, <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/04066.html>, Accessed: 17.02.2020.

²⁵ *Streetmap v Google outcome becomes final*, 08.02.2017, <https://globalcompetitionreview.com/article/1081046/streetmap-v-google-outcome-becomes-final>, Accessed: 17.02.2020.

Overview

Local Search Ads enables advertisers to engage with consumers who are making physical location related searches on Google.com and Google Maps. Local Search Ads are currently available on:



Google.com
Local Unit (Mobile)



Google.com
Expanded Maps Results (Desktop)



Google Maps App
(Android)



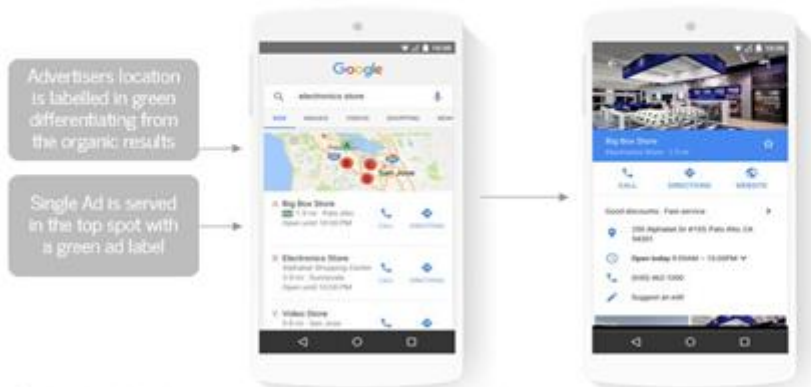
Google Maps
(Desktop)

Google

Confidential & Proprietary

Google.com Local Unit (Mobile)

With 84% of consumers conducting local searches, Google.com enables advertisers to connect with consumers and direct them to their physical locations.

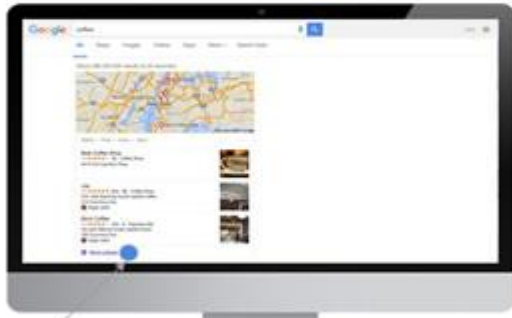


Google • Source: https://think.storage.googleapis.com/docs/how-advertisers-can-extend-their-relevance-with-search_research-studies.pdf

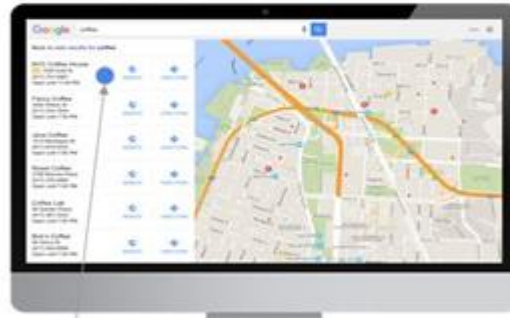
Confidential & Proprietary

Google.com Expanded Maps Results (Desktop)

Google.com local unit 'more places' clicks direct users to Google Maps where expanded maps results are displayed.



1. Following a local related search the user clicks 'more places'



2. User presented with Maps results containing Ad

(Turkish Translation)

Google Maps (Desktop)

active users Google Maps enables advertisers to connect with consumers as they search within googlemaps.com.



Google Maps App (Android)

downloads the Google Maps App enables advertisers to connect with consumers as they search within the Android app.



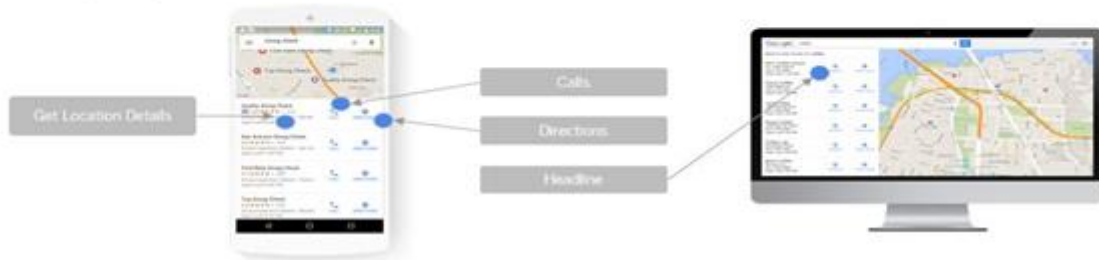
Implementation & Reporting (1 of 2)

Implementation:

- All Local Search Ads are active for advertisers campaigns with active Location Extensions

Reporting:

- Reporting is available within AdWords on for Headline, Get Location Details, Calls, & Direction Clicks.



Implementation & Reporting (2 of 2)

Google Place Page Reporting:

- Reporting is available for the ad click and also post clicks on the Google Place Page as 'Local Actions'.



(58) The text titled "Policy / Legal Snippets - September 17" in Document: 1/30-32 includes

the following information:

“GOOGLE & THE WORLD

- *Competition*

- o *Global—Yelp— Yelp filed a complaint with the FTC (copying the EC and state AGs) claiming that we violated our 2013 commitments not to scrape content for local listings because we included Yelp images in local listings in Knowledge Panels. It turns out that we were indeed showing Yelp's images but **only because they had not included their images domain (yelpcdn.com) on the opt-out list.** We are now checking the referring URL of each image against the FTC opt-out list and auditing our local search features for compliance. We had an initial positive call with the FTC explaining that the issues was a surprise and we will follow up with results of our investigation.”*

...

- (59) The text titled “*EMEA | Legal Weekly | Two Weeks ending May 11, 2018*” in Document: 1/33 includes the following information:

“*Competition*

- *EC—New Yelp Competition Complaint—Yelp filed a new complaint with the European Competition alleging that we favor Google content in local search results and that we made algorithmic changes starting in 2014 that hurt Yelp's Search ranking. Yelp's complaint tracks the EC's Shopping Case and Yelp wants remedy in Local Search like the one we now provide in Shopping. We expect to submit our response this summer.”*

- (60) The presentation titled “*Local Search Preferences*” in Document: 1/36-39 includes the following charts and statements:

(.....TRADE SECRET.....)

Q. *Which website or mobile application do you prefer when choosing ... ?*

Based on: participants who replied the survey with a valid response

(.....TRADE SECRET.....)

Local Search Site Preferences

- 1 **Google is very competitive in the four local search markets measured.**
It falls in the top or second highest ranking site preferred by local searchers.

- 2 **Google is known for providing many choices, being easy-to-use, familiar and informative.** These attributes are common across all four local search categories.

- 3 **Google is not known for reviews, rewards or offering good deals/prices.**
Users associate these benefits with Google's competitors in local search.

(61) The presentation titled "Turkey Search Story" in (.....) includes the following charts and statements:

(.....TRADE SECRET.....)

(62) The following statements are included in the presentation titled "Local Search in Turkey," in (.....):

(.....TRADE SECRET.....)

	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)

(.....TRADE SECRET.....)

(.....)

(.....)				
(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)

(.....)

	Türkiye	USA	Italy	Germany
Local DAU	(.....)	(.....)	(.....)	(.....)
Local user %	(.....)	(.....)	(.....)	(.....)
Local MAU	(.....)	(.....)	(.....)	(.....)
Local user %	(.....)	(.....)	(.....)	(.....)
Local DAU/MAU	(.....)	(.....)	(.....)	(.....)
DAU	(.....)	(.....)	(.....)	(.....)
MAU	(.....)	(.....)	(.....)	(.....)

(.....TRADE SECRET.....)

Deep dive of Local Search in Turkey

(.....TRADE SECRET.....)

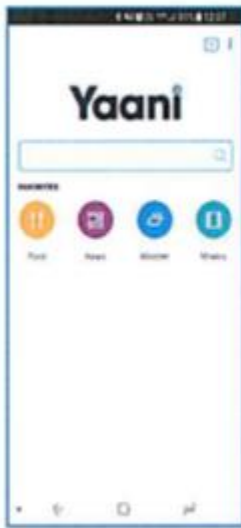
(.....)

	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)

(.....TRADE SECRET.....)

(.....TRADE SECRET.....)

New competitors enter the game in Local Search:
The biggest carrier Turkcell introduced their own search engine "Yaani"



Claimed Product Benefit

- Provides **locally relevant** search results since it is **Turkish**
 - Understands Turkish - It's mother tongue is Turkish
 - Knows every location in Turkey - It is born here
- **Learns from you** as you search
 - Personalized results - It understands you
 - Learning algorithms - It is smart

Emotional Benefit

- **Turkey's Search Engine**
 - "Turkey is now one of the strong countries that has its own search engine"
 - "Turkey's data will not be shared with other countries"
 - "Foreigner search engines cannot understand you"

(.....TRADE SECRET.....)

(.....)

Our Local Search Growth Approach Proposal

Local Growth Virtuous Cycle

(.....TRADE SECRET.....)

(.....TRADE SECRET.....)

(.....)

(.....)	(.....)	(.....)
---------	---------	---------

(.....) (.....) 1- (.....)

(.....) (.....) 2- (.....)

(.....) (.....) 3- (.....)

(.....TRADE SECRET.....)

2

Usage - Competition

Instagram

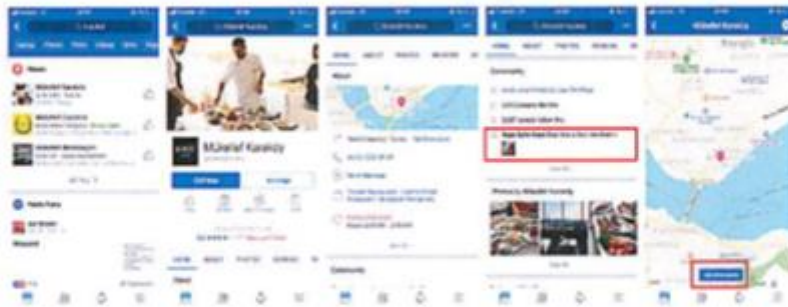


Instagram displays photos posted by the restaurant, of the restaurant (from others) and taken at the restaurant. It also requires a different search path for finding the location, and directs to Apple Maps on iOS.

2

Usage - Competition

Facebook



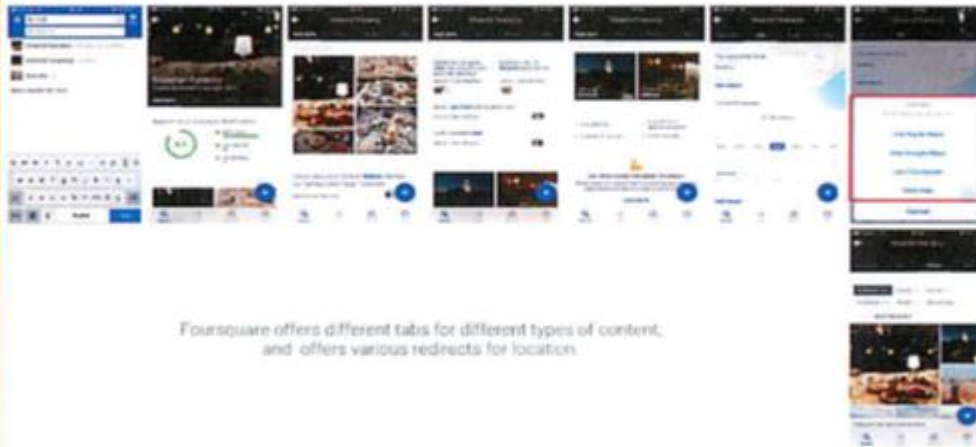
Facebook allows the restaurant to create a one-stop page that has all the relevant information, as well as friends' views. It directs to Apple Maps on iOS.

||

2

Usage - Competition

Foursquare



Foursquare offers different tabs for different types of content, and offers various redirects for location.

(.....TRADE SECRET.....)

- (63) The text in Document:1 titled "Press FAQ - Place Search," collected from the undertaking personnel (.....)'s computer using the hash method includes the following statements:

(.....TRADE SECRET.....)

I.3. Relevant Market

I.3.1. Survey Study on the Relevant Product Market

- (64) A survey was sent to 45 websites within the scope of the file, to be evaluated in the definition of the relevant product market. The survey in question was prepared as part of the investigation conducted by the European Commission, and the study provided by the Commission was modified in accordance with the contents of the file. The survey on the relevant product market asked questions to undertakings under the main subjects of demand substitution, supply substitution, competition environment and competitors.
- (65) The survey was sent within the framework of an information and document request and was replied by 26 websites. Information on the contents of the questions and the distribution of the responses collected from the websites are as follows:

Table 1: Survey Questions and Answers

Question No.	Questions	Number of Affirmative	Affirmative Ratio (%)	Number of Negative	Negative Ratio (%)	Unanswered	Unanswered Ratio (%)	Total
1. Please answer the following questions, intended to examine to what extent different services compete with each other from the <u>users'</u> perspective.								
1	Do users make a distinction between user reviews and professional reviews in local search services that are fundamentally based on review content (comments, rankings, star rating, etc.).	16	61.54	5	19.23	5	19.23	26
2	Do users think that user photos that depict the local service as positive or attractive and/or relevant comments/likes shared by other users on platforms such as <i>Instagram</i> and Facebook as substitutes of the reviews left on the local search website?	13	50.00	9	34.62	4	15.38	26
3	Do users make a distinction between reviews in the form of ratings and comments?	17	65.38	5	19.23	4	15.38	26
4	Do users make a distinction between local search websites that provide directions for the service they searched for and ones that do not provide such a function?	17	65.38	7	26.92	2	7.69	26
5	From the user perspective, are local search services aimed at different user needs substitutable with each other? (for instance, can a local search website for hotels substitute a local search website for restaurants?)	3	11.54	19	73.08	4	15.38	26
6	Do users make a distinction between local search services that fulfill a single user need and those that meet a wider variety of user needs?	13	50.00	9	34.62	4	15.38	26
7	Do users differentiate between a local search service website that offers the chance to reserve/buy the service they are looking for (e.g. being able to reserve a table on a local search website whose main product is restaurant reviews, or being able to book a room on a local search website whose main product is hotel reviews) and those that do not offer such a reservation/purchase possibility?	17	65.38	4	15.38	5	19.23	26
9	Do users make a distinction between accessing a local search service (directly) through a browser and accessing it through that local search service's desktop or mobile application?	14	53.85	7	26.92	5	19.23	26
10	Do users make a distinction between a website whose main business is providing local search services and a website (such as <i>sahibinden.com</i> , <i>hurriyetemlak.com</i> , etc.) that provides local search services on a narrower field (as an additional or auxiliary service)?	13	50.00	9	34.62	4	15.38	26
11	Do users make a distinction between services providing local search and offline services with similar general objectives (e.g. guides in the form of physical media or review journals)?	19	73.08	2	7.69	5	19.23	26
2. Please answer the following questions, intended to examine to what extent different services compete with each other from the local operators'/professionals' perspective.								
1	Do business owners/professionals make a distinction between local search services that mainly meet a single user need with those that meet a larger variety of user needs?	11	42.31	10	38.46	5	19.23	26

2	Do business owners/professionals make a distinction between local search websites that provide directions for the service the users searched for and ones that do not provide such a function?	14	53.85	6	23.08	6	23.08	26
3	Do business owners/professionals differentiate between a local search service website that offers the chance to reserve/buy the service the users are looking for (e.g. being able to reserve a table on a local search website whose main product is restaurant reviews, or being able to book a room on a local search website whose main product is hotel reviews) and those that do not offer such a reservation/purchase possibility?	17	65.38	3	11.54	6	23.08	26
4	Do business owners/professionals make a distinction between appearing on websites that offer local search services and appearing on social media websites (<i>Facebook</i> , <i>Facebook Places</i> , <i>Instagram</i> , etc.).	11	42.31	8	30.77	7	26.92	26
5	Do business owners/professionals make a distinction between a website whose main business is providing local search services and a website (such as <i>sahibinden.com</i> , <i>hurriyetemlak.com</i> , etc.) that provides local search services on a narrower field?	9	34.62	11	42.31	6	23.08	26
C. Competition Environment - Competitors								
4	Do you think general services such as <i>Bing</i> , <i>Yandex</i> , <i>Yaani</i> , <i>Google</i> ya da <i>Yahoo</i> compete with your local search services?	9	34.62	14	53.85	3	11.54	26
5	Is the local search service provided by Google (Local Unit, Onebox) a substitute for the local search service offered by your company?	13	50.00	12	46.15	1	3.85	26
6	Do you think services provided over platforms such as <i>Facebook</i> , <i>Facebook Places</i> and <i>Instagram</i> are in competition with any of your local search services?	10	38.46	14	53.85	2	7.69	26
7	Do you think some offline services are in competition with your local search services?	3	11.54	19	73.08	4	15.38	26
8	Does your website offer the opportunity to purchase or make reservations?	14	53.85	10	38.46	2	7.69	26

- (66) In addition to the questions above, the survey conducted also included some additional questions which expected websites to make further clarifications on the relevant subjects. In that context, the first section of the survey on the relevant product market is involved with demand substitution for local search services, asking websites to indicate the annual conversion rate of their total traffic to reservations/sales, in case their local search service offers such an opportunity.
- (67) The second section of the survey asks websites to provide explanations on three questions, with an aim to assess to what extent various services are in competition with each other from a supply-side substitution perspective.
- (68) The answers given to the questions in the table above are visualized in the following chart to facilitate easier assessment.

Chart 1: Survey Results



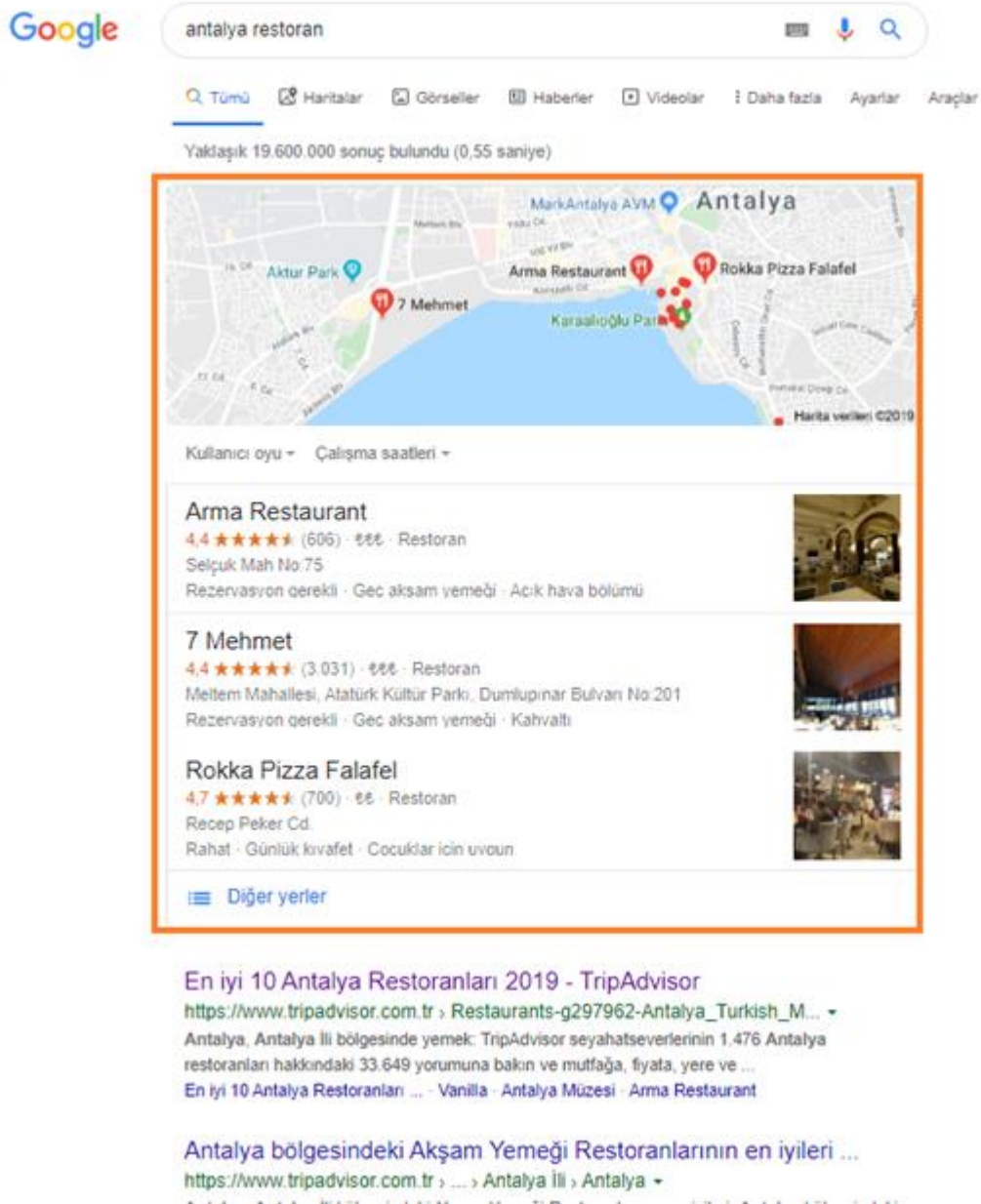
I.3.2. General Information on the Google Products under Examination (Local Unit and Hotel Ads)

- (69) The primary claim in the application is that Google used its practices in the local search field to force its competitors out of the market, relying on its dominance in the general search market. At the same time, it was found that Google was also providing a price comparison service related to its local search service but through a different product, aimed at comparing prices offered by alternative platforms for accommodation facilities, and Google's practices in this field were also taken under examination as part of the file.
- (70) In this context, this section will offer information, first on Google's local search service and then on its accommodation price comparison service.
- (71) The local search service allows users (searchers) to search for local businesses/organizations/professionals²⁶ within a geographical area (that they specify), and thus access detailed information (location, contact information, user reviews, opening/closing hours, prices and photos) on businesses/organizations/professionals including restaurants, hotels, plumbers, hairdressers, hospitals, doctors, schools and public institutions.
- (72) Google offers this service through a box called Local Unit²⁷, which is displayed on the general search results page. The figure below shows the screenshot of the results page Google displays for the "Antalya restaurant" query as an example. The highlighted area in the screenshot is defined as the Local Unit. In this example, Local Unit is displayed at the top of the page.

²⁶ Within the framework of the file, businesses/organizations/professionals displayed in local search will be referred to as businesses in general for conciseness.

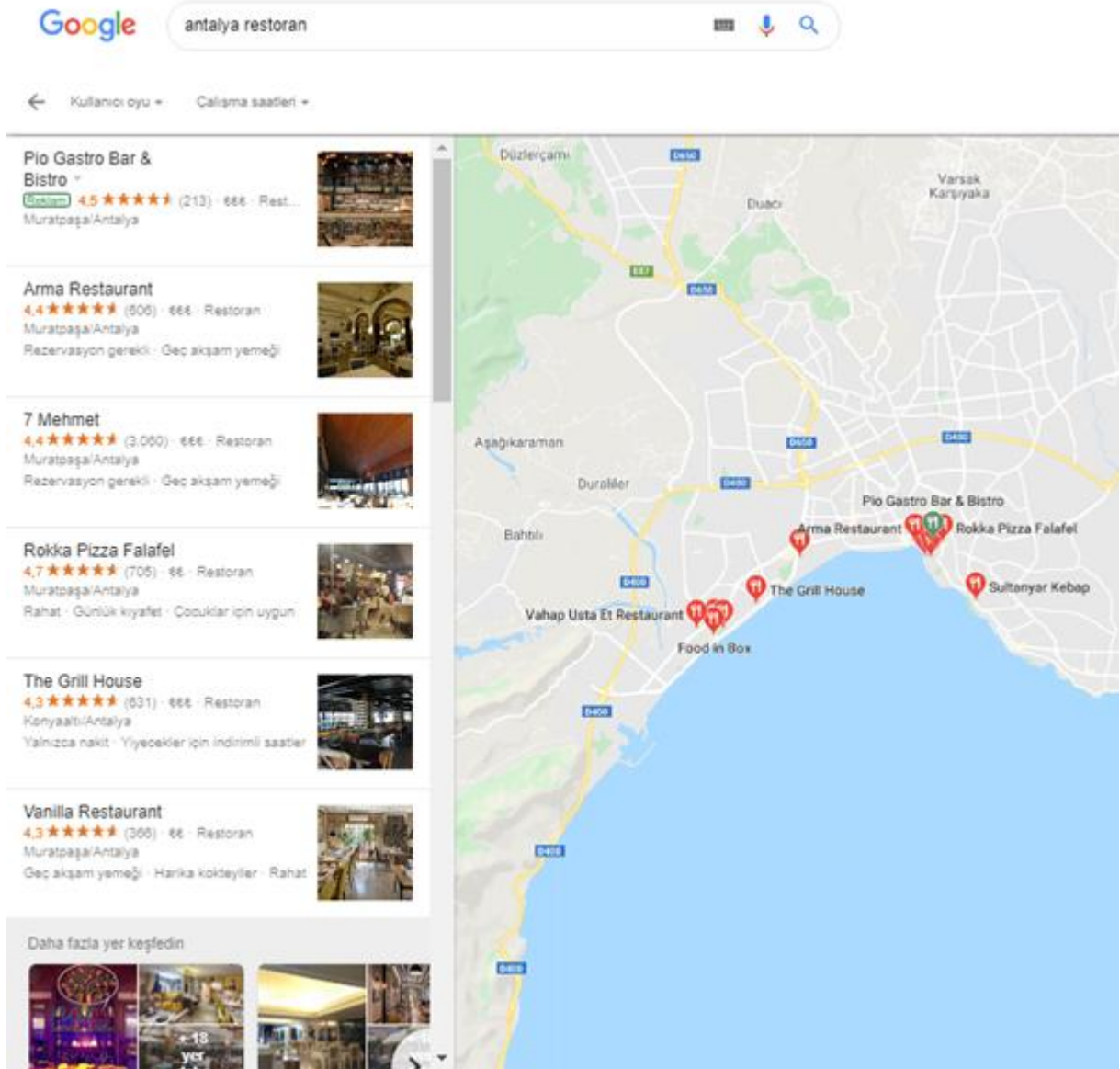
²⁷ Within the framework of the file, the phrases Local Unit, local unit or Onebox were used to refer to all areas where Google displays local search services without making a distinction between sectors, including those shown in the accommodation sector and called "*Hotel Unit*" by Google

Figure 1: How Local Unit is Displayed on Google General Search Results Page



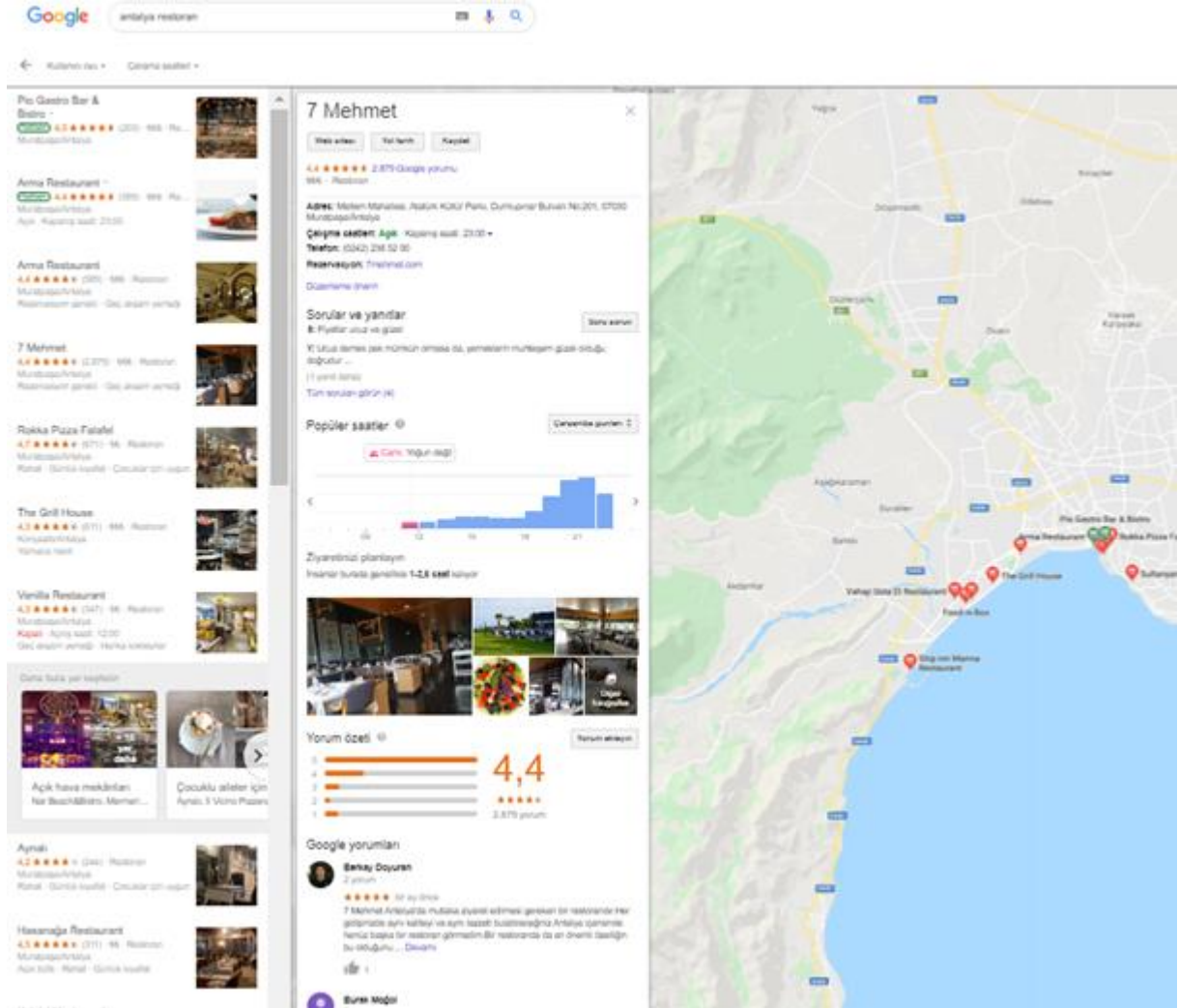
- (73) The area highlighted above only includes three results, with more results available for display when the “Other places” link, on the maps or the filters are clicked (see Figure 2), and similar to the Local Unit displayed on the general search results page, the results can be filtered according to user ratings or working hours. Also, on the screen accessed when clicking on links other than the businesses in the Local Unit, advertisement content is indicated with a green label to distinguish it from other results, and it is placed above the organic results in the box. The relevant page is shown in the image below:

Figure 2: Screenshot of the Page Accessed When Clicking on a Link Other Than the Business.



(74) Clicking on a link for the businesses in the Local Unit shown on the general results page or on one of the results in the screenshot above results in the following:

Figure 3: Screenshot for Local Search in Google Search Results



- (75) As shown in the example screenshot, users can reach more detailed information on that business such as ratings, reviews, photos and reservations on the relevant page, they can filter local businesses according to working hours and user ratings, and can display more restaurant options on a map.
- (76) Other than restaurants, similar content is provided through a similar method for queries in many fields as well, including doctors, bicycle repair shops, shipping, and pharmacies. However, the nature of the service and the presentation of the field differs for local searches related to accommodation services such as hotels, hostels and guest houses. Below is the screenshot of the results page displayed in response to the "Antalya hotels" query on Google. Google uses the highlighted area in the screenshot to respond to such queries with its own local search service.

Figure 4: How Local Unit Is Displayed in Google General Search Results in Response to a Query for Accommodation Services

Oteller | Antalya Bu sonuçlar hakkında ⓘ

9 Aralık Pzt 10 Aralık Sal 2

Misafirlerin beğendikleri Bütçeye uygun Lüks konaklamalar

Rixos Downtown Antalya
4.4 ★★★★★ (2.865)
Açık havuz
Spa
€521

The Marmara Antalya
4.2 ★★★★★ (2.082)
Açık havuz
Spa
€360

Crowne Plaza Antalya
4.2 ★★★★★ (2.087)
Açık ve kapalı havuz
Spa
€376

Titanic Beach Lara Resort
4.5 ★★★★★ (4.153)
Açık ve kapalı havuz
Spa
€535

748 oteli görüntüle

Antalya Otelleri | En Uygun Antalya Otel Fiyatları Tatilbudur'da

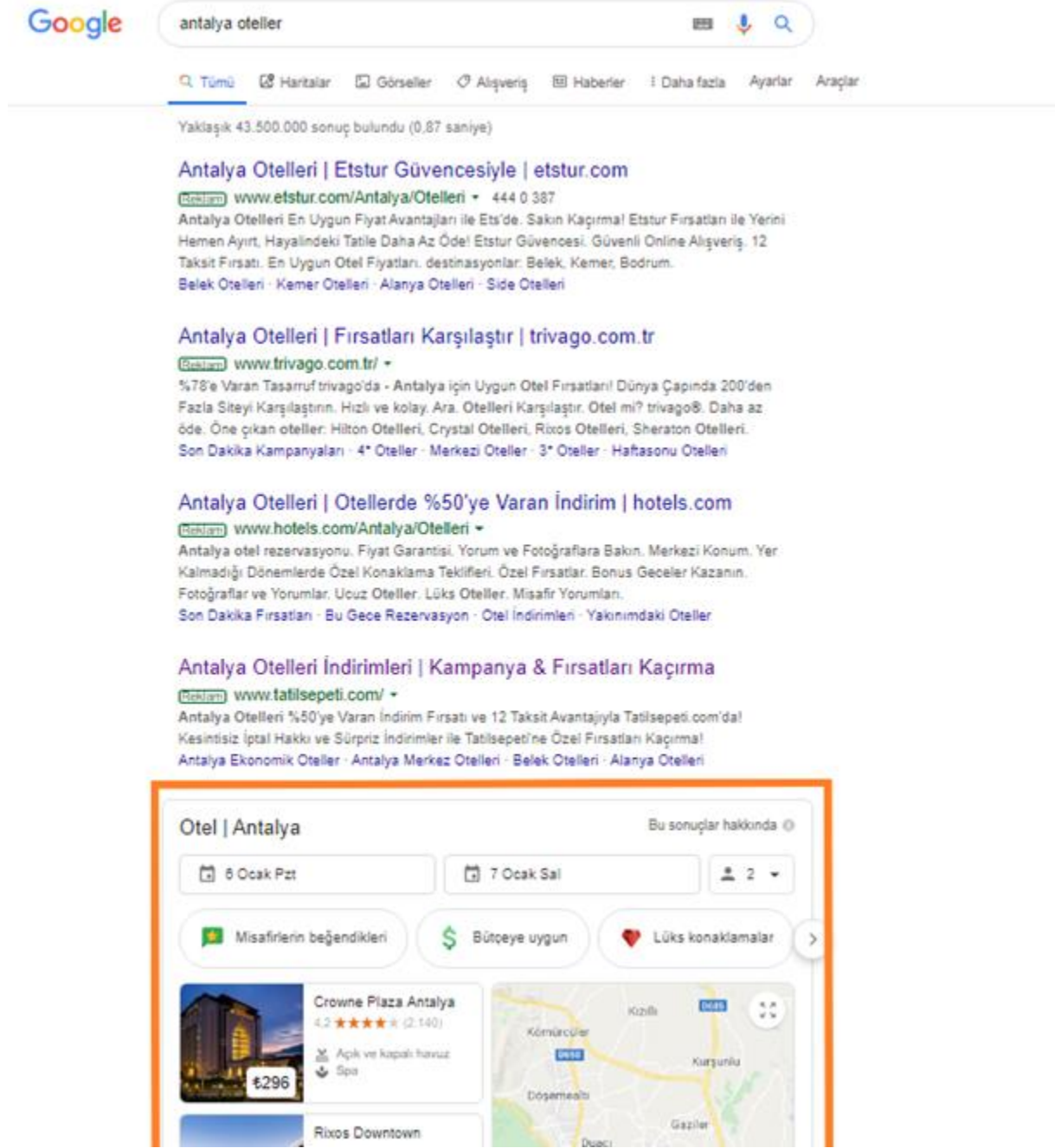
<https://www.tatilbudur.com> > [yurtdici-oteller](#) > [antalya-otelleri](#)

Antalya otel fiyatlarında %50'ye varan indirim fırsatı Tatilbudur'da. Her şey dahil, tam pansiyon ve diğer tüm Antalya Otelleri için tıklayın.

[Antalya Merkez Otelleri](#) - [Kemer Otelleri](#) - [Belek Otelleri](#) - [Side Otelleri](#)

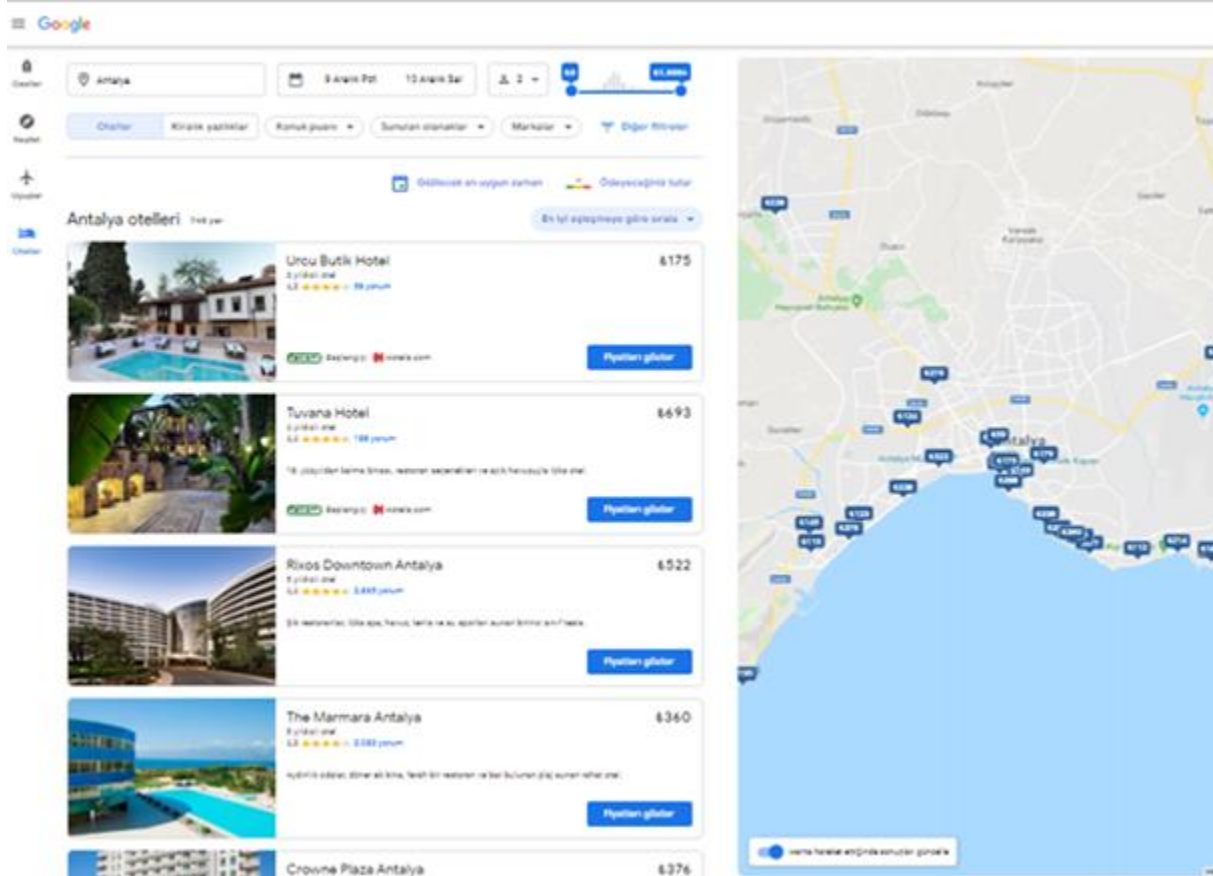
- (77) As shown in the screenshots above and below, in this example Local Unit is displayed above the organic results and below text ads if there are any.

Figure 5: How Local Unit Is Displayed in Google General Search Results in Response to a Query for Accommodation Services



- (78) Looking at the screenshot in Figure 4, in this first step the results are limited to four, with pricing, star rating/ranking and location information on the hotel displayed. In the relevant screenshot, clicking on one of the links other than those for the accommodation facilities ("show 748 otels," map and filters), users are able to display more hotel options all together (on the full view page) and filter them according to the amenities on offer (breakfast, pool, gym, internet, etc.), guest ratings, and number of stars; they can also specify the dates of accommodation, number of guests and price range. These options are shown on the example screenshot below:

Figure 6: Screenshot of the Full View Page



- (79) Another point of note on the full view page concerns the ad content. There is no advertisement content on the first screen shown in response to the “Antalya hotels” search made on Google as an example, but when the user reaches the screen above ad content is listed above organic results. Advertisements in this area are limited to two at a maximum, and there are some results where no ads are shown at all.
- (80) Clicking on the Local Unit shown on the general search results page or on the links for the accommodation facilities in the screenshot above (Figure 6) displays the following screen:

Figure 7: Screenshot for the Hotel Crowne Plaza Antalya

Google
Tüm otelleri göster Türkiye → Konyaaltı

Genel bakış Fiyatlar Yorumlar Konum Hakkında Fotoğraflar

Crowne Plaza Antalya
5 yıldızlı otel
Gursu Mahallesi Akdeniz Bulvarı, Sokak No:304, 07070 Konyaaltı/Antalya • (0242) 228 77 18

€295
6-7 Ocak 2020

Internet sitesi Yol Tarifi Oda rezervasyonu yap

4,2 ★★★★★
Çok iyi | 2.129 yorum

Toplu taşıma yakın Mükemmel kahvaltı Mükemmel konaklama

Modern odaları, 2 restoranı, 3 barı, havuzları ve spa merkeziyle şık otel.

Müsaitlik durumu kontrol edin ① Toplam gecelik fiyat ▾

Giriş tarihi 6 Ocak Paz Çıkış tarihi 7 Ocak Sal 2

Crowne Plaza Antalya	€295	Siteye git
Hotels.com Ücretsiz iptal	€390	Siteye git
Nustay.com	€312	Siteye git
Trip.com	€363	Siteye git

€389 tutarından başlayan diğer fiyatları göster

- (81) On this page (Figure 7), information concerning the selected hotel is categorized under the headings of prices, reviews, location, about, and photos tabs. Clicking on the “Comments” category, the user is taken to the page below and can see reviews on the hotel he is interested in left on Google, as well as collected from other platforms such as Tripadvisor and Booking; he can even filter among the platforms that have comments on the hotel concerned.

Figure 8: Screenshot of the Information Presented under the "Comments" Tab

Genel bakış
Fiyatlar
Yorumlar
Konum
Hakkında
Fotoğraflar

Yorum özeti + Yorum yaz

5 ★ 168

4 ★ 520

3 ★ 56

2 ★ 12

1 ★ 16

4,4

Çok iyi ★★★★☆
2.565 yorum

Odalar **3,7** Konum **4,3** Hizmet **3,8**

Diğer seyahat sitelerindeki yorumlar

4,5/5 - 1.693 yorum
TripAdvisor

4,1/5 - 2.019 yorum
AssanHotels.com

8/10 - 978 yorum
Booking.com

Seyahat edenin türüne göre puanlar

Aile

4,1/5

Çift

4,3/5

İki

3,8/5

Yüksek

4,1/5

Yorumlar

Yorumlarda ara

Kullanıcıların genellikle bahsettiği konular

Tümü
Atmosfer
Mülk
Konum
Hizmet
Fitness
Yemek
Temizlik

Doğa Sunulan olanaklar

En faydalı Tüm yorumlar

şenol arslan
Google üzerinde bir hafta önce

4/5

Özellikle marmara otel çok başarılı yemekler mükemmel çok iyi ve güzel bir hotel eğim ve ben çok beğendim tabiri yerli Antalya ya iş amaçlı geldik 2 gündür kalıyoruz tüm personel çok ilgili yanıt bar şefi mustafa bey dışında ...

[Devamını gör](#)

Genel bakış
Fiyatlar
Yorumlar
Konum
Hakkında
Fotoğraflar

Tolga Tuna
Google üzerinde 2 hafta önce

4/5

Garsonlar daha iyi olabilir. Restaurant küçük geliyor. Eğlence mekanı yok. Ancak diğer hizmetler ve kullanım alanları çok güzel. Özellikle bahçe ve havuz. Birde yerleşim alanı geniş ve ferah. ...

TripAdvisor Yorumcusu
TripAdvisor üzerinde bir ay önce

3/5

Bu sene Temmuz ayında iki hafta Ekim ayında 1 hafta bu otelde toplantı sebebiyle kaldım. Tatil oteli değil, toplantı ve kamp oteli konsepti var zaten. Bu nedenle eğlence, animasyon ve hareket yok otelde. ...

[TripAdvisor sitesinde daha fazla bilgi](#)

TripAdvisor Yorumcusu
TripAdvisor üzerinde bir ay önce

5/5

11-19 Ekim 2019 Tarihleri arasında iş dolayısıyla Rixos Downtown'da kaldım. Otelin genel temizliği ve housekeeping yeterliydi. ...

[TripAdvisor sitesinde daha fazla bilgi](#)

nur eren
Google üzerinde bir ay önce

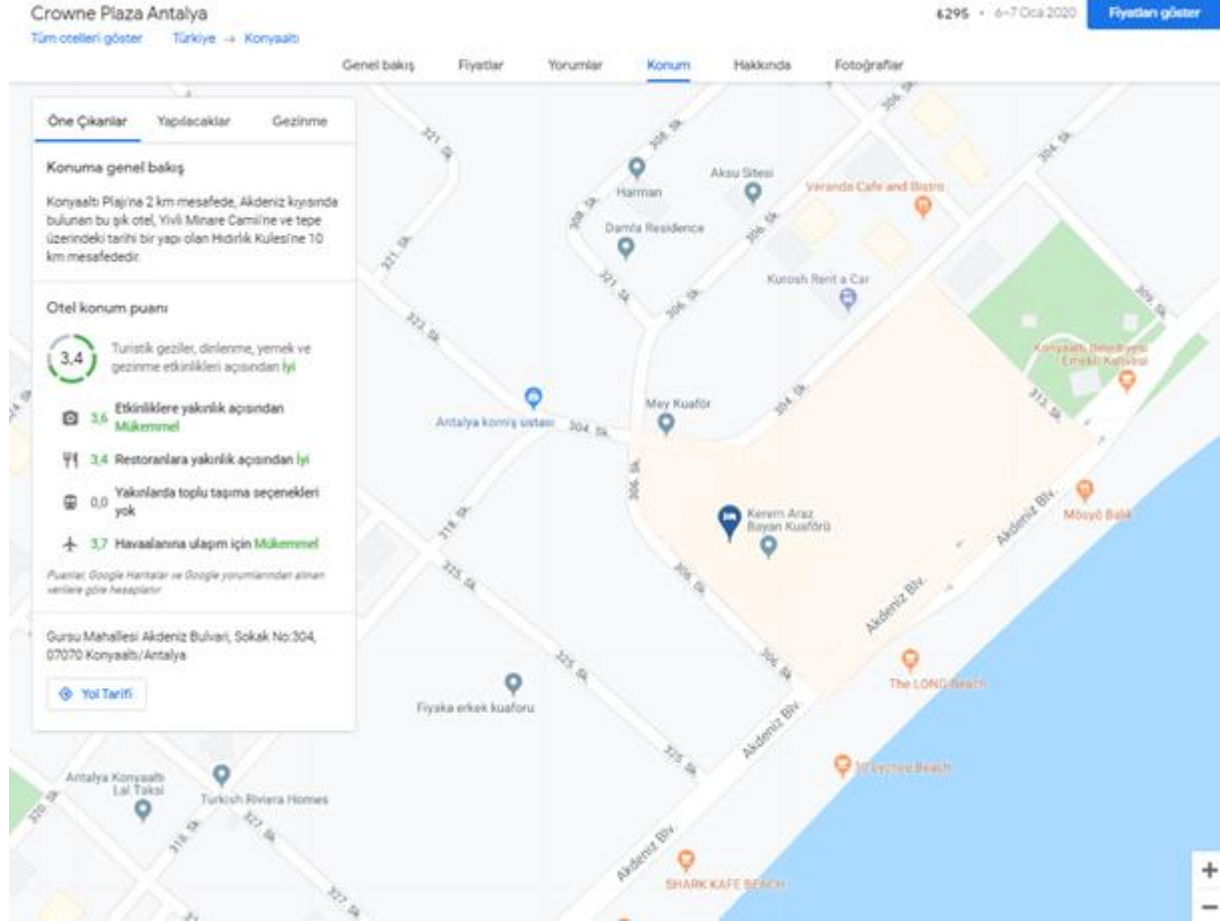
4/5

Oda düzenini, manzarasını, havuzunu beğendim. Hamam da keyifli ve temizdi. Çalışanlar ilgiliydi. Yemekleri pek beğenmedim. Sebze yemekleri çok azdı. Et tavuk balık aşırıydik. Zeytinyağları özellikle yetersizdi. Çeşit çeşit doymalar ...

İşletme sahibinin yanıtı
2 hafta önce
Değerli Misafirimiz nur eren,

- (82) Clicking on the “Location” tab opens the following page, with the map allowing the user to get directions for the selected hotel and examine the attractions around the hotel’s location.

Figure 9: Screenshot of the Information Presented under the “Location” Tab



- (83) Other points of note on the relevant page are the “Prices” and “Overview” tabs. These tabs show accommodation prices offered for the specified duration by the operator of the hotel as well as by travel agencies and undertakings providing such services on their own platforms, such as Trivago and Tripadvisor.


Figure 10: Screenshot on How Hotels Ads. Is Displayed on Google Local Search Results



Crowne Plaza Antalya

Tüm otelleri göster Türkiye → Antalya → Konyaaltı

Genel bakış **Fiyatlar** Yorumlar Konum Hakkında Fotoğraflar

Reklamlar · Müsaitlik durumunu kontrol edin ⓘ Toplam gecelik fiyat ▾

Giriş tarihi 3 Şubat Pzt < > Çıkış tarihi 4 Şubat Sal < >  2 ▾


 Crowne Plaza Antalya  Resmi Site **₺285** **Fiyat al**


Ücretsiz bir şekilde kaydolarak %5 oranına varan indirim ve ücretsiz kablosuz bağlantı kazanın


2 single beds nonsmoking - Advance saver rate **₺285** [Siteye git](#)
2 adet tek kişilik yatak - Sigara içilmez


2 single beds smoking - Advance saver rate **₺285** [Siteye git](#)
2 adet tek kişilik yatak

▾ 38 oda fiyatı daha

 Hotels.com **₺323** [Siteye git](#)
Ücretsiz iptal

 Agoda **₺275** [Siteye git](#)

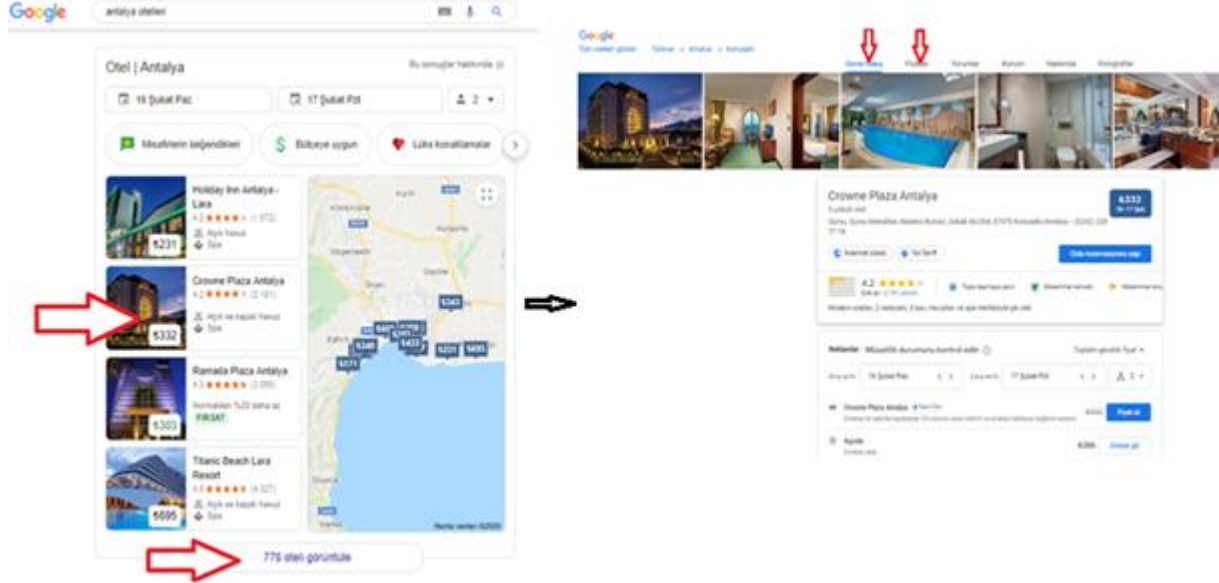
 Trip.com **₺276** [Siteye git](#)

 FindHotel **₺275** [Siteye git](#)

- (84) As specified on the page concerned, the prices offered are advertisements. In other words, parties who wish to make price offers can appear in this space for a specified fee. Google calls this space Google Hotel Ads (GHA)²⁸.
- (85) The “Go to the site” link on the webpage concerned directs to user to the relevant platforms. In other words, when the user decides which channel he will use to make the purchase, he cannot complete this transaction on Google. When the user clicks on the “Show prices” button on the full view page in Figure 6, he is directed to this page where the price offers are presented. Moreover, the user can also see this comparison in the “Overview” tab in addition to the “Prices” tab. Thus, the areas indicated with a red arrow below can ensure access to GHA directly or indirectly.

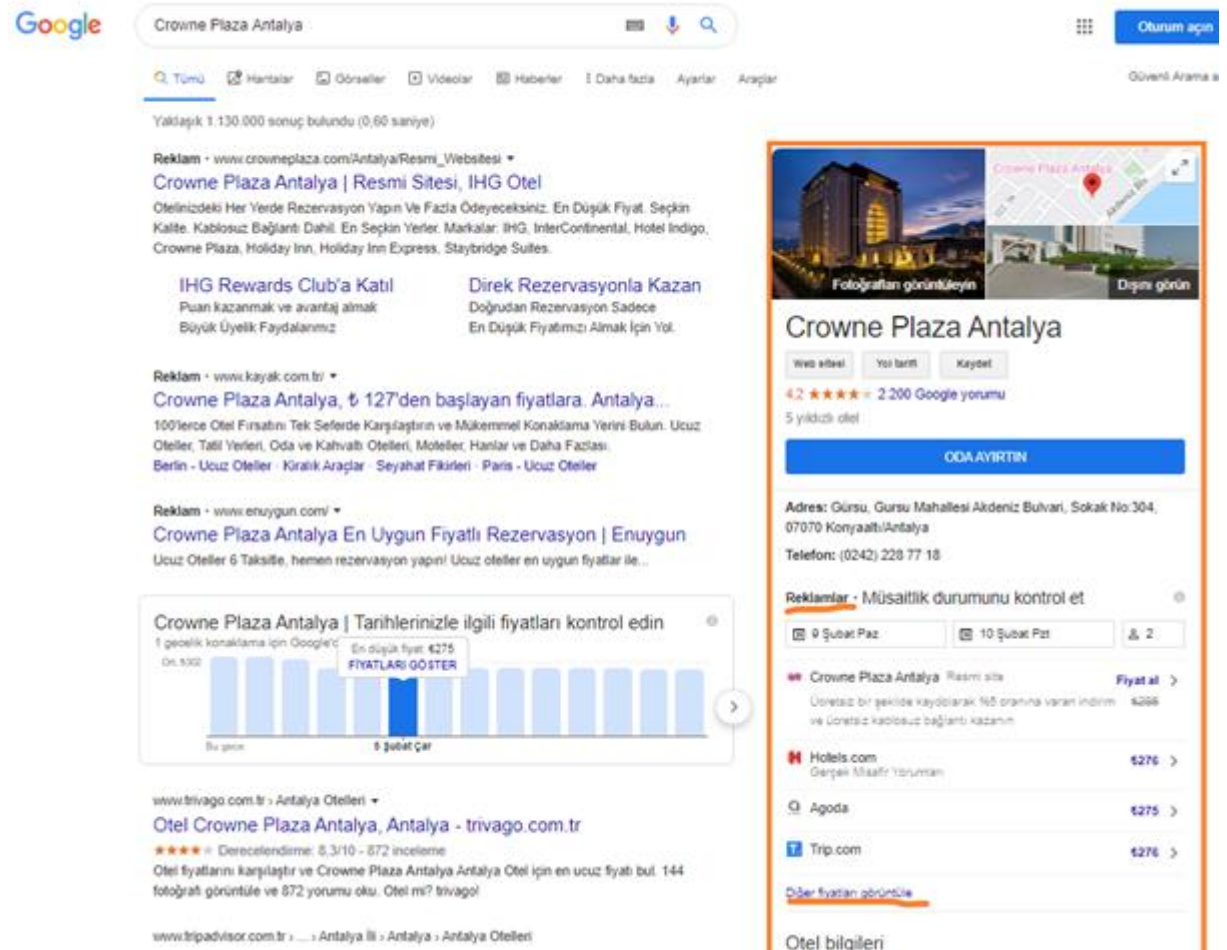
²⁸Information provided by Google states that they were unable to determine the exact date on which this service was introduced in Türkiye, but that they estimate it was implemented between 2010 and 2012.

Figure 11: Alternative Access Methods to GHA from Local Search Results



- (86) Besides the Antalya hotels-Crowne Plaza Antalya-Prices route explained above, the user can also encounter the GHA if he searches for the hotel he is interested in on Google's general search engine,

Figure 12: Screenshot of How GHA is Displayed on Google General Search Results (1)



- (87) All of the indicated area above is defined as the (hotel) knowledge panel, and all of the prices offered by alternative channels for the hotel under the Ads heading is also defined as Hotel Ads (GHA)²⁹. If the user clicks on the “Show other prices” or “BOOK A ROOM” links, these price offers are shown through the screen below (similar to the screenshot included above):

Figure 13: Screenshot of How GHA is Displayed on Google General Search Results (2)

The screenshot shows the Google search results for Crowne Plaza Antalya. The 'Fiyatlar' tab is selected and highlighted with an orange box. The page displays the hotel name, location, and navigation tabs. The 'Fiyatlar' tab is highlighted with an orange box. Below it, a search bar shows dates from 3 Şubat Pzt to 4 Şubat Sal. A list of accommodation options is shown, including 'Crowne Plaza Antalya' with a price of ₺285, and other platforms like Hotels.com, Agoda, Trip.com, and FindHotel with prices ranging from ₺275 to ₺323. Each option has a 'Siteye git' (Go to site) button.

Platform	Price (₺)	Action
Crowne Plaza Antalya	285	Fiyat al
Hotels.com	323	Siteye git
Agoda	275	Siteye git
Trip.com	276	Siteye git
FindHotel	275	Siteye git

- (88) As seen here, the “Prices” tab lists accommodation prices offered by alternative platforms. The user can also see this comparison in the “Overview” tab in addition to the “Prices” tab.
- (89) Thus, through the GHA, Google lists the prices offered by the hotel, by platforms providing sales/reservation, or by platforms such as itself which do not allow sales/reservations. In that context, Google provides price comparison services to users through the GHA in the field of accommodation.
- (90) Following this information on how Local Unit and GHA operates, the question of how Google creates these products becomes important.
- (91) It is known that Google started to develop a specialized search system in order to display better results for queries on certain categories of information. Before this change, the service provided by Google simply consisted of displaying the organic results which redirected to the websites and plain text ads, based on the data and general signals acquired by crawling the websites.

²⁹ According to the information provided by Google, around 70% of the hotel knowledge panels include GHA.

- (92) According to Google's explanation, the problem with such a method was that the information scanned from the websites did not include a number of factors that are very important for users in certain types of queries, such as the location of a hospital or working hours. Therefore, according to the information provided by Google, they started to develop new sources of data, ranking technologies and formats, starting from the beginning of the 2000s, in order to provide a relevant answer to the query. It is noted that this new method used by Google is comprised of the following elements:

(.....)³⁰

- (93) When deciding whether to show the Local Unit for a specific query, Google states that it uses an analysis comparing the relevancy of the Local Unit with generic results. According to the provided information, the first step in assessing the relevancy of local results is to determine potential candidates for local results based on suitable signals (such as the location of the business and its closeness to the user); in parallel, generic internet algorithms determine a group of generic results based on signals related to the characteristics of webpages (such as the textual content and the link structure of the webpage). In the second stage, the relevancy level of the candidate local results is compared with the relevancy level of the generic results. If this comparison finds that the Local Unit is more relevant than the generic results, the former is displayed in response to the relevant query. In other words, it is stated that for the Local Unit to be displayed at a certain rank in this test, it must meet the same relevancy standards with the generic results for that same rank. This means that Google only shows a local unit at a certain rank if it is more relevant than the generic results for the same rank. In that context, it is pointed out that the position of the Local Unit may differ based on the relevancy test conducted.
- (94) The information provided by Google within the scope of its accommodation price comparison service is based on the data presented by the relevant parties due to their advertisement nature. According to the information in the file, hotel operators, travel agencies and meta search engines such as Trivago and Neredekal can be included in this platform if they meet the following conditions:
- (.....)
- (95) Google states that the payment relationship between itself and the party whose price offer is included in this platform is based on (.....) and that the parties may choose one of the "bidding" strategies specified below.

(.....)

I.3.3. Relevant Product Market

- (96) Though the application mainly claims that Google used its dominance in the general search market to force its competitors out of the market through its conduct in the local search field, the examination conducted determined that Google differentiated the

³⁰ The "Privacy and Terms" document on Google's website indicate that the users are considered to have provided the license in question automatically when they use the Google service, and there appears to be no separate licensing process in the form of prior consent before use of the data. https://policies.google.com/terms/update7utm_source=hpp&utm_medium=pushdown&utm_campaign=tosso#toc-what-we-expect

service it offered for the accommodation sector and provided a price comparison service through the GHA. Thus, in order to identify the relevant product market, the first step should be to assess whether the service provided through the GHA is an element of local search.

- (97) In local search, the user's main goal is to reach a business that is suitable for his purposes among alternative businesses in a geographical area, in light of various factors including price, location and reviews from other users. Thus, recalling the fact that the GHA is related to the accommodation sector, a user trying to decide which facility to book will first evaluate such criteria as price, reviews, stars/ratings, attractiveness of the hotel's location, existence of open/closed pools, whether domestic animals are allowed, etc. After accessing these and other information he deems important and deciding which facility he will book, the consumer will decide which channel to use for the purchase. It is at this point that the GHA becomes important for the user. In other words, a user who has gone through the local search process and decided which facility to book will now be ready to consume the service provided by the GHA. Google shows the knowledge panel with the GHA when the search is done using the name of a facility. Thus, the knowledge panels concerned are displayed to the consumers at a stage where they are closer to purchase.
- (98) In that framework, it is assessed that the services offered through the Local Unit and the GHA serve different purposes. As a result, the file identifies separate relevant product markets for the Local Unit and the GHA.

I.3.3.1. Market Definition for General Search Services

- (99) In light of the subject matter of the file, when defining the relevant product market, there is a need to define the general search services market first.
- (100) It is likely that a consumer who uses the internet to research products and services for the region he is located/interested in and/or to compare accommodation prices would first use the general search engine. This consumer would reach the relevant website through the organic or advertisement results of his general search query. Another method that can be used by a consumer for this purpose would be to reach the relevant website directly, by entering the domain name of the website in the query. Other than the above-mentioned channels, the user can also reach the relevant information through social media, other advertisement channels or mobile applications. In that context, if the user and the operator are brought together via the *general search engine-website* chain, i.e. if the other channels have limited power to become alternatives, then defining a market specific to general search services would be required.
- (101) In order to assess this matter, a preliminary opinion was formed concerning the relevant product market, and the distribution of the traffic received by potential competing websites were examined, according to the source of the traffic.

Chart 2: **Distribution of Website Traffic by Source**

(.....TRADE SECRET.....)

Source: Information provided by the undertakings.

- (102) As seen in this chart, a significant portion of the traffic acquired by a majority of the undertakings are directed from the general search engine. Another significant channel

besides the general search engine is the mobile application. Especially (...), due to its high recognizability, is observed to receive a traffic volume on the mobile application channel that is close to what is directed from the general search engine. On the other hand, the effect of direct clicks and the social media channel seems to be negligible. This picture may be due to various factors such as user habits, relatively low recognizability of the website and how frequently the users utilize the relevant website.

- (103) As a result, even though the traffic from mobile applications is close to the level of traffic received from the general search engine for some undertakings, a look at the general picture shows that users are still dependent on the general search engine to access the relevant websites. Thus, the other channels have limited ability to become alternatives for a user acting with an aim to make local searches and/or compare accommodation prices.
- (104) After this assessment, it is important to determine if the general search service is substitutable with other online services for the consumers in terms of their features. First of all, an assessment of the substitutability relationship between the general search service and the content websites such as Wikipedia, Hürriyet, Ekşisözlük, etc. show that these services are not substitutes for each other.
- (105) To begin with, the services concerned serve different purposes. That is to say, general search engines do not produce any content within the scope of the general search service they provide; instead their goal is to scan and index articles from content producing websites, rank them according to their relevance, and make them accessible to the final user. In other words, the main goal of the general search services is to allow the user to reach the other websites within the shortest time possible. On the other hand, the main goal of content websites (in addition to containing redirections to other websites) is to produce articles/content that will achieve the best results on the search engines to receive more traffic. Due to these differences in the services offered, users utilize the general search service in order to reach the content-producing websites, and use the latter to acquire information. Another factor that prevents consumers from accepting these services as substitutes is the fact that the search function of content websites and general search services are different. General search services allow their users to search the entirety of the content on the internet, while content websites only allow searching within their own, limited content.
- (106) Secondly, looking at the substitution relationship between general search services and specialized search services, it is found that these services are not substitutes for each other, either. Specialized search services provided by Google and other websites (comparison shopping, local, flight, hotel, news, etc.) let users gather information about or make comparisons between the same or similar products. In that sense, specialized search services allow users to conduct more target-oriented searches, thanks to their various filtering options. General search services, on the other hand, offer a more comprehensive search function that can target all of the information on the internet. Thus, in terms of content, general search services can be used to access any type of information, while specialized search services are more of a limited-purpose tool since they offer a specific type of information.
- (107) Lastly, it is assessed that there is no substitution relationship between general search services and the social media, since these two services have different functions. General search services allow the users to access the information they are looking for, but social media lets platform users to communicate with each other, enabling their members to remain in contact by sharing content such as status updates, photos and

videos. Additionally, due to this fundamental difference, the search function on the social media platform is limited to the content that is on the relevant platform.

- (108) Another issue that requires discussion in terms of market definition is whether the general search service is differentiated between channels. In light of the fact that users can access the same content both on the desktop and on mobile, with search engines offering mobile and desktop versions, there is no need for differentiation between channels.
- (109) In light of this information, the upstream market should be defined as “general search services”.

I.3.3.2. Market Definition for Local Search Services

- (110) This section will investigate the products that put competitive pressure on Local Unit, based on the concept of local search. To that end, first there will be an examination into whether general search and local search are substitutes for each other, following which the relationship between Google’s products and other platforms offering local information will be considered, followed by a discussion on whether there is a need for separate markets definitions for local search services offered in different sectors.

I.3.3.2.1. Substitution Relationship between General and Local Search Services

- (111) When trying to reach a piece of local information, a user may submit a query to the general search engine, or they may choose to do their research over a local search platform. At this juncture, the degree of substitution between general and local search services becomes important.
- (112) On this subject, the parties were asked whether there was competition between general search services and local search services. Some of the answers are included below:

(.....): “Around (.....)% of the traffic our website receives through search results are provided by Google. Traffic from other local search engines are negligibly low for our categories. For that reason, we can say that Google is our main rival on this area.”

(.....): “(.....) is a local company search engine. Even though we see every platform that returns results for location-based company searches as a rival, general search engine results also provide us traffic since they include (.....) in their results. This is an essential facility for business continuity, due to Google’s dominance in the market.”

(.....): “Every online search engine is a competitor for every listing website.”

(.....): “No. None of these channels make direct sales, they only redirect to the sellers of the products.”

(.....): “In light of the fact that MSS focus on a specific portion of the content on the internet, (.....) sees horizontal search engines such as Google (with the exception of Google Hotels, Google Flights or Google’s other travel services) and Bing as sources of traffic rather than competitors.”³¹

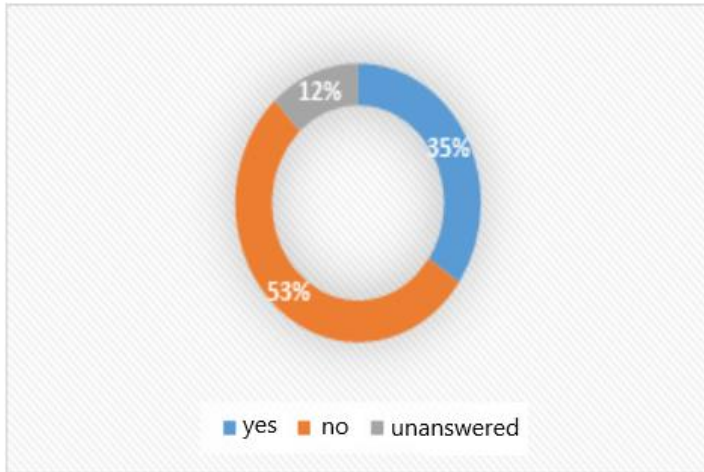
(.....): “A very large part of the traffic to our platform where we offer local search services comes from Google searches. In turn, a significant portion of those searches are from user searches using the names of the businesses on our platform. Since Google Local Unit is displayed on top or, more conspicuously, on the side of the search results when

³¹ Translated from English to Turkish and back to English.

users make a search with the name of the business, the click-through rates of consumers on the results by our local search service drops down.”

(113) All answers on this issue are visualized on the following image:

Chart 3: Undertakings' Opinion on Whether General Search Services Are in Competition with Local Search Services



(114) As seen in the chart, even though some of the parties gave an affirmative answer to the question, an examination of the explanations given shows that the comments emphasize a complementary relationship between general search and local search, rather than a substitution relationship. Nevertheless, it is concluded that there is a limited substitution relationship between general search and local search from the users' perspective. General search displays all of the potential results related to the query, while local search focuses on a specific portion of the content available on the internet. As such, some local information may be reachable both through general search and local search, but local search will be insufficient to answer all queries. On the other hand, local search offers a more detailed search function that is lacking in general search. For instance, a user who is searching for hotels can filter hotels according to the number of comments/ratings, location, price, etc., and read the reviews on the relevant local search engine. These features are not available with the general search service for the same query. Furthermore, a significant portion of the users access the websites that offer local search services through general search results. This emphasizes the complementary relationship between the services in question.

(115) An examination of the issue from the supply-side substitution perspective leads to the same conclusion. The two services are based on different sources of information. General search services scan and index pages from millions of websites using an automatic process called web crawling, while local search websites provide their services based on more limited information, created by users, third-party websites or business owners. In that context, general search services require significantly more investment costs due to the scope of the information scanned and the requirement to select and meaningfully rank the information relevant to the query. In addition, general search services are financed through search ads, while local search services utilize other sources of income such as membership fees and commissions.

(116) As a result, it is concluded that the services are not substitutable in terms of demand or supply.

I.3.3.2.2. Substitution Relationship between Online Local Search Services and Offline Local Search Services

(117) It is possible for a consumer who is looking for information on a local business to research through written texts or get the information on the hotel by visiting the physical store of the travel agency, instead of searching over the internet. For that reason, the question of to what extent offline services can substitute online local search services from the perspective of the user becomes important.

(118) On this subject, the parties were asked if the users make a distinction between online local search services and offline services. Some of the answers are given below:

(.....): "In the recent years, users have begun to prefer online solutions they can access easily, without much research and looking for references."

(.....): "... nowadays access to digital platforms are much more easier than physical ones, so most should be choosing them."

(.....): "The user may make a distinction due to the richness of content and user experience."

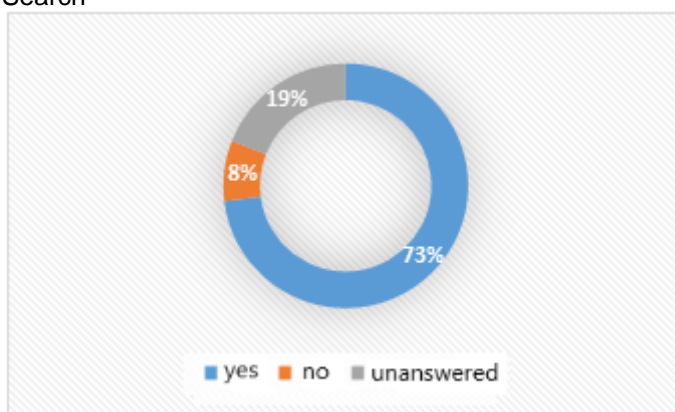
(.....): "Websites offering online services are updated more frequently, they are easily accessible and they contain more information than offline channels; as a result online services are preferred more than offline ones."

(.....): Yes, users do make a distinction between live status (whether there is vacancy, etc.) and online/offline pricing services (guides, booklets, etc.)

(.....): "We believe that online services are used more frequently than offline services due to the increase in mobile device usage rates and the rise of the digital. However, the use of offline services may be more widespread among those users with a higher age average who maintain their older habits."

(119) The opinions of the parties generally agree that the users do make a distinction between the two channels. All results on this issue are visualized on the following image:

Chart 4: Undertakings' Opinions on Whether Users Make a Distinction between Online and Offline Local Search



(120) In parallel with these opinions, the nature of the offline services is evaluated to be rather different from the service provided through the internet from the users' perspective. First of all, offline services require larger information gathering/research costs from the users. Secondly, users are unable to see reviews or map information on this channel. In addition, since such offline services cannot be updated as frequently as online ones, it is more likely for the former to have more out-of-date information. On

the other hand, the online locals search service offers the user the easy access to a large data set as well as to a rich set of comments/information.

- (121) In terms of supply-side substitution, factors such as the potential time, cost and technical features required to offer online local search services become important. Some information shared by the undertakings on the subject are as follows:

(.....): “(.....)’s infrastructure is fully based on smart machine learning and artificial intelligence algorithms. These require large investments to match the demand with service providers within the quality standards. Since our establishment in (.....), we have made significant investment in this area by growing our product and technology development teams and by using various software products. It takes long-term effort to develop local service marketplaces as well. Various marketing investments are made in order to advertise the platform to the service users and customers and to ensure that they use it. A look at the data available shows that we have spent (.....)TL since 2017 for our technology team and technological infrastructure costs.”

(.....): As examples to the required technology and other assets in question we may list the creation of a website infrastructure with filter and search functions, signing agreements with suppliers for display and database functions, and the formation of a cloud infrastructure, etc. In 2018, (.....) spent (.....) for the technologies concerned, including product development (and the costs of the required information technologies in support of the infrastructure thereof), administrative department applications, and the general monitoring and safety applications of its own network connections.”

(.....): “...While creating a website is easy, increasing awareness, expanding the customer portfolio and ultimately becoming profitable may take 3-4 years.”

- (122) This information show that offline and online services are different in terms of various factors such as technical features, capital requirements and the need for rich data, etc.

I.3.3.2.3. Relationship between Google’s Local Search Service and Google Maps, Google My Business and Local Guides Applications

- (123) As mentioned in the relevant section, Google shares the location of the businesses within the Local Unit results and the relevant mapping service is provided through Google Maps, depending on the information concerned. Basically, Google Maps allow users to reach geographical information over the internet for no charge, i.e., it gives directions to bicycle/vehicle users who wish to get to a destination. According to the explanation given by Google, location data in Google Maps are also shown in Google’s local results; in other words, thanks to the synchronization between local results and Google Maps, the location of the businesses shown in the local results can be matched with their location on a map. On the other hand, in addition to the mapping service mentioned above, Google Maps provides the service that is offered through Local Unit, as well. That is to say, when a local search is performed on Google, the information displayed when clicking on a business owner in Local Unit is the same as the results shown when the relevant query is submitted through the Google Maps menu and the same business owner among the ranked results is clicked. Since Google Maps provide the services offered through the Local Unit in addition to those listed below, it should be considered a part of Google’s local search services.

- (124) According to the information submitted by Google, Google My Business and Local Guides applications are among the data sources Google uses for its local search service. Google My Business is an interface where businesses can share their information (location, working hours, contact information and photos) free-of-charge, and business owners can respond to user questions and comments through this channel. Local Guides, on the other hand, involves users who comment, share photos,

answer questions, add/organize locations and verify information on Google. These users are awarded points and badges for their contributions to the content. This information shows that Google aims to improve its local search service through these applications. Thus, it is assessed that the service provided via these applications is complementary to the local search service.

I.3.3.2.4. Substitution Relationship between the Local Search Service and Other Online Business Search Services

- (125) There are alternative platforms with different business models and/or different content that can serve a user looking for a business in a specific geographical area over the internet. This section will examine to what extent these platforms are substitutable for the users, within the boundaries of the concept of local search.
- (126) On the other hand, accommodation facilities will be addressed separately from the other fields, since Google has partially differentiated the service it offers through the Local Unit for accommodation facilities.

i) Assessment of the Substitution Relationship within the Framework of Local Search for Those Fields Other than Accommodation Services

- (127) A consumer using the internet channel for local search can use the the local search service provided by Google to access detailed information on the business they are looking for within the region they are interested in, such as address, opening/closing hours, comments/reviews, ratings/stars, whether it is suitable for children/domestic animals, price, photos, location, etc., they can view their options for more businesses, and they can filter these options according to working hours and user ratings.
- (128) An examination of the business models allowing business search other than the Local Unit show that there are differences between the platforms in terms of the content of the service provided. On some platforms such as webrehberi and firmarehberi, the information provided is limited to the name, address and phone number of the business, while other platforms such as Bulurum offer a map service for the location of the business in addition. This is shown in the screenshots below.

Figure 14: Screenshot of the Local Search Performed on Webrehberi (1)

Web Rehberi | Anasayfa | Ürünler | Sektörel Makaleler | Şehir Rehberi | Firma Ekle | İletişim

Ara

[f](#) [t](#) [g](#) [in](#)

Yeni Firmalar

"ankara nakliyat" Arama Sonuçları

Toplam "100" Kayıt Bulundu:

SINCAN NAKLIYAT
Adres: Plevne Mah. Selvi Sok. No:6/A
ANKARA / Sincan

KORAY NAKLIYAT
Adres: Eryaman
ANKARA / Etimesgut

UTR ULUSLARARASI EVDEN EVE NAKLIYAT
Adres: Osman Gazi, Aşiroğlu Cd. No:140, 41700 Danca/Kocaeli, Türkiye
KOCAELİ / Gebze

ANKARA KEÇİÖREN EVDEN EVE NAKLIYAT
Adres: Bademlik Mah 1173/1 Sok. 5/D Keçiören Ankara
ANKARA / Keçiören

ANKARA KEÇİÖREN EVDEN EVE NAKLIYAT
Adres: Bademlik Mah 1173/1 Sok. 5/D Keçiören Ankara
ANKARA / Keçiören

ANKARA KEÇİÖREN NAKLIYAT
Adres: Bademlik Mah 1173/1 Sok. 5/D Keçiören Ankara
ANKARA / Keçiören

YILDIRIMLAR EVDEN EVE NAKLIYAT 0530 361 04 38
Adres: Osmanlı Mahallesi Sarıçekek Sokak No 06
KAYSERİ / Melikgazi

Sektörler

- Banka Finans ve Sigortacılık
- Basın ve Medya
- Bilgisayar, Yazılım ve İnternet
- Cam ve Seramik Sanayi
- Dayanıklı tüketim malları sanayi
- Enerji sektörü
- İnşaat sanayi
- Ağaç ve Orman Sanayi
- Kimya ve Yan Sanayi
- Kurum ve Kuruluşlar, Eğitim
- Lastik sanayi
- Metal ve Yan Sanayi
- Mobilya ve Dekorasyon
- Muhtelif hizmetler
- Muhtelif mal ve hizmetler
- Otomotiv ve Yan Sanayi
- Sağlık hizmetleri
- Tarım Hayvancılık ve Gıda Sanayi
- Tekstil ve Yan Sanayi
- Telekomünikasyon
- Ticaret ve perakende satış
- Turizm

(129) The screenshot above lists the results displayed in response to the query “ankara transportation,” submitted to Webrehberi. This step only shows the address of the relevant business, and the following results are displayed when the user clicks on one of the businesses listed:

Figure 15: Screenshot of the Local Search Performed on Webrehberi (2)

Web **WR** Rehberi

Anasayfa Ürünler Sektörel Makaleler Şehir Rehberi Firma Ekle İletişim

Ara

f t g+ in

Anasayfa - Evden Eve Nakliyat - Muhtelif Hizmetler - ANKARA Evden Eve Nakliyat - Sincan Nakliyat

Sincan Nakliyat

Sponsorlu Bağlantılar



Plevne Mah. Selvi Sok. No:6/A
 Telefon1: 03122525171
 Telefon2:
 Fax:
 Web: www.gulumnakliyat.com

Firma Kuruluş Yılı:2004
 Çalışan Sayısı:12 (Yönetici:2 | Memur:0 | İşçi:10)
 Diğ. Ülkelerle Bağlantıları:

Ankara evden eve nakliyat sektöründe 2004'ten günümüze faaliyet gösteren ve çalışmalarını başarıyla yürüterek bu süreç içinde uzmanlığı katlanarak artan firmamız, Ankara şehiriçi ve tüm illere evden eve nakliye hizmetleri vermektedir. Evden eve, şehirden şehire taşımacılık yapan Ankara GÜLÜM Nakliyat, Türkiye'nin her yerinde faaliyet gösterebilen firmadır.

Asanaörlü Taşımacılık
 asanaörlü nakliyat ankara

Google
 Bu sayfa Google Haritalar'ı doğru şekilde yükleyemedi.

Benzer Firmalar

- Cukurova Şehirler Arası Evden Eve Nakliyat Şehirler Arası Nakliyat, Şehirler Arası Evden Eve ...
- Trakya Nakliyat Evden Eve Nakliye Beylikduzu ...
- Hatay Evden Eve Nakliyat Sincan Nakliyat Nakliye Taşımacılık ...
- Gebze Nakliyat Parsiyel Yük Taşıma Komple Yük Taşıma Geniş Yük ...
- Antalya Burak Nakliyat Nakliyat, Kargo, Ambar, Evden Eve Taşıma, Kibasa Ve K...
- Asiroglu Evden Eve Nakliyat Ev Taşımacılığı İş Yeri Taşımacılığı Her Türü E...
- Simbo İstanbul Evden Eve Nakliyat Evden Eve Nakliyat Şehir İçi Ve Şehirler Arası Na...
- Ankara Öz Sarıca Evden Eve Nakliyat Evden Eve Nakliyat Şehirler Arası Nakliyat Şehir...

- (130) The result above shows that the address and phone number of the business as well as a photo independent of the service provided are displayed
- (131) The following image shows the results of the “ankara transportation” query submitted to Bulurum.

Figure 16: Screenshot of the Local Search Performed on Bulurum (1)


Bulurum.com ne nerede

Haritalar | Nöbetçi Eczaneler | Posta Kodları

Filtreler Kategoriler Bulunduğu İlçe Diğer

55 sonuç bulundu Sıralama

ANKARA VİP NAKLİYAT

 Ankara Nakliyat, Büro, Fabrika, Fuar, Ofis, Vİlta, Asansörlü Nakli...
Yeşilevler Mah. Yenimahalle, Ankara
Evden Eve Nakliyat

Asansörlü Taşımacılık Parça Eşya Taşımacılığı Şehirler Arası Taşımacılık Şehir İçi Taşımacılık Parça Eşya Taşımacılık Büro ve Ofis Taşımacılık Ankara Eşya Taşımacılık Mento ve Demonte Kurumsal Taşımacılık

TELEFON
WEB SİTESİ
E-POSTA
DETAYLAR

ESADAŞ NAKLİYAT (Metin Adaş)

İkadim Mah. Dikmen Cad. Atayolu Sok. 34/B Dikmen, Çankaya, Ankara
Evden Eve Nakliyat

TELEFON
HARITA
DETAYLAR

AKBABA NAKLİYAT - AKBABA NAKLİYAT TİC.LTD.ŞTİ.

Muhsin Ertuğrul Mah. Esat Cad. 147 Çankaya, Ankara
Evden Eve Nakliyat

TELEFON
HARITA
DETAYLAR

İşletmenizin değerini artırın, bulurum.com'da reklam verin!

VİZYON NAKLİYAT

Kızılay Mah. Atatürk Blv. 105 Çankaya, Ankara
Evden Eve Nakliyat

TELEFON
HARITA
DETAYLAR


MERKEZ EVDEN EVE NAKLİYAT

Ayrıncı Mah. Hoşdere Cad. 132/B Çankaya, Ankara
Evden Eve Nakliyat

Firmamız şehirler arası evden eve taşımacılık, şehir içi evden eve taşımacılık, ev veya ofis eşyası depolama hizmeti, modüler asansör sistemi ve sigortalı taşımacılık hizmetleri gerçekleştirilmektedir.

TELEFON
HARITA
WEB SİTESİ
DETAYLAR

Harita Görünümü

Paylaş 

(132) Unlike the other example, the results relevant to the local query are displayed with a map in the above screenshot. Clicking on one of the businesses listed among those results displays the following page:

Figure 17: Screenshot of the Local Search Performed on Bulurum (2)

The image displays two screenshots of the Bulurum.com website. Both screenshots show a search for 'ESADAŞ NAKLİYAT (Metin Adaş)' in Çankaya, Ankara. The search bar at the top of both pages contains 'ne Evden Eve Nakliyat' and 'nerede Çankaya ANKARA'.

The left screenshot shows the business details page. The business name is 'ESADAŞ NAKLİYAT (Metin Adaş)'. The address is 'İlkadım Mah. Dikmen Cad. Atayolu Sok. 34/B Dikmen, Çankaya, Ankara'. The phone number is '0312 481 98 39'. There are also two other phone numbers: '0533 816 70 54, 0533 816 72 54'. The website is 'Web Sitesini Ziyaret Et' and there is an 'E-posta Gönder' button. The category is 'Evden Eve Nakliyat'. The weather for Çankaya is shown as 'Bugün' with a temperature range of '5°... 9°'.

The right screenshot shows the same business details page but with a map and route information. The map shows the location of the business in Çankaya, Ankara. The route information is displayed on the right side of the map, showing the starting point 'Başlangıç: (Sokak/Cadde, Şehir)' and the destination 'İlkadım Mah. Dikmen Cad. Atayolu Sok. 34/B'. The weather for Çankaya is also shown as 'Bugün' with a temperature range of '5°... 9°'.

- (133) An examination of the screenshot above shows that it includes the address and contact information of the business, as well as a map service for its location.
- (134) Beyond this difference, some platforms including Zomato, Doktortakvimi, Yelp and Foursquare present a wider variety of content such as user reviews/ratings, reservations, photos, menus, and whether or not the business has a smoking area. This is shown below with an example from Zomato:

Figure 18: Screenshot of the Local Search Performed on Zomato (1)

zomato İstanbul - Restoran, konum ya da mutfak türü ara... Ara Giriş Yap Hesap Oluştur

Uygulamayı İndir Zomato Gold

Ana Sayfa > Türkiye > İstanbul Restoranlar

İstanbul'daki Restoranlar

Filtreler

Sırala

Popülerite - çoktan aza

Puan - çoktan aza

Fiyat - çoktan aza

Fiyat - azdan çok

En son eklenenler

Kategori

Paket Servis Bul 13194

Yemeğe Çık 22255

Çaya git 8810

Eğlenmeye Çık 1338

Konum

Beyoğlu 1852

Fatih 1486

Kadıköy 1278

Emirhanlı 1211

Şişli 1191

Bağcılar 853

Pendik 900

Tüm lokasyonlara bak


Mutfak

İçecek 3503

Kebab 3341

Cafe 3306

Diğer 3149



Arada Cafe
Galata
Hacımimi Mahallesi, Lüleci Hendeç Caddesi, No 23/A, ...

MUTFAK TÜRLERİ: Restaurant Cafe, Lübnan, Türk, Kahve


İÇİ KIŞLIK: 120 ₺

ORTALAMA TUTAR: 08:30 - 16:30 (Pzt), 08:30 - 02:00 (Sa-Paz)


SAATLER: En iyi kahvaltılar, 2019'un en popüler mekanları, Şehrin en iyileri

Ara Menüye Göz At

İstanbul şehrinde bulunan 1 jüri dâha



Arada Endülüs
Kadıköy



11 Kadıköy Cocktails & Kitchen
Kadıköy Merkez
Cafesağa Mahallesi, Arayıcıbaşı Sokak, No:11, Kadıköy, ...

MUTFAK TÜRLERİ: Bar Mutfakçı

İÇİ KIŞLIK: 200 ₺


ORTALAMA TUTAR: 10:30 - 02:00 (Pzt-Paz)

SAATLER:


Arama sonuçlarını haritada göster

Yemeğe nereye gitsek?


Restoranlar




Har İçecek
AQUA FLORİA AV...
Alev Alev İçecek




The Galliard
VADİSTANBUL AV...
Lezzet yokuşluğuna...




Deli No.14
KADIKÖY MERKEZ...
Restaurant Cafe



Eywa Sebastian
MODA İSTANBUL
Cafe, Tatile




Peninsula Teras
Restaurant -
Golden City
Hotel




Elios Restaurant
TAĞSIRI İSTANBUL
Meyhane, Yunan

Eğlence & gece hayatı

Bar, pub ve gece kulüpleri






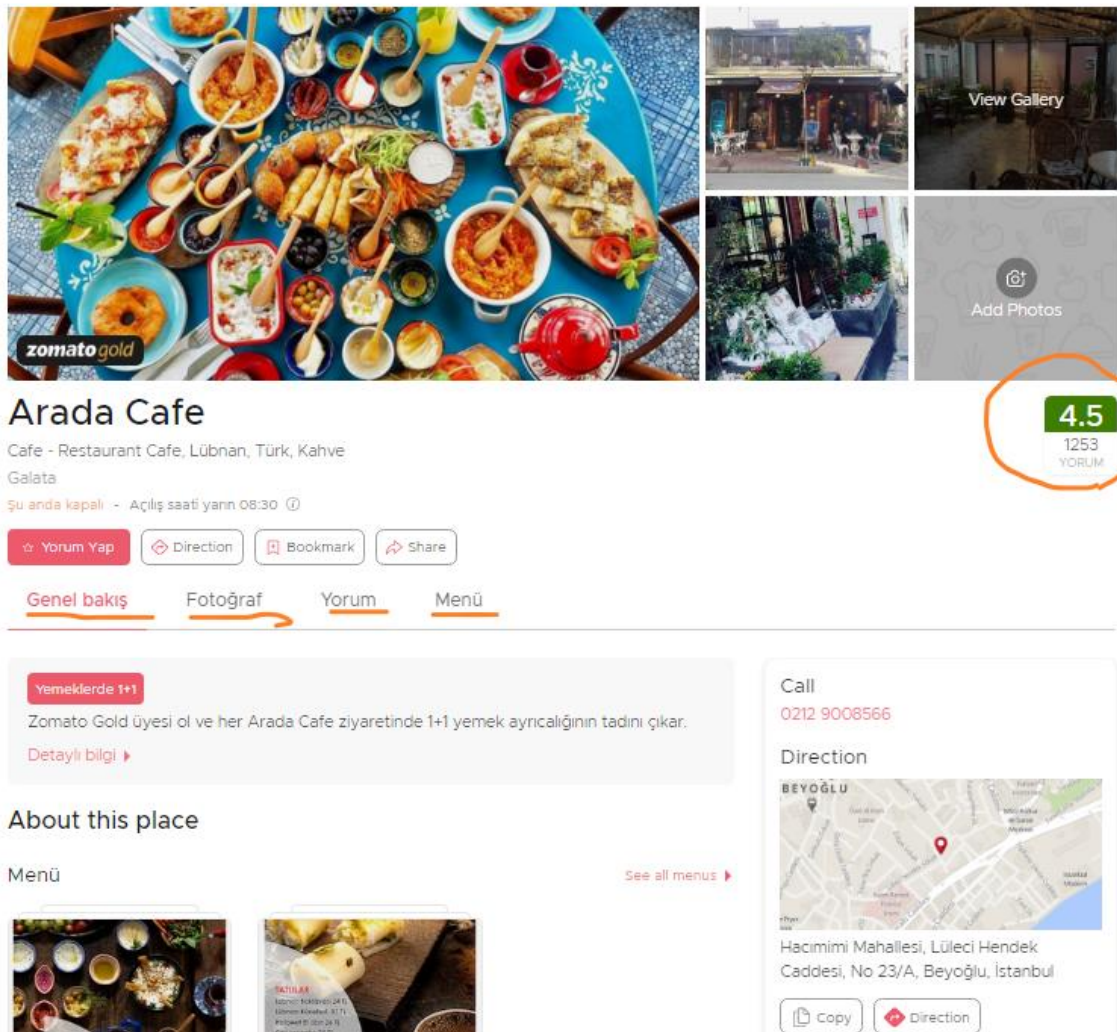




Figure 19: Screenshot of the Local Search Performed on Zomato (2)



- (135) The screenshots above are from Zomato and they show that the user is presented the option to filter among a wide variety of options such as ratings, prices, location and type of cuisine, that information including menus, photos, comments and maps are provided on the restaurant to improve users' search experience, and that the user is allowed to make a reservation directly through the platform.
- (136) Thus, the above screenshots from various platforms make it clear that the websites have the common ground of providing information to the users on the businesses they are searching for, yet the services they provide may have significant differences. Beyond those differences, some platforms provide their services in a single field – for instance Zomato (food), Trivago (accommodation), Reztoran (food), Doktortakvimi (healthcare) – while others such as Tripadvisor, Yelp and Foursquare serve many different fields.
- (137) In light of the information above, it is concluded that all of the platforms that can put restrictive pressure on Google include limited information on the business such as name, address and phone number, that some platforms offer certain services to enrich the consumers' search experience such as maps, reviews/ratings/comments, and that some platforms also offer more specialized services such as the option to make

reservations, depending on whether they are focused on a specific category of service. Therefore, in order to identify the relevant product market, it must first be established which fundamental functions and factors make up the local search service and what value they have for the user, depending on the type of search performed. For that examination it is important to assess the following:

- How much importance users attach to reviews/ratings/comments,
- Whether users differentiate between those platforms with and without mapping services for the businesses they are looking for,
- Whether they differentiate between platforms that do and do not provide the ability to reserve/purchase the service they are looking for,
- Whether they see local search services aimed at different needs as substitutes for each other,
- Whether they differentiate between platforms that meet a single user need versus those that fulfill a large variety of needs,

(138) While the accommodation sector is not examined under this heading, as mentioned in the relevant section below, the existence of different business models gives rise to a similar discussion in that field as well. Thus, the following assessments concerning the above-mentioned questions will take into account users searching for an accommodation facility in a geographical area.

Importance of Reviews/Ratings for the Users

(139) Sector players agree that reviews/rating are important for the users. Some of their opinions are quoted below:

(.....): "... we believe that evaluations such as reviews and ratings have a large impact on consumer decisions."

(.....): "... we think that the decision-making process is affected by benefiting from those who had a similar experience when choosing a hotel. Those users visiting our website attach great value on the reviews and ratings of other users in terms of their access to the facilities that can meet their needs and expectations and we believe that having such content on our website is very important for competition since final users could then choose our website to gain such information."

(.....): "Consumers see value in user reviews since they are an indicator of quality and they can confirm that the quality and the services provided maintain their high standards. "

(.....): "... service providers on (.....) do not pay per-view, nor can they be highlighted by taking out ads. (.....) The system aims to ensure that those service providers with higher customer satisfaction ratings can access more customers and grow their businesses. At the same time, this increases the work quality for the customers. The artificial intelligence algorithms we developed also include reviews and ratings in their calculations as an important criterion."

(.....): "Comments and reviews are very important for the competitiveness of the service that we provide."

(140) In addition to these opinions, studies³² conducted by OECD and the UK's Competition and Markets Authority (CMA) revealed that product/service reviews made a significant

³² Competition and Markets Authority (2015), Online Reviews and Endorsements Report on the CMA's Call For Information, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/436238/Online_reviews_and_endorsements.pdf
OECD (2019), Understanding Online Consumer Ratings and Reviews,

impact on the decision-making process of the consumer, that this information allowed the consumer to take faster and more correct decisions, facilitated product comparisons and thus put competitive pressure on producers to provide better products in terms of price, quality and other factors. In a study OECD conducted with respect to 10 countries including Türkiye, it was found that around 70% of the consumers ranked comments/ratings as critical or very important, and another study made in the USA in 2013 showed that 63% of the consumers tended to shop from a website with comments/ratings³³.

- (141) Academic studies on the subject also concluded that comments/ratings had a significant impact on the consumers' decision-making process³⁴. For instance, a 2011 study³⁵ on the accommodation sector found that a 10% increase in user reviews led to a more than 5% increase in bookings, and another study conducted in 2012³⁶ revealed that a one-star increase in ratings provided the opportunity to increase the price by 11% without suffering any consumer or market losses.
- (142) Lastly, in a 2007 study by ComScore, 87% of the consumers stated that comments had a significant effect on their choice of hotels, while this ratio was 79% and 76%, respectively, for restaurants and healthcare³⁷.
- (143) On the other hand, an examination of the platforms that allow business search shows that some platforms only share rating information and do not offer text reviews (comments). For that reason, it should be examined whether users make a distinction between reviews in the form of ratings and comments.
- (144) Some of the opinions submitted by undertakings on the subject are as follows:
(.....): "Customers attach great importance to the comments and ratings before requesting a service. Service providers with higher ratings are trusted to a certain extent, but profiles supported by comments can come into prominence because they seem more trustworthy."
(.....): "Comments are found to be more realistic than ratings since they provide more information."
(.....): "Yes. Rating offer a more summarized assessment, while comments address the subject in depth..."
(.....): "Ratings present the user with a quick general idea while comments allow them to read about what other users liked and disliked, specifically."

[http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DSTI/CP\(2018\)21/FINAL&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DSTI/CP(2018)21/FINAL&docLanguage=En)

³³ ReviewsTracker (2013), www.reviewtrackers.com, <https://www.reviewtrackers.com/blog/stats-reveal-online-reviews-big-deal/>

³⁴ Anderson and Magruder (2012), 'Learning from the Crowd: Regression Discontinuity Estimates of the Effects of an Online Review Database', Economic Journal.

Anderson (2012), The Impact of Social Media on Lodging Performance, Cornell University Center for Hospitality Research.

Chevalier and Mayzlin (2006), 'The Effect of Word of Mouth on Sales: Online Book Reviews', Journal of Marketing Research

³⁵ Q. Ye, R. Law, B. Gu, and W. Chen (2011), "The influence of user-generated content on traveler behavior: An empirical investigation on the effects of e-word-of-mouth to hotel online bookings," Computers in Human Behavior, cilt 27, sayı 2, pp. 634-639.

³⁶ Cornell University (2012), The impact of social media on lodging performance

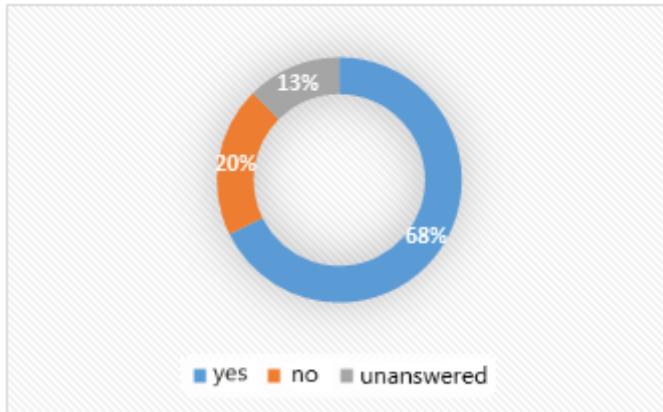
³⁷ <https://www.comscore.com/Insights/Press-Releases/2007/11/Online-Consumer-Reviews-Impact-Offline-Purchasing-Behavior>

(.....): “The effect and reliability of those evaluations in the form of detailed reviews are significantly higher than those evaluations that include only ratings. This difference is much less for superficial comments.”

(.....): “Users can get more detailed information (e.g. on the services and facilities in offer (foods&drinks, cleanliness, hospitality, etc.)) by reading the reviews. Such detailed information is lacking in a format that involves only ratings.

(145) The following chart visualizes all of the answers to this question:

Chart 5: Undertakings’ Opinions on Whether Users Differentiate between Evaluations in the Form of Ratings and Comments



(146) Obviously, the opinion of the undertakings’ is that users found reviews in the form of comments more valuable.

(147) Meanwhile, the file evaluates that the users’ approach on the relevancy of the comments would depend on the type of the service searched. For instance, a user looking for a constructor for some repairs would find it important to know whether the contractor arrives on time, does good work, etc. Similarly, a user who reads that a transportation firm caused some damages to the goods may choose another firm. Comments have a significant effect on user perception and the decision to purchase for hotels, restaurants and doctors as well. For example, when looking for a hotel, a family with children may find it worthwhile to read the comments of other users on the proximity of the beach, how rough the sea is and the cleanliness of the kiddy pool, while a family whose child is afraid of the doctor would think it is important to read the experiences of other users so that they know how the doctor gets along with children. On the other hand, for a user looking for a pharmacy or shopping center, factors such as the closeness of the business would be more significant than reviews. Even though this result concerns reviews specifically, it is also valuable in terms of the reviews/ratings distinction. In other words, information in the reviews would be more valuable than ratings where it carries more significance for the user, and the user would be indifferent between reviews and ratings where the information in the reviews have secondary importance.

Importance of the Map Service for the User

(148) Some platforms that allow business search do not offer map services to the user. As a result, the importance of this service for the user experience becomes significant when deciding whether these platforms should be included in the relevant product market. In order to illuminate the issue, the parties were asked whether users make a

distinction between platforms that do and do not offer map services. Some of their opinions are quoted below:

(.....): In parallel with the increase in the use of mobile internet, location information and directions become more and more important. The two main elements required for a business search are phone number and address. Nowadays getting directions via location/coordinates is seen as more important than being able to see the address in writing.

(.....): "Nowadays directions have become a must, especially because mobile search has become so prominent".

(.....): "Directions do not have a high level of importance for accommodation services. The location of the hotel and the surrounding points of interest are more important; transportation to the hotel is not an issue that is taken into consideration during purchase."

(.....): "Users see those search services that do and do not offer map functions as in competition with each other – i.e. within the same service market. At the same time the presence/absence of map functions is a factor that affects the quality and usability of the relevant service."

(.....): "Users whose goal is to get directions, etc. naturally have a tendency to use the service that offers this function. Having all needs met by the same application is beneficial since it saves time for the user."

(.....): "(.....) sees map function as especially important for hotel search... We think it is important for the user to know the geographical location of a business, such as how close a hotel is to the city center or the airport."

(.....): "When users do not know the exact location of a business they will visit for the first time, they need to somehow get that information. This may involve calling the business on the phone to get directions or use its position on the map. For users who are not technologically inclined, the traditional method of asking for directions is more attractive so such users would not make a distinction. However, for users that actively use the map and direction functions of their smart phone/computer, such a service would actually make a difference."

(.....): "The location of the facility is a decisive factor in the users' choice of accommodation. We believe that users do make a distinction since when selecting accommodation, they take into consideration the places they want to visit and the means of transportation offered by the facility."

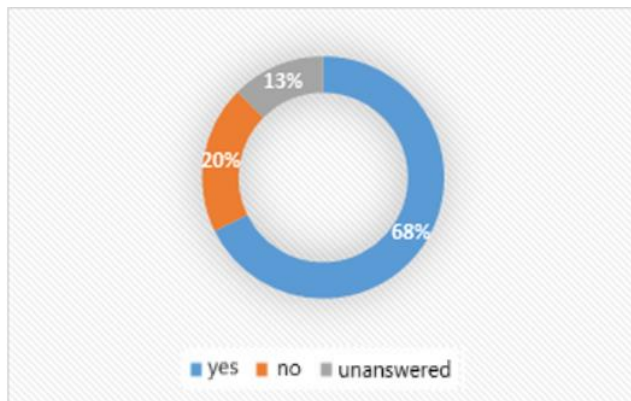
(.....): "Directions provide an easier method for users to access the service and thus create value to which the users may attribute additional benefits. "

(.....): "In addition to photos, maps and directions are useful features generally offered through local search services but these features are not a main element of the service provided by local search websites. The user may prefer a local search service that offers maps and directions to ones that do not, but users do not think that the websites with those services as not substitutable. Once users find the business they are looking for on a local search website, they always have the option to access maps and directions through another service."³⁸

(149) All of the answers to this question is visualized in the image below:

³⁸ Translated from English to Turkish, back to English.

Chart 6: Undertakings' Opinion on Whether Users Make a Distinction between Platforms that Do and Do Not Offer Map Services



- (150) As seen in the chart above, the undertakings' opinion is that users do not see platforms that do and do not offer map services as substitutes.
- (151) The value of the map service for the user may vary based on the field targeted by the service. That is, when looking for a restaurant, a user may find questions such as the proximity of the restaurant to the subway and whether there is suitable parking around the location of the restaurant important. With relation to a hotel, the appeal of the hotel's location in terms of how close it is to the city center, popular venues and the beach may be more decisive on user choice than getting directions, as pointed out by (.....). These requirements also necessitate the provision of a map service. On the other hand, the location of the business would be of secondary importance for services such as carpet cleaning, repairing, driving lessons and transportation services which are offered at the location of the customer.
- (152) In that context, for queries related to fields in which services are provided at the customers' location, users do not make a distinction between platforms that do and do not offer map services; however, for local search in fields other than those above, users would prefer a platform that does offer map services.

Importance of the Ability to Make Reservations/Purchases for the User

- (153) Some platforms concentrating on a particular service category offer users the option to make reservations. For instance, a user can make an appointment with a doctor on [Dokortakvimi.com](#), and make reservations for restaurants on [Zomato.com](#) or for accommodation facilities on [Etstur.com](#). Since these services are not offered by all of the parties, the users attitude to these services were investigated during the evaluation of the relevant product market. To that end, the parties were asked whether users make a distinction between those platforms which do and do not offer the option to reserve/purchase the service concerned. Some of their opinions are quoted below:
- (.....): *"Customers tend to prefer solutions that are convenient and help them save time. So those sites with direct reservation options can be preferred more than those without."*
- (.....): *"Nowadays users want to be able to make direct online reservations without dealing with anybody."*
- (.....): *"If the user's priority is to be able to choose the product he wants, he will ignore reservation options and choose those businesses with more reviews, ratings and content. "*
- (.....): *"This distinction became less clear in the last few years... Recently services have evolved to the point that it does not matter if the reservations can be done on the website of*

the accommodation facility to be reserved. Many services do not operate their own reservation systems but facilitate making them through other means, either by operating the linked payment services provider (or the intermediate website itself for the website that provides the payment service), or by directing the traffic to other websites only for reservations. Since many consumers do not actually understand the differing models, the transaction-based/non-transaction-based distinction does not make a significant difference for websites.”

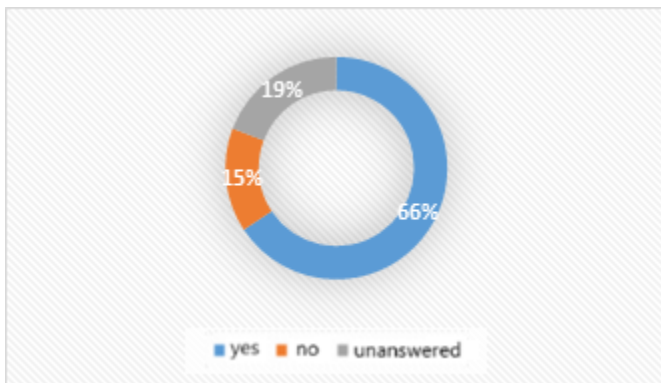
(.....): “They can be used for different purposes since they have different functions. To give an example from tourism, users may choose to search hotels with high ratings and good reviews in Antalya on tripadvisor and then search them on Google’s search engine to visit a website where they can purchase directly, or they may prefer those websites on which they can both see the reviews and make the reservation.”

(.....): “In the travel and accommodation sector, users start with the region they will go to, and then decide at which hotel they will use for accommodation. We believe that there exists a distinction, since whether the website provides a reservation option is not important for a user at the research stage of this journey, while a website through which he can make a purchase would have priority for a user who has already made up his mind.”

(.....): “We think users would consider a website with reservation option more user-friendly since it offers a service they will need at the following stage.”

(154) The following chart visualizes all of the answers to this question:

Chart 7: Undertakings’ Opinion on Whether Users Make a Distinction between Platforms That Do and Do Not Offer the Option to Reserve the Service Concerned



(155) As seen in the chart, the parties mostly agree that users do make a distinction between platforms that do and do not offer the option to reserve/purchase, with some opinions including the detail that this service is more important at the purchase stage.

(156) The assessment within the context of the file concludes that the reservation option have a limited effect on the search process. That is to say, the purpose of local search is to gather information on alternative businesses within the designated geographical area. From that perspective, the presence/absence of the reservation option would not be decisive in the platform choice for a user still at the research stage. In other words, the user will only need the reservation service when he decides which business he will use to procure the service. For that reason, for a user whose goal is to look for a business/organization or a professional within a geographical area, the purchase/reservation feature would not be decisive in the choice of platform and that this feature would only be significant for those users whose goal is to make a purchase/reservation.

(157) As a result, while the reservation option is valuable for a consumer who has already decided to purchase, the provision of this service by the platform still offers added value to the user.

Users’ Attitude towards Local Search Services Aimed at Different Needs

(158) The Local Unit and the platforms that can potentially put competitive pressure on the Local Unit respond to queries on businesses in various fields, such as searching for accommodation facilities, doctors, plumbers, restaurants and hospitals. Thus, it is important to establish whether the fields concerned constitute separate product markets. In other words, the issue at hand is whether a platform specializing in restaurant search is an alternative to a platform specializing in hotel search for a user who is looking for the latter.

(159) On this matter, the parties were asked if the users consider local search services for different basic needs substitutable with each other. An examination of these assessments shows that the opinions submitted by the parties generally converge on the idea that users do not consider different fields as alternatives for each other. Some of their opinions are quoted below:

(.....): “Since the user will search in accordance with his needs, he would prefer different platforms for different needs.”

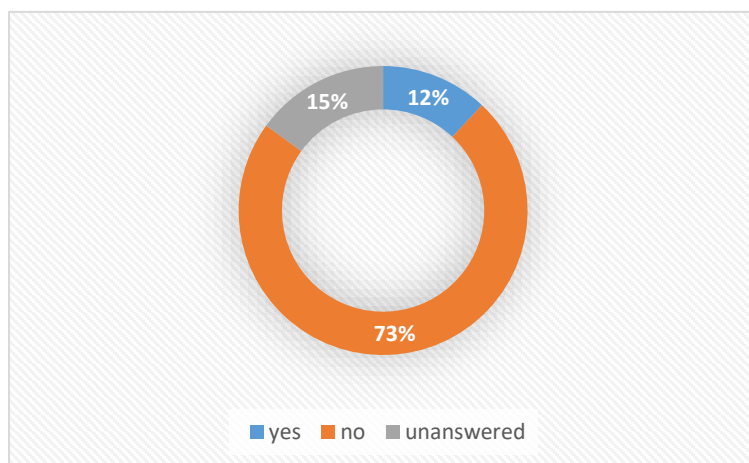
(.....): “From a consumer perspective, different services such as hotel and flight search are not substitutable... In general, users are not interested in seeing restaurant-related results when they are in need of a hotel.”³⁹

(.....): “We observe that users usually meet their different needs through different websites. The main reason for that is the fact that a website serving a specialized purpose can better fulfill user demands.”

(.....): “...the service provided by a hotel would be different than that provided by a restaurant.”

(160) All answers related to the subject are visualized below:

Chart 8: Undertakings’ Opinion on Whether Users Consider Local Search Services for Different Basic Needs Substitutable with Each Other



³⁹ Translated into Turkish by the Rapporteurs, then back to English.

- (161) As seen from the chart, when the matter is considered from the point of view of the user, there is no substitution relationship between these fields that serve different needs.
- (162) On the other hand, the assessment of platforms that offer services in multiple fields such as Tripadvisor (restaurants, hotels) should be addressed separately. On this subject, the parties were asked the question: *“Do users make a distinction between local search services that fulfill a single user need and those that meet a wider variety of user needs?”*. Some of their opinions are quoted below:

(.....): “Within (.....)’s knowledge, users utilize different local search services with a multi-homing approach when searching for similar types local services as well as different services. For instance, a user looking for a hotel in Ankara may search both (.....) and (.....), and then check booking.com® website to see if there are additional special offers and reviews.”

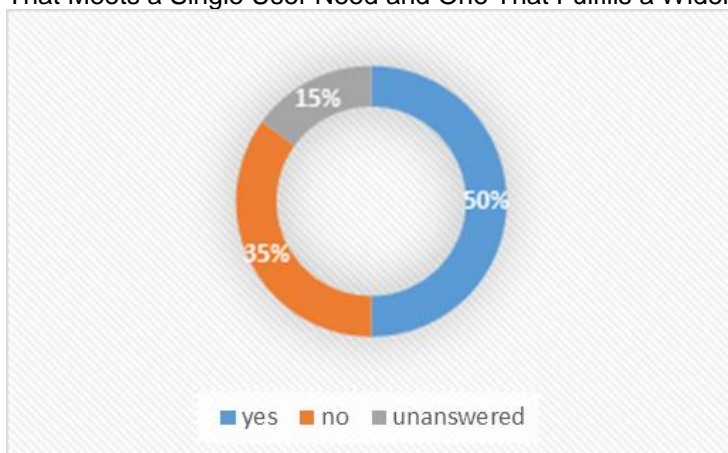
(.....): “Businesses specializing and focusing on a particular subject may provide more detailed and user friendly service in that subject”

(.....): “They are substitutable because they both provide the information the individual is looking for.”

(.....): “...if content on the search submitted by the user is provided by websites offering wider search services, they can be seen as a substitute for local websites only with relation to the specific vertical.”

- (163) All of the answers to the relevant question are visualized in the following chart:

Chart 9: Undertakings’ Opinion on Whether Users See a Distinction between a Local Search Service That Meets a Single User Need and One That Fulfills a Wider Variety of User Needs



- (164) The chart shows that the opinions of the undertakings generally (50%) concur that the users do make a distinction between the aforementioned platforms, but those that do not agree make up a significant portion (35%).
- (165) Based on this, it is evaluated that the users do not make a distinction between platforms that focus on a single with and platforms that offer their services in multiple fields, as long as their content have the same characteristics (detailed information, comments/ratings, etc.).
- (166) Another issue concerns how to evaluate platforms whose general field of operation is not local search services but which offer local search through the same platform. For instance, the main business of Sahibinden.com and Zingat is to provide a marketplace bringing together different parties in a sector, such as buyers-sellers or owners-renters,

yet they offer local search services with the expected features, Sahibinden.com for professionals and private lessons and Zingat for schools. In order to shed light on this matter, the undertakings were asked “Do users make a distinction between a website whose main business is providing local search services and a website (such as sahibinden.com, hurriyetemlak.com, etc.) that provides local search services on a narrower field (as an additional or auxiliary service)? Some of the answers on this subject are included below:

(.....): “Users choose solutions that are specialized in their field which will help them do their task more quickly. Specialized websites rather than general solutions may be preferred.”

(.....): “The user would certainly make a distinction between platforms based on previous experience, whether it is popular, etc..”

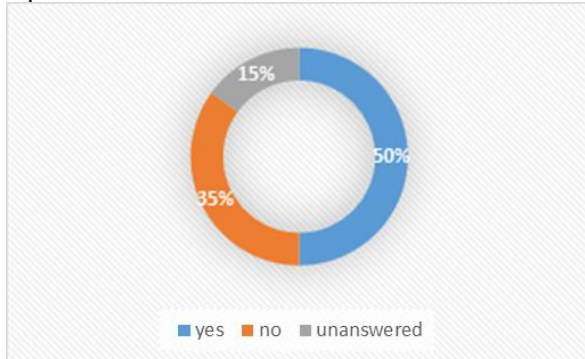
(.....): “No. Users examine all similar businesses to get the best offer.

(.....): “There may be differences based on functionality: If both services fulfill the need, they are more likely to be substitutes. However, if the users perceive a difference between the functionality of the search services on these platforms (such as more options, easier user interface, etc.), then the platforms may not be considered substitutable.

(.....): “Users may make a distinction based on the expertise of a website that offers local search services in a narrower field, and its variety of content. There are actual and potential competition between the two services, as well.”

(167) All of the answers submitted for the relevant question are visualized below:

Chart 10: Undertakings’ Opinion on Whether Users Make a Distinction between Platforms Whose Main Field of Operation Is Not Local Search But Which Provides Local Search Tools and Platforms Which Operate in the Field of Local Search



(168) As can be seen from the chart above, the parties generally believe that websites whose main field of operation is not local search cannot substitute those websites that are specialized in this field. However, these opinions assume that the nature of the service provided and the goal of the users in utilizing the relevant tabs on the relevant websites are similar, regardless of the basic service offered by the platform.

(169) The conclusion of the file is that users consider these platforms valuable to the extent that they provide information with the content and variety discussed above.

ii) Assessment of the Substitution Relationship for Local Search Related to Accommodation Facilities

(170) This section examines the services provided by Google and other platforms in relation to hotel search, keeping in mind the assessment above concerning the definition of the main elements of the local search service.

- (171) When the user makes a search on the Google search engine with the query Antalya hotels for example, he can access lots of information through the Local Unit. The first box displayed on the general search results page shares relatively limited information such as price, stars/ratings and location, but the user can click on the full view page (step 2) to see more hotel options together, filter them according to various features such as the amenities on offer (breakfast, pool, gym, internet, etc.), guest rating, star number, and set the date of accommodation, number of persons and price range⁴⁰. In addition to these services, the relevant page also includes information that is of interest for the user, under the tabs overview, prices, comments, location, about and photos. Moreover, clicking on the comments tab lets the user see comments collected about the hotel in question by Google as well as by other platforms such as Tripadvisor and Booking. However, users cannot make direct reservations through this platform. Instead, the user is redirected to the platforms where he can make a reservation via the “Go to Website” link.
- (172) Besides the Local Unit, the user can conduct his research through the online travel agent (agent), meta search sites (MSS) and other platforms such as Foursquare, Otelpuan, etc. At this juncture, it should be determined whether the agent, MSS and other platforms are substitutes for the service provided by Google.
- (173) The agent is a platform where the respective demand from consumers and hotel operators meet and in this context the consumer can gather information about the accommodation facilities in the agent’s portfolio, i.e. can conduct a search among the accommodation facilities with which the agent has established a contractual relationship and can complete their reservation through the platform when they decide to purchase; the hotel operators, on the other hand, can market the products through this channel and, in return for this service, pays a commission based on rooms sold to the agent. Etstur, Tatilsepeti and Hotels are examples of agents.
- (174) MSS is a specialized search engine that allows consumers to search for accommodation facilities, similar to an agency, and in addition to this facility search/comparison service, it also displays room prices offered by agencies for the same facility or even by the accommodation facility itself. In that sense MSS provide an advertisement service for the hotel operator and the agents, as well. That is, after deciding on the hotel of accommodation, the consumer is redirected to the party (hotel operator/agency) that makes a price offer through the platform, or if the hotel operator does not have a website, the number of the relevant call center is shared instead. Thus, reservations and purchases are done through the hotel operator/agent. In return for this service, a fee is charged per click, regardless of whether the reservation is completed. However, recently it is observed that some platforms working with this business model (e.g. Trivago, Tripadvisor) are offering the chance to complete the reservation on their own website (without leaving the domain of the platform in question), thanks to their cooperation with travel agencies that can take reservations. This practice requires the user to share their personal and credit card information over the relevant platform, with payment being processed by the agency providing the infrastructure.

⁴⁰ At this point, the user can click on the “Show Prices” button (Step 3) to check the prices offered by various platforms for the hotel in question during the dates selected. However, as mentioned before, this service is intended for a different purpose and constitutes a separate relevant product market. Assessment of this point will be included in the following pages.

- (175) For instance, the Neredekal platform, working through model, explains its mission as “*Building a bridge between those planning a domestic vacation and operators/hotels,*” while Trivago introduces itself as follows: “*We are a search and price comparison website for accommodation offers provided by many different online booking sites. We have an infinite number of accommodation options, from luxurious five-star hotels to intimate holiday rentals. We compare and display different offers from many booking websites and these websites pay us when users click on their special offers. We are not a party to any booking contract between you and the website or the hotel at which you made the reservation. You do not pay us for your accommodation and we are not responsible for the services provided by the booking website and the provider of the accommodation.*”
- (176) Thus, from a user perspective,
- Agencies provide hotel search/comparison and reservation services;
 - MSS provide hotel search/comparison and accommodation price comparison services,
- (177) An examination of the decisions of competition authorities on agencies and MSS show that the Commission’s *Priceline/Momondo* decision⁴¹ and the CMA’s *Priceline/Kayak* decision⁴² are important for the current file.
- (178) The Commission decision characterizes Priceline as an online travel agency and Momodo as an MSS. When assessing whether these two business models are in competition with each other, the decision notes that i) agencies offer consumers with hotel search/comparison and reservation services, and travel service providers (facility operator, tour operator) with sales/marketing services; (ii) MSS, on the other hand, provide hotel search/comparison services to consumers as well as a service that allows them to compare offers by online travel agencies and travel service providers; they also provide demand generation services to online travel agencies and travel service providers. In the survey conducted by the Commission on the subject, those who defend the position that these two channels are not in the same market claimed the following: i) While agencies are mediators, MSS are advertisers; ii) MSS represent an earlier step in the course of consumers’ travel arrangements, and the consumers complete the booking process on the website of the agency; iii) MSS allow consumers to compare different offers for the same facility, while agencies allow consumers to compare different facilities; iv) Agencies provide additional services to consumers such as call centers and after-sales services; v) While some MSS offer a limited ability to make bookings, this is done through the contributions of agencies or travel service providers; vi) MSS’s transition to an agency business model would require significant time and investment costs.
- (179) According to those who defend the position that the two channels are substitutable in the Commission’s survey, i) Both MSS and agencies are competing to attract consumer attention; ii) In general consumers are not aware of the fact that they did not complete the booking through the website of the MSS and thus consider the two substitutable; iii) An increasing number of MSS have begun to offer booking opportunities. In its final assessment, the Commission notes that the two channels both served as intermediaries for travel service and intended to attract consumer attention, but refrained from making an exact market definition, emphasizing that the two

⁴¹ Case M.8416 - The Priceline Group / Momondo Group Holdings.

⁴² OFT decision of 14 May 2013 (ME/5882-12) on the anticipated acquisition by Priceline.com of Kayak Software Corporation.

channels operated through different business models. In parallel, the Commission makes the impact assessment only for the MSS, as well as for the market which includes both MSS and agencies.

(180) The CMA decision also states that the MSS and the agency are in a vertical relationship while also competing to offer travel services to consumers in terms of generating traffic and providing lead generation services to the travel service providers. However, the decision does not make an exact market definition, covering agencies and MSS in its impact analysis.

(181) In order to receive the agencies' and MSS' opinion on the subject, the parties were asked "Is the local search service provided by Google (Local Unit) substitutable with the service provided by your company?" The responses of the agencies to this question is as follows:

(.....): "No. None of these channels engage in direct sales, they simply redirect to product sellers (.....) are channels that sell directly."

(.....): "We won't be able to respond to this question since we do not offer local search services."

(.....): "We can say that our website is substitutable with Google Hotel Ads (Google HPA). The difference is that Google Hotel Ads can show room prices for the hotel collected from multiple brands, while we can only show our prices. Before the introduction of Google Hotel Ads, users visited the websites directly to see hotel room prices, but after Google Hotel Ads they are able to see the prices for the hotel they searched on Google provided by multiple brands. As a result, we started to include (.....) ads on Google Hotel Ads to ensure that affect our website traffic is not affected negatively."

(.....): "...Google is not considered a competitor. Google is simply a channel that provides traffic to (.....), and the relationship between the undertakings is thought to be of a vertical nature."

(.....): "We are offering substitutable services in terms of listing the hotels at a particular destination and of listing and mapping them for the user. On the other hand, Google lists all of the hotels in the region while we only how those in our catalog we are authorized to sell. Moreover, each hotel has a single price on (.....), but Google lists the cheapest price among multiple sources of prices for a hotel."

(.....): "Google's hotel search service and (.....) is competing in the market for those consumers who are not aware that Google services are placed via auctions.

...(.....), competes by attracting users to its websites and applications in order to help them with researching and finding hotels and other types of accommodation. Some brands such as (.....) offer the opportunity to make bookings in addition to do local search. Other brands such as (.....), on the other hand, provide a meta search function which allows comparison of different hotels for the same day. Both brands are competing with each other and with Google's Hotel Price Ads websites ((.....)) at the same level."

(182) The approach of the agencies mostly agree that the local search service provided by Google is not a substitute for the service provided by the agency. (.....)'s statement "We are offering substitutable services in terms of listing the hotels at a particular destination and of listing and mapping them for the user" differs from the general opinion.

(183) In addition to these responses, the undertakings offered explanations on the subject within the context of other correspondence. For instance, an information request sent to (.....) pointed to a particular screenshot of the Local Unit, and asked about the competitive relationship and differences between this area and the relevant party. The responses are as follows:

(.....): "The area in the screenshot is a part of Google Ads. It lists the hotels in the region specified/searched. In that sense, it may be considered a substitute for (.....). However, Google Hotel Ads main business model involves comparing hotel prices from different websites and in that sense it is not a substitute for (.....). Google Hotel Ads lists the sale prices of a hotel on various websites and then redirects to those websites at the purchasing stage. (.....), on the other hand, is a website for direct hotel sales."

(.....): "We understand that guest likes (ratings and reviews) and location information are included in the Google service, the screenshots for which were shared by your esteemed Authority. First of all, it must be noted that hotel/facility reviews and ratings are not among the amenities offered to consumers by (.....). At the same time, price, location, etc. information is not provided to allow immediate comparisons, which are instead carried out through specific filtering options on the webpages of the hotels. Thus, the features offered through Google's and (.....) should not be considered substitutes for each other... to support this with an example, users are able to make price comparisons for hotels/facilities over (.....) with which (.....) has agreements and which have availability, while a consumer searching on Google can compare the prices of different tour operators or websites providing travel services for a specific hotel at a specific time. These two services meet different needs and are therefore not substitutes, in our opinion.

Moreover, it must be noted that Google is always a website that redirects traffic within the framework of these search activities. Therefore, for searches conducted on Google, consumers who wish to make a booking at one of the hotels in the search results are directed to the website of the hotels or the contracted travel agencies. On the other hand, (.....) provides consumers with the opportunity to make a booking at the hotels and facilities on its website through (.....). As a result, for consumers who intend to book a hotel, Google's service only provides preliminary information, but is not considered a substitute service..."

(.....): "A search made on Google first shows 4 advertisement (adwords) results.

Below the advertisement, Google's recently launched Hotels Widget presents its results. This space may be explained as a system that tourism companies or hotels themselves pay to have the hotels/rooms they sell listed in this field, which operates by collecting sales/booking data from various sales platforms through metasearch activities. Google uses this space for listing exclusively, and clicking on the links redirects to the lists of those sites where the listed hotel is for sale... is the obligation to click the "Go to website link" to "...". As previously mentioned, it is this obligation which frames and defines Google's offering as a search service while our activities or the activities of similar online tourism agencies are defined not as search but as an e-commerce service.

Google provides a general search service. Similarly, local search and listing services are provided by, for instance, trivago.com for hotels or by skycanner.com for flights, and these websites redirect the user to the e-commerce sites that actually make the sales, in accordance with the option chosen from the listing.

On the other hand, e-commerce websites such as (.....) and similar, (.....)vb.), there is no such listing and redirection for the sale itself. This is because these websites provide direct booking/sales services rather than search services.

In that sense, there is no difference between, for instance, a user coming to our agency in person to say that he is looking for accommodation in a hotel in Antalya between the dates x-y, for up to z TL per night, examine the options offered by the customer representative and making a booking, and the same user making the same booking himself through our (.....) website according to the same options, using his computer. As far as our company is concerned, both of them are hotel sales/booking services within the framework of agency business.

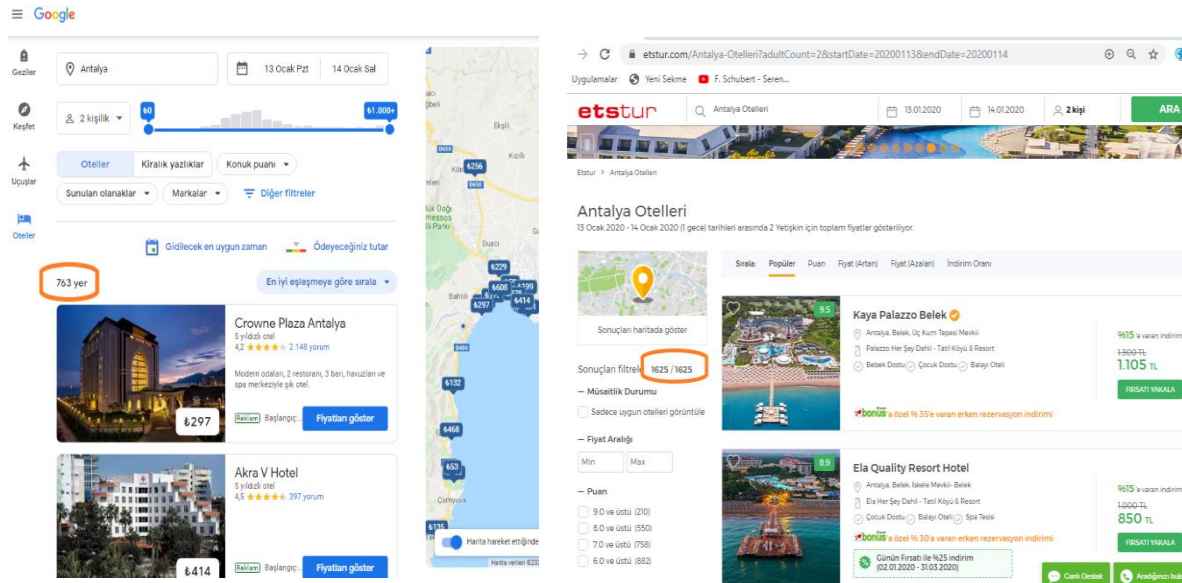
Our company is considered to provide a service and is obliged to prepare an invoice only for the sale/reservation, while the aforementioned companies/websites providing search services are taxed solely over the income they generate from this search service. Similarly, no service is provided and no income is generated when a user visits our websites and searches for hours without purchasing/booking a room/tour ... Under the circumstances, the e-commerce activity offered by our company and the service in the screenshot concerned are not similar and cannot substitute each other in that regard.

- (184) Assessing the responses to the survey together with the explanations above, it becomes clear that in the travel sector, the Local Unit is known as Hotel (Price) Ads and undertakings are focusing on the price comparison service in their responses. As such, some responses note that their relationship with Google is a vertical one. For instance, this is clearly demonstrated by (.....)'s statement "... Moreover, it must be noted that Google is always a website that redirects traffic within the framework of these search activities. Therefore, for searches conducted on Google, consumers who wish to make a booking at one of the hotels in the search results are directed to the website of the hotels or the contracted travel agencies."; (.....)'s statement "Google Hotel Ads' main business model involves comparing hotel prices from different websites and in that sense is not a substitute for (.....). Google Hotel Ads lists the sale prices of a hotel on various websites and then redirects to those websites at the purchasing stage." Thus, when examining these responses, it should be noted that the assessment of the relevant product market was done for the local search services instead of the accommodation price comparison services.
- (185) Otherwise, the responses concerned also make their assessments in light of the booking/sales service, rather than local search. For instance, this is demonstrated by (.....)'s statement "As a result, for consumers who intend to book a hotel, Google's service only provides preliminary information, but is not considered a substitute service..."; (.....)'s statement "... no service is provided and no income is generated when a user visits our websites and searches for hours without purchasing/booking a room/tour", and (.....)'s statement "No. None of these channels engage in direct sales, they simply redirect to product sellers (.....) are channels that sell directly." Thus, the booking/purchase option becomes important for a user performing a local search. This matter was evaluated above and it was concluded that the purchase/booking feature would not be decisive for a user performing a local search on his choice of platform. This conclusion means that the provision of a booking service by the agency, unlike other platforms for searching hotels, does not differentiate the former from the latter for the user. Moreover, studies concerning user behavior on this subject show that users collect information from various sources rather than a single one, which supports the conclusion above. Among these, one study conducted by Expedia in 2013 showed

that consumers visited 38 different websites before making a purchase⁴³, and a 2019 study by Yieldify⁴⁴ revealed that 78% of the consumers used multiple platforms before deciding on their destinations.

- (186) Another point of note in the responses of the undertakings is the opinion put forward by (...): "...Google lists all of the hotels in the region while we only display those in our catalog we are authorized to sell." As emphasized above, the inventory of an agency is limited with the accommodation facilities with which it has an agreement. However, Google depends on a more comprehensive data set as mentioned in the relevant section. In order to determine the extent to which this affected users' expected benefit, a comparison was conducted between Google and the inventories of the top five agencies listed on the first results page for the "Antalya hotels" query during the same period. Accordingly, as shown in the screenshots below, 763 facilities were displayed by Local Unit, 346 by Tatilbudur, 1625 by Etstur, 432 by Jollytur, 765 by Tatilsepeti, and 378 by Otelz⁴⁵.

Figure 20: Local Unit and Etstur Results for the Query Antalya Hotels



⁴³ <https://skift.com/2013/08/26/travelers-visit-38-sites-before-booking-a-vacation-study-says/>

⁴⁴ <https://www.yieldify.com/ebooks/how-we-book-now-travel-customer-journeys/?unlocked>

⁴⁵ The numbers provided are based on the results of a search conducted on January 6, 2020.

Figure 21: Jollytur and Tatilbudur Results for the Query Antalya Hotels

Antalya Otelleri

13.01.2020 Giriş - 14.01.2020 Çıkış | 1 Gece | 1 Oda | 2 Yetişkin için arama sonuçlarımız. (Kriterleri Sıfırla)

Sonuçları Haritada Göster

Sonuçları Filtrele **432 Sonuç**

Müsait Olanları Göster (64)

Bölge

Antalya (432)

Tüm Antalya Otelleri (432)

Demre (1)

Finike (1)

Kepez (1)

Melas Lara Hotel

Antalya / Lara (Haritada Göster)

Ultra Her Şey Dahil

WORLD'e Özel İndirimli Fiyatlar

12 Taksit Seçeneği

Rox Royal Hotel

Antalya / Kemer / Kemer Merkez (Haritada Göster)

Her Şey Dahil

WORLD'e Özel İndirimli Fiyatlar

ANTALYA OTELLERİ

Tatilbudur > Yurtici Oteller > Antalya Otelleri

Sıralama: Popüler Fiyat (Artan) Fiyat (Azalan) İndirim Oranı Puan (Artan) Puan (Azalan)

Sonuçları Filtrele **346 Otel Listeleniyor**

Fiyat Aralığı

Min. Max.

Antalya Bölgeleri

Tümünü Seç

Adrasan

Alanya

The Sense Deluxe

Antalya / Side / Bingöçük

Her Şey Dahil / Kara Manzaralı Standart Oda

9-12.99 kg Ücretsiz

Balayı Konseptli 2 Çocuk Ücretsiz

Su Kaydırma

Tatilbudur Öneriyor

En İyi Fiyat Garantisi

Müthiş **8.8**

1 Gece Toplam Fiyat

562.24 TL

534,09 TL

Oteli İncele

Figure 22: Tatilsepeti and Otelz Results for the Query Antalya Hotels

Antalya Otelleri

2 Yetişkin - 13.01.2020 ile 14.01.2020 tarihleri arasında Antalya otelleri araması için **765 otel bulunmuştur.**

Haritada Görüntüle

En Popüler Fiyata Göre Artan Fiyata Göre Azalan Misafir Puanı

Ela Quality Resort Belek

Antalya - Belek / İskele

Son Dakika Fırsatı %15 İndirim + 12 Taksit

Ultra Herşey Dahil

500.00 TL

425,00 TL

Geceki kişi başı

Detayları İncele

Hotel Melas Lara

Antalya - Lara

Son Dakika Fırsatı %15 İndirim + 9 Taksit

Ultra Herşey Dahil

400.00 TL

340,00 TL

Antalya **378 tesis 378 tanesini müsait**

Yıldız Sayısı: 5.0 -> 5.0

En Popüler Ortalama Puan En Yüksek Puan ve En Düşük Fiyat En Düşük Fiyat

Ela Quality Resort Belek

Antalya Haritada göster

2 yetişkin için önerimiz

Standart Oda - Ana Bina Kara Manzaralı

1 gece 2 yetişkin için toplam

35 m²

ÜCRETSİZ İptal

1.200 TL **850 TL**

Kazançınız: 150 TL

Ön ödemeye gerek yok

Erken Rez. fırsatı

Susesi Luxury Resort

Antalya Haritada göster

2 yetişkin için önerimiz

Çok İyi Destek

- (187) Clearly, there are agencies which show more facilities than Google. This invalidates the common view that the agencies are presenting fewer hotel options to users.
- (188) Another issue that must be evaluated is the scope of the information provided by the agencies. When the information provided by the agencies concerning hotels are examined, it becomes clear that there are detailed filtering options, including concept (all-inclusive, room only, etc.), price, amenities, (spa, kiddie pool, gym, etc.) and region, that a map service is provided, and that information is offered in detail, such as if the selected hotel has car rental/doctor services. These features may be observed in the following screenshot for a query submitted on the Etstur page, for instance.

Figure 23: Query Submitted on the Etstur Page

The screenshot shows the Etstur website interface for searching hotels in Antalya. The search criteria are: 'Antalya Otelleri', dates from 17.05.2020 to 21.05.2020, and 2 people. The results are sorted by 'Popüler'. Three hotel listings are visible:

- Granada Luxury Belek** (9.3 rating): Located in Antalya, Belek. Amenities include Ultra Her Şey Dahil - Tatil Köyü & Resort. Price: 3.400 TL, with a 9620 TL discount, resulting in 2.896 TL. A 'FIRSATI YAKALA' button is present.
- Titanic Deluxe Golf Belek** (9.0 rating): Located in Antalya, Belek, Üç Kum Tepesi Mevkii. Amenities include High Class Her Şey Dahil - Tatil Köyü & Resort, Bebek Dostu, Çocuk Dostu, and Balayı Oteli. Price: 4.500 TL, with a 9628 TL discount, resulting in 3.240 TL. A 'FIRSATI YAKALA' button is present.
- Cornelia Diamond Golf Resort & Spa** (9.4 rating): Located in Antalya, Belek, İskele Mevkii - Belek. Amenities include Diamond Her Şey Dahil - Tatil Köyü & Resort, Bebek Dostu, Çocuk Dostu, and Balayı Oteli. Price: 5.520 TL, with a 9615 TL discount, resulting in 4.692 TL. A 'FIRSATI YAKALA' button is present.

- (189) However, not all platforms of this kind offer comments/ratings/reviews. As an example, while Tatilsepeti and Etstur include reviews/rating information, Tatil.com only offers ratings and Jollytur does not share comments/ratings/reviews. Thus, the question of how much importance is attached to the reviews/ratings by the user becomes significant. This issue was previously discussed above and it was concluded that the comments of other users had a significant impact on the choices of the users for hotel queries.
- (190) As a result, when agencies meet the essential features a local search service must have as discussed above, these platforms will be included in the local search services market as well.

(191) Once the issue of whether agencies are included in the relevant product market is clarified, the focus must be turned on the evaluation of the MSS. MSS responded to the question “*Is the local search service provided by Google (Local Unit) substitutable with the service provided by your company?*” as follows:

*(.....): Google Local Unit is in direct competition with (.....)’s hotel search platform ((.....)), since it is shown to users performing a search for hotels (for example, London hotel), it allows users to submit a query depending on the destination and travel date, and it triggers a search on Google Hotels, as explained below”.*⁴⁶

(.....): “Competitors of the Client Company consist of other meta search engine providers, such as Google’s hotel search platform (known under the name “Hotel Ads”).

...

(.....) compete by attracting users to their websites and applications in order to help them conduct research, and find hotels or other accommodations. Some brands such as (.....) offer the opportunity to make bookings in addition to do local search. Other brands such as (.....), on the other hand, provide a meta search function which allows comparison of different hotels for the same day. Both brands are in competition with each other and with Google’s Hotel Price Ads websites ((.....) is included in this platform) equally.

(.....): “(.....) compares prices from different websites to help visitors find hotels with the best prices. On the other hand, parties served through (.....) are online tour operators and hotels themselves. For the purposes of traffic redirection, it is observed that the same parties are served through GLU, and thereby GHA. The service provided by us is focused on price comparison, however, the service provided by GLU similarly allows making price comparisons. Thus, in light of the parties of the service provided and the method and content of service provision, it becomes obvious that (.....) is a substitute for and is in direct competition with GLU and GHA.

(192) As seen above, the parties agree that these platforms are competing with Google.

(193) An examination of the scope of the information provided to the users by the MSS show that a large data set including maps and reviews/ratings is concerned, as well as filtering options.⁴⁷ As an example, this can be seen in the screenshot below, which shows a query made on the neredekal webpage.

⁴⁶ Translated from English to Turkish, back to English.

⁴⁷On the other hand, accommodation price comparison services provided by MSS comprise a different relevant product market and will be addressed in the following sections.

Figure 24: Screenshot of the Results for the Local Search Performed on the Neredekal Platform (1)

neredekal.com Uçak Bileti Araç Kiralama Havaalanı Transferi Keşif Rehberi Popüler Yerler GİRİŞ YAP KAYIT OL **TESİS EKLE**

Antalya - Neredekal.com - Antalya Otelleri

Antalya 06-04-2020 08-04-2020 2 Yetişkin **En Uygun Fiyatı Bul**

Antalya Otelleri

Antalya için 1067 / 2881 tesiste gecelik en uygun fiyat bulundu.

Akıllı Listeleme **Düşük Fiyat** **Yüksek Fiyat** **Puana Göre** **Popülarlığa Göre**

Tesis Adıyla Arama Yap

Bu alandan **tesis adı** girilerek arama yapılabilir.

Puana Göre Filtrele

0-2 2-4 4-6 6-8 8-10

Görüntülemek istediğiniz puan aralığını seçin.

Antalya Alt Bölgeleri

Gecelik Oda Fiyatı

100 TL altı (42)
 100 TL - 200 TL (309)
 200 TL - 300 TL (337)
 300 TL - 400 TL (188)
 400 TL üstü (376)

Konaklama Tipi







Tesis Türü

Tesis Özellikleri

Oda Özellikleri


Operatörler

etstur (805)
 edatour.com (640)

	8.6 Belek Beach Resort Hotel Otel Belek 12 Misafir Yorumu "Yüksek kaliteli otel" "Yemek deneyimimiz çok kötü" Rezervasyon için Tatlı.com'u arayın 0 850 466 24 35	tatlı.com Gecelik ortalama oda fiyatı 541 TL İNCELE >
	7.9 Sahil Pansiyon Çıralı Pansiyon Çıralı 7 Misafir Yorumu "Zahipleri çok takti insanlar" "Deniz anlamında sevdim" * Tesisin Ücretsiz Arsa 0 850 602 05 95	Tesis Fiyatı Gecelik ortalama oda fiyatı 200 TL İNCELE >
	8.9 Adrasan Boncuk Apart Apart Otel Adrasan 24 Misafir Yorumu "Çok rahat ettik" "İçli ve sarımsız" * Tesisin Ücretsiz Arsa 0 242 922 05 39	Otel Fiyatı Gecelik ortalama oda fiyatı 300 TL İNCELE >
	8.7 Bellis Deluxe Hotel Tatil Otel Taşlıburun 14 Misafir Yorumu "Antalya'daki en iyi yer" "Otelde hiçbir ekol yok" Rezervasyon için Etstur'u arayın 0 850 600 22 34	etstur Gecelik ortalama oda fiyatı 1206 TL İNCELE >
	8.5 Park Avrupa Apart Otel Apart Otel Kemer Merkez 14 Misafir Yorumu "Konaklamak için ideal" "Tekrar geleceğiz bekleyin" * Tesisin Ücretsiz Arsa 0 850 600 97 41	Otel Fiyatı Gecelik ortalama oda fiyatı 70 TL İNCELE >
	10 Villa Sonata Antalya Merkez 3 misafir yorumu 10/10 puan üzerinden Etstur Çağrı Hattı 0 850 600 60 60	Etstur En uygun oda fiyatı 70 TL En Uygun Fiyata Git

(194) From the screenshot above, it is seen that the results for the Antalya hotel query are shown on a map and they can be filtered by various categories, including ratings, accommodation type, price and amenities. Selecting one of the results lead to the following screen:

Figure 25: Screenshot of the Results for the Local Search Performed on the Neredekal Platform (2)

neredekal.com  Uçak Bileti Araç Kiralama Havaalanı Transferi Keşif Rehberi Popüler Yerler GİRİŞ YAP KAYIT OL **TESİS EKLE**

Belek ▾ Antalya Otelleri ▾ Belek Otelleri ▾ Belek Beach Resort Hotel Belek Beach Resort Hotel, Belek

Belek Beach Resort Hotel

Otel [Haritada Göster](#) Boğazkent Beldesi 07500 Belek / Antalya

12 yorum **8.6** puan


0 850 466 24 35
* Rezervasyon için Tatil.com'u Arayın [Online Rezervasyon Yap](#) [Kaydet](#) [Paylaş](#) [Görüşünüzü Paylaşın](#)

Gecelik En Uygun Fiyatlar

08 Nisan 2020 - 08 Nisan 2020 arasında geçerli.

tatil.com **541 TL** [İncele >](#)
Gecelik ortalama oda fiyatı

[Daha Fazla Fiyat Göster](#)



Tüm Fotoğraflar (37)

Kadriye

[Haritada Göster](#)

Google Map data ©2020


[06-04-2020](#) [08-04-2020](#) [2 Yetişkin](#) [En Uygun Fiyatı Bul](#)

Tesis Konaklama Fiyatları

8 Nisan 2020 - 8 Nisan 2020 tarihleri arasında geçerli gecelik en uygun ortalama oda fiyatı.

tatil.com	Standard Oda Her şey Dahil	Tatil.com Çağın Merkezi 0 850 600 50 50	541 TL Oda fiyatı >
tatil.com	Standard Aile Odası Her şey Dahil	Tatil.com Çağın Merkezi 0 850 600 50 50	811 TL Oda fiyatı >
odamax.com <small>odamax.com</small>	Fiyat Bulunamadı Bu tarihlere rezervasyon sitesinden fiyat alınamamaktadır.		>

Fiyatlar Hakkında Önemli Bilgi
Yukarıdaki fiyatlar bilgilendirme amaçlıdır. Tesiste veya operasyonda değişiklik gösterebilir.




444 TL


Limak Arcadia Golf Resort
Antalya - Belek - Belek

[GÖSTER](#)


Benzer Oteller




Attalos Grup Sports Belek Hotel
10 - 11 misafir değerlendirdi
[İncele](#) 55 m




Güral Premier Belek
9.9 - 11 misafir değerlendirdi
1440 TL 69 m



Paloma Grida Resort & Spa
10 - 11 misafir değerlendirdi
855 TL 209 m



Limak Arcadia Golf Resort
9.4 - 12 misafir değerlendirdi
554 TL 244 m



Belek Golf Village
10 - 2 misafir değerlendirdi
350 TL 441 m

Belek Beach Resort Hotel

Belek Beach Resort Hotel, denize sıfır konumlanmış olup plaja sadece yürüme mesafesindedir. Bünyesinde güneşlenme terası açık yüzme havuzları bulunan tesisin SPA ve sağlıklı yaşam merkezi vardır. Ücretsiz Wi-Fi erişimli internet ağı, tüm konaklama birimlerinde ve tesisin açık - kapalı ortak kullanım alanlarında sağlanmıştır.

Otelin manzaralı balkona sahip odaları klimalıdır. Kablo TV ve mini bar tüm modern ve sade dekorlu konaklama birimlerinde yer alır.

[Yazının devamı >](#)

Figure 26: Screenshot of the Results for the Local Search Performed on the Neredekal Platform (3)

Tesis Döviziz Ana
0 850 466 24 35
Genel Bilgi Fiyatlar Yorumlar (12) Tesis Özellikleri Konum Yakınında Neler Var? Görüşünüzü Paylaşın

Belek Beach Resort Hotel

Belek Beach Resort Hotel, denize sıfır konumlanmış olup plaja sadece yürüme mesafesindedir. Bünyesinde güneşlenme teraslı açık yüzme havuzları bulunan tesisin SPA ve sağlıklı yaşam merkezi vardır. Ücretsiz Wi-Fi erişimli internet ağı, tüm konaklama birimlerinde ve tesisin açık - kapalı ortak kullanım alanlarında sağlanmıştır.

Otelin manzaralı balkona sahip odaları kimalıdır. Kablo TV ve mini bar tüm modern ve sade dekorlu konaklama birimlerinde yer alır.

[Yazının devamı](#)

Tesis Özellikleri

Genel Özellikler

Animasyon | Akuatik | Araç Kiralama | Asansör | Açık Havuz | Bebek Bakımı | Bisiklet | Emanet Kasa | Fitness Center | Havasalan Servisi | İnternet | Kapalı Havuz | Masaj | Oda Servisi | Otopark | Oyun Salonu | Plaj | Restaurant | Sauna | Sigara İçilmeyen Oda | SPA Merkezi | Toplantı Odası | Türk Hamamı | Çamaşırhane | Çocuk Kulübü | Açık Büfe / Servis | Denize Sıfır | Dünya Mutfağı | Her Şey Dahil | Resort | Yoga | Yöresel Tatlar

Oda Özellikleri

Balkon | Banyo | Eşya Dolabı | Fön Makinesi | Havlu | İnternet | Kasa | Klima | Mini Bar | Oda Temizlik | Telefon | Televizyon | Tuvalet

12 Kullanıcı Yorumu

Tarihe Göre Listele
Puana Göre Listele
En Faydalılar

Görüşünüzü Paylaşın

İyikilerin oteli

Nurlayat Akbilmiz - 27 Temmuz 2018, Cuma 13:00

9

Bu oteli internetten bulduk ve allecek geldik. İy ki de bu otel gelmişiz. Personellerin ilgisi, kibarlığı ve samimiyeti çok güzeldi. Yemeklerden memnun kaldık. Animasyonlar, şovlar ve aktiviteler çok keyifliydi. Çocuklarımız bu otelde çok eğlendi. Otelin denizi çok güzeldi ve otel ile sahil arasında bir nehir vardı, bu görüntü çok hoşumuza gitti. Bu oteli herkese tavsiye ederiz.

[Faydalı buldum \(2\)](#) [Faydalı bulmadım \(1\)](#)

Yemek deneyimimiz çok kötü

Gökhan Demir Demirel - 30 Ağustos 2017, Çarşamba 15:55

3

Ultra her şey dahil diye daha önceki deneyimlerimizden yola çıkarak geldik ancak odaya yerleşmeden yemek deneyimimiz çok kötü oldu... Hemen ardından odaya çıktık, mini bara baktığımızda sadece meşrubat ve soda gördük, alkolü içecek bırakılmıyormuş mini bara... Balkona her girip çıkışınızda klimayı tekrar tekrar açmak zorundasınız, kapı kapanınca otomatik çalışıyor ve 23 derecenin altına ayarlanmıyorsunuz... Şimdilik bu kadar, devamını da paylaşımın zamanla...

[Faydalı buldum \(0\)](#) [Faydalı bulmadım \(1\)](#)

Tam bir aile oteli

Erkan Kiling - 11 Ağustos 2017, Cuma 12:52

10

Biz şuan halen otelde kalıyoruz ve inanılmaz derecede memnunuz. Tam bir aile oteli. Kızım çok beğendi. Şiddetle tavsiye ederim. Çalışanlar güler yüzlü, yemekler süper, eğlenceler süper. Teşekkürler Belek Beach Resort Hotel çalışanları.

[Faydalı buldum \(2\)](#) [Faydalı bulmadım \(1\)](#)

Belek Hakkında

Belek Otelleri
Belek Butik Otelleri
Belek Apartları
Belek Tatil Köyleri
Belek Yapılacak Şeyler
Belek Balayı Otelleri
Ettur Belek Her Şey Dahil Erken Rezervasyon Otelleri
Tatilbudur Belek Her Şey Dahil Erken Rezervasyon Otelleri
Tatilspezi Belek Her Şey Dahil Erken Rezervasyon Otelleri
Jollytur Belek Her Şey Dahil Erken Rezervasyon Otelleri
Ettur Belek Erken Rezervasyon Otelleri
Tatilbudur Belek Erken Rezervasyon Otelleri
Tatilspezi Belek Erken Rezervasyon Otelleri
Jollytur Belek Erken Rezervasyon Otelleri
Ettur Belek Balayı Otelleri
Tatilbudur Belek Balayı Otelleri
Tatilspezi Belek Balayı Otelleri
Jollytur Belek Balayı Otelleri
Ettur Belek Her Şey Dahil Balayı Otelleri
Tatilbudur Belek Her Şey Dahil Balayı Otelleri
Tatilspezi Belek Her Şey Dahil Balayı Otelleri
Jollytur Belek Her Şey Dahil Balayı Otelleri
Ettur Belek Denize Sıfır Erken Rezervasyon Otelleri
Tatilbudur Belek Denize Sıfır Erken Rezervasyon Otelleri
Tatilspezi Belek Denize Sıfır Erken Rezervasyon Otelleri

Paloma Grda Resort & Spa

10 - 41 misafir değerlendirdi
855 TL 298 m

Limak Arcadia Golf Resort

3.4 - 12 misafir değerlendirdi
654 TL 244 m

Belek Golf Village

10 - 3 misafir değerlendirdi
350 TL 441 m

Bölgede Son Yorumlananlar

Attalos Grup Sports Belek Hotel

10 - 1 misafir değerlendirdi
[İncele](#)

Granada Luxury Belek

9.3 - 19 misafir değerlendirdi
[İncele](#)

Ela Quality Resort Belek

9.1 - 11 misafir değerlendirdi
980 TL

Aydınbey Queen's Palace & Spa

8.4 - 5 misafir değerlendirdi
[İncele](#)

Orange County Resort Hotel Belek

7.3 - 8 misafir değerlendirdi
654 TL

- (195) As seen, there is detailed information provided for the relevant hotel such as a map, the services offered, user comments and nearby attractions.
- (196) Thus, when the Local Unit, agency and MSS products are taken together from the perspective of a user performing a local search, it is concluded that the services provided by the Local Unit, MSS and agencies are substitutable for each other.

(197) Lastly, taking the *other platforms* into account, while these platforms allow searching for businesses, they also operate differently from agencies and MSS. For example, Foursquare and Otelpuan provide hotel search together with a large information set but do not have a mediation function like an agency, and unlike MSS, do not allow accommodation price comparison services. A screenshot for the Foursquare page is given below as an example:

Figure 27: Results for the Local Search Performed on Foursquare (1)

The screenshot displays the Foursquare search results for 'antalya otel' (Antalya Hotel). The search bar at the top shows 'antalya otel' and 'Güncel Harita Görüntüsü'. The results are filtered by 'Beğenildi' (Liked) and show four hotels:

- 1. DoubleTree by Hilton** (Rating: 9.4)
 - Adnan Menderes Bulvarı No: 81 Etiler Antalya, Turkey, Muratpaşa
 - Kıvanç Ş. • 6 gün önce
 - Şehirin merkezinde yeni, tertemiz, gayet otel. Kahvaltı klasik DoubleTree Hilton'lara göre çok daha güzel. İlk olarak gözümü doydu gerçekten. Antalya merkezde kalacaklar için güzel bir seçenek.
- 2. Best Western Plus Khan Hotel** (Rating: 7.4)
 - Kağırmı Çarşı Cad. No: 55, Antalya
 - Muhsin T. • Eylül 21, 2016
 - Antalya'da iş seyahatinde ekonomik ve temiz bir otel. Personel güler yüzlü ve ilgili.
- 3. The Marmara Otel Antalya** (Rating: 6.1)
 - Antalya
- 4. Safari Otel** (Rating: 7.4)
 - ANTALYA (D. Garaj), Antalya
 - ALPER • Nisan 18, 2013
 - Antalya merkezde Safari Otel güzel yer.

The map on the right shows the city of Antalya with blue numbered markers (1-20) indicating the locations of various hotels. The markers are clustered in the coastal area, particularly around the city center and the harbor.

Figure 28: Results for the Local Search Performed on Foursquare (2)

En çok tercih edilenler
Revaja
Yemek
Kahve
Gece Hayatı
Eğlence
Alışveriş

DoubleTree by Hilton
Otel
Muratpaşa

Tavsiye 10 | Fotoğraf 175

3.4 ¹¹⁵ 37 puanlama

"Güler yüzlü çalışanları ile oldukça konforlu bir otel" (2 kişi)

Arkadaşlarım DoubleTree by Hilton hakkında ne söylediklerini gör.
Bir hesap oluşturarak, güvenliğim arkadaşlarım ve zamanlar takip edebileceğim ve tavsiye edebilen mekanları görebileceğim.

10 Tavsiye ve inceleme

FILTRLE: konfor, şık, ful bar, rahat, makarna, (5 more)

Tavsiye 10 | Fotoğraf 175
DoubleTree by Hilton

10 Tavsiye ve inceleme

FILTRLE: konfor, şık, ful bar, rahat, makarna, (5 more)

Buraya bir tavsiye bırakmak için Giriş yap.

SIRALA: EN POPÜLER | EN SON

Gökben Temmuz 3, 2019

Burada 10+ kez bulunmuş

Antalyanın şehir içi olarak en iyisi diyebilirim... Restaurantında mutlaka makarna çeşitlerini denemelisiniz... özellikle Penneyi mutlaka tadınız

2 gün önce olumlu oy verildi

Selin Eylül 6, 2019

Burada 5+ kez bulunmuş

Güler yüzlü çalışanları ile oldukça konforlu bir otel

Jan 3 önce olumlu oy verildi

Özden Yerlikaya Kasım 22, 2019

Konakladığım en iyi DoubleTree By Hilton.

DoubleTree by Hilton içindeki mekan

Gão Club 8.0

Lounge · 咖啡

Adnan Menderes Bulvarı No: 61 (DoubleTree By Hilton Antalya City Centre)

"Gerektiğinde üstü açılabilen; 09.00-01.00 saatleri arası havuz, lounge ve restoran olarak hizmet veren; şık sunumu, özneli servisi, leziz, zengin menüsü, kaliteli müziği ve ambiyansı ile başarılı klüp"

FATOŞ UĞURLU KARABAY

Buta SPA

Spa

DoubleTree by Hilton Antalya City Centre

DoubleTree by Hilton Antalya Otopark

Otopark

Şunu da beğenebilirsin

Pacco Boutique Hotel

Otel

Arapsuyu Mahallesi (605. Sokak)

"Konyaaltının En Yeni ve En İyisi"

Latanya Palm & SPA Hotel 6.0

Otel

Aspendos Bulvarı No 36

- (198) Examining the Foursquare results above show that, similar to the other platforms mentioned above, the results of the local search were shown on a map, together with the address, location and user comments for the business. Thus, *other platforms* which are not under the agency or MSS category and which provide comparison information on accommodation facilities can be included in the local search services market, provided they meet the essential features a local search service must have, as discussed above.

Conclusion concerning the Substitution Relationship between Local Search Services and Other Online Business Search Services

- (199) Taking into account alternative platforms providing comparative information on the businesses in a geographical area which have adopted different business models and/or are offering different types of content, the assessment above resulted in the following questions to determine the boundaries of the local search services market:
- *Does the user make a distinction between platforms that do and do not include reviews/ratings?*

This depends on the business/service queried: For businesses/facilities (e.g. supermarkets, pharmacies, etc.) selling a homogenized product, where the service has a low level of differentiation than other fields or where the relationship between quality and the way of providing the service is indistinct, reviews are not generally the main factor.
 - *Do users make a distinction between local search websites that provide directions for the service they searched for and ones that do not provide such a function?*

For queries related to fields in which services are provided at the customers' location, users make a distinction between platforms that do and do not offer map services; however, for local search in fields other than those above, they would prefer a platform that does offer map services.
 - *Do users make a distinction between local search websites that do and do not provide an opportunity to book/buy the relevant service?*

No
 - *Do users make a distinction between local search services aimed at different basic needs?*

Yes
 - *Do users make a distinction between local search services that fulfill a single user need and those that meet a wider variety of user needs?*

No distinction is made between platforms that focus on a single area and platforms that offer their services in multiple fields, provided their content have the same characteristics (detailed information, comments/ratings, etc.).
- (200) Consequently, platforms that provide comparative information on a business/organization or professional in a specific geographical region will be included in the local search services market, as long as they meet the indicated requirements.
- (201) On the other hand, in light of the observations above, it is clear that users make a distinction between local search services aimed at different basic needs, and that there

is limited supply-side substitutability between local search services for different sectors, due to the sector-specific investment requirements for local search websites operating in different sectors. However, as examined in detail below, Google presents the Local Unit more favorably in comparison to competitors in terms of positioning, area and display, regardless of the sector. Moreover, due to Google's high market power in the general search services market, there are no competitors with enough power to develop strategies against Google in any sector. Thus, (potential) competitive concerns and effects caused by Google's practices examined under the file do not vary based on sectors. In addition to the above, considering in the future Google could enter fields other than the ones to be defined later on, such a distinction could lead to late intervention if Google were to engage in potentially violating practices in fields other than these hard-to-define categories⁴⁸. Lastly, since local search services can be provided for businesses/organizations or professionals operating in many sectors, since there is no widely-agreed sectoral classification in the relevant market, and since there are undertakings offering local search services in many fields, a sectoral distinction could potentially lead to erroneous outcomes in terms of definition and impact assessment. Thus, the file defines the relevant product market for local search as "local search services market," without making a sector-based distinction, with no prejudice to the results above.

I.3.3.2.5. Substitution Relationship between Deal Sites and Local Search Services

- (202) Websites such as Grupanya.com, Yakala.co and Firsatbufirsat.com which offer limited-time discounts/deals for businesses and events share information on local businesses as part of their operations. Consequently, it should be evaluated whether these platforms are within the local search services market defined above.
- (203) A screenshot of the Yakala.co website is given below as an example:

⁴⁸ A similar approach was adopted in the Competition Board's *Biletix* decision, dated 05.11.2013 and numbered 13-61/851-359. According to the decision, during the preliminary inquiry phase, the relevant product market was defined as "intermediary services market for the sale of tickets of live music events," "intermediary services market for the sale of tickets of basketball games," and "intermediary services market for the sale of tickets of football games," however it was concluded that making a category-based differentiation in product market definition would not be appropriate for the dynamics of the market and thus no distinction was made based on event categories.

Figure 29: Screenshot of Yakala.co Platform Main Page

The screenshot displays the main page of the Yakala.co platform. At the top, there is a search bar with the text 'Fırsat Ara...' and a search button labeled 'ara'. The location 'Istanbul' is selected in the dropdown menu. Below the search bar, there are navigation tabs for 'İSTANBUL', 'TATİL', 'ETKİNLİK', and 'ÜRÜN'. A main banner features a photograph of people riding horses in a wooded area, with the text 'Gebze' and 'Gebze Atlı Spor Kulübü'nün Muhteşem Atmosferinde Binicilik Eğitimi'. The price for this offer is listed as 'Fırsatın Bütçesine 10 sa 15 dk 57 sn' and '24.90 TL'. Below the banner, there are several category tiles: 'Masaj Hamam', 'Etkinlik Fırsatları', 'Kahvaltı Brunch', 'İstanbul Otelleri', and 'Kıbrıs Fırsatları'. A section titled 'İSTANBUL FIRSATLARI' shows '669 adet Tümünü Gör'. Two featured deals are highlighted: one for 'Cheya Beşiktaş'ta Sevgililer Gününe Özel 2 Kişilik Konaklama Paketi' priced at '389.00 TL', and another for 'Piyalepaşa Gece Life DoubleTree Hilton Piyalepaşa'da Linet ile Gala Yemeği!' priced at '349.00 TL'.

- (204) An examination of the above screenshot shows that the relevant platform offers campaigns in various categories, such as recreation facilities, restaurants, beauty services and events. The website's own introduction is as follows: *"yakala.co, doubles your budget to explore your city, go where you want to go and buy what you want to buy. Because the deals on yakala.co are sold at half of the common price. In fact, you frequently get a discount of over 50%."*
- (205) The following screenshot shows the results under the category holiday resorts_alacati-çeşme:


Figure 30: Screenshot of the Results under the Resorts_Alacađı-Çeşme Category on the Yakala.Co Platform

bize ulaşın [Facebook ile Devam Et](#) Giriş yap Üye Ol

yakala.co Fırsat Ara... ara İstanbul

İSTANBUL TATİL ETKİNLİK ÜRÜN

Sevgililer Günü | Yurt Dışı Tur | Kayak-Termal Tatil | Tatil Oteleri | Yurt İçi Tur | İstanbul Oteleri | Şehir Oteleri | Kıbrıs




BOYALIK BEACH ÇEŞME

Çeşme'de 5'li Boyalık Beach Hotel'de Sevgililer Günü Paketleri!


407.00 TL

Kıbrıs'taki En Ucuz Tatil Fırsatları için **tıkla!**




yakala.co

Termal ve **Kayak** Tatilleri!



3 HAFTAYA KADAR




Şimal Otel

Alaçatı'da Şimal Butik Otel'de 2 Kişilik Konforlu Konaklama!

330.00 TL


100.00 TL



Çeşme Pınar Hotel'de Sevgililer Günü'ne Özel Gala ve Konaklama!

579.00 TL

3 HAFTAYA KADAR




La Capria Suite Hotel Alaçatı'da 2 Kişilik Huzurlu Bir Tatil!

900.00 TL

199.00 TL

3 HAFTAYA KADAR




SOMESTIRE OTEL

Çeşme Radisson Blu Çeşme'de Somestire Özel 2 Kişilik Yarım Pansiyon Tatil Paketi!

489.00 TL

425.00 TL

3 HAFTAYA KADAR



Alaçatı Butik Otelim'de Yarım Pansiyon Hafta Sonu Konaklama!

300.00 TL

245.00 TL


Figure 31: Screenshot of the Result under the Resorts_Alacati-Çeşme Category on the Yakala.Co Platform

Sevgililer Günü | Yurt Dışı Tur | Kapak-Termal Tatil | Tatil Otelleri | Yurt İçi Tur | İstanbul Otelleri | Şehir Otelleri | Kıbrıs

Ana Sayfa > İzmir > Çeşme Boyalık Beach'te Sevgililer Günü

Çeşme'de 5*lı Boyalık Beach Hotel'de Sevgililer Günü Paketleri!

Çeşme



Fırsatın Bitmesine: 10 sa 12 dk 30 sn

7 Kişi Faydalandı

14 ve 15 Şubat'ta; Lobby Barda Canlı Müzik Eşliğinde Akşam Yemeği + Bahçe Manzaralı Odalarda 2 Kişi 1 Gece Konaklama ve Kahvaltı
Satış Adedi: 2 **407.00 TL**

14 ve 15 Şubat'ta; Lobby Barda Canlı Müzik Eşliğinde Akşam Yemeği + Deniz Manzaralı Odalarda 2 Kişi 1 Gece Konaklama ve Kahvaltı
Satış Adedi: 5 **449.00 TL**

SATIN AL

Rezervasyon İçin
HEMEN 0850 266 80 80'İ ARAYIN

Bu Sevgililer Günü'nde, Boyalık Beach'te unutulmaz bir anı yaşayın.
Nefis bir yemek, canlı müzik, spa kullanımı ve çok daha fazlası!

Boyalık Beach Hotel Çeşme'de yakala.co'ya özel indirimlerle:

- 14 ve 15 Şubat'ta; Lobby Barda Canlı Müzik Eşliğinde Akşam Yemeği + Bahçe Manzaralı Odalarda 2 Kişi 1 Gece Konaklama ve Kahvaltı: 407 TL!
- 14 ve 15 Şubat'ta; Lobby Barda Canlı Müzik Eşliğinde Akşam Yemeği + Deniz Manzaralı Odalarda 2 Kişi 1 Gece Konaklama ve Kahvaltı: 449 TL!

Bilgi ve Rezervasyon İşlemleri İçin Hemen Ara: 0850 266 80 80 | rezervasyon@yakala.co

14-15 Şubat 2020 tarihlerinde geçerlidir.

[Fırsat Detayları](#) [Nasıl Kullanılır](#) [Mekan Bilgisi](#)

Boyalık Beach Hotel Çeşme
Bilgi ve Rezervasyon İşlemleri İçin Hemen Ara: 0850 266 80 80 | rezervasyon@yakala.co
Adres: Boyalık Mevkii 3200 Sk. No: 1
Çeşme - İzmir

(206) The above result for “Boyalık Beach Hotel” provides address information, contact number, photos and features of the business, but does not include valuable information for the user, such as comments or maps. Moreover, the businesses listed in the results are only available on the platform when they organize a promotion and only for the duration of that promotion, which further removes these platforms from the concept of local search.

(207) The opinion submitted by (.....) notes that they do not offer local search services.

(208) Lastly, platforms that adopt this business model are evaluated to serve a different use-case and would not exert sufficient competitive pressure on the undertakings in the local search services market defined above.

I.3.3.2.6. Substitution Relationship between Social Media and Local Search Services

(209) The dynamic nature of web-based services makes it easier for some businesses focusing on a certain field to transition to neighboring fields. Accordingly, a query on web-based services show that information on businesses are also provided on the Facebook and Instagram platforms. For that reason, the following paragraphs examine to what extent the service provided by these platforms would serve as a substitute for local search services.

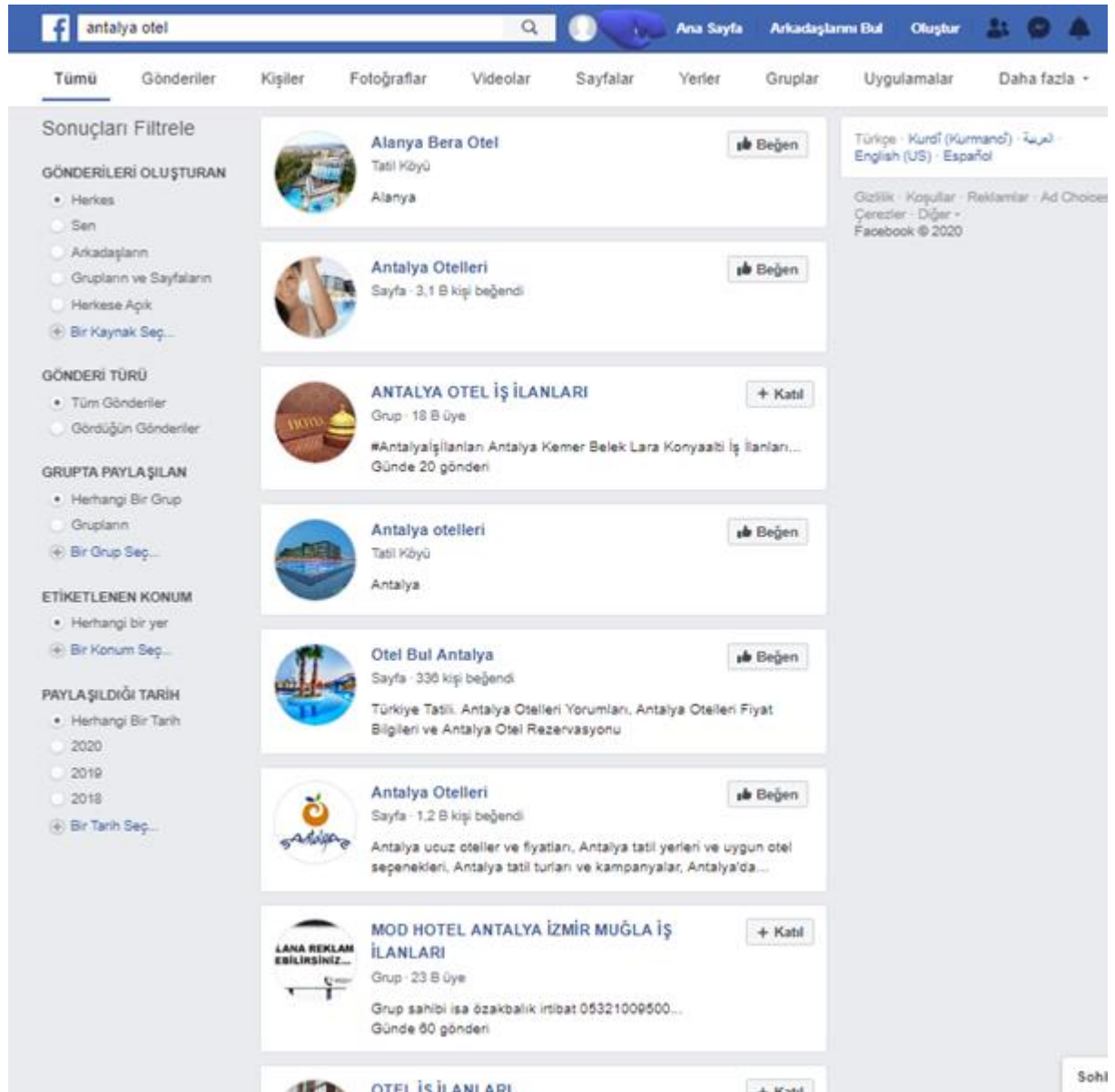
Facebook

(210) The information submitted reveals that Facebook products that overlap with local search services are as follows: Facebook Search, Facebook Places and Facebook Local

(211) Facebook Search⁴⁹ allows conducting searches on a wide variety of content, including people, posts, photos, places and events. In other words, the content is not limited to local businesses and professionals. Below is a screenshot of a search conducted on the platform.

⁴⁹ <https://www.facebook.com/search>

Figure 32: Screenshot of the Local Query Submitted on the Facebook Search Platform



(212) In addition to a local business called “Antalya Bera Hotel,” the results include content that would not help with the query, such as hotel job advertisements. Clicking on the Antalya Bera Hotel option on the results page in question opens the following:

Figure 33: Screenshot for the Antalya Bera Hotel Result on the Facebook Search Platform

Alanya Bera Otel
@BeraAlanyaOtel

Ana Sayfa
Hakkında
Fotoğraflar
Değerlendirmeler
Videolar
Gönderiler
Topluluk
Sayfa Oluştur

Fotoğraflar

4.3 4.3 / 5 - 2.828 kişinin görüşlerine göre

Alanya Bera Otel'e Sor

"Yeriniz nerede?" Sor
"Ne tür olanaklar sunuyorsunuz?" Sor
"Seçtiğim tarihler için müsaitlik durumu kontrol edebilir miyim?" Sor
Bir soru yaz...

Topluluk Tümünü Gör

884.407 kişi bunu beğendi
883.778 kişi takip ediyor
80.015 yer bildirmi

Hakkında Tümünü Gör

Konaklı Mah. Kuyumcu Cad. Kulak Mevki
No: 12 Alanya/Antalya (372.15 km)
07400 Alanya
Yol Tarifi Al
(0242) 510 05 00
Genellikle birkaç saat içinde yanıt veriyor
Mesaj Gönder
alanya.bera.com.tr
Tatil Köyü
Fiyat Aralığı: \$555
Çalışma Saatleri: **Sürekli Açık**
Popüler saatler

Tavsiyeler ve Değerlendirmeler

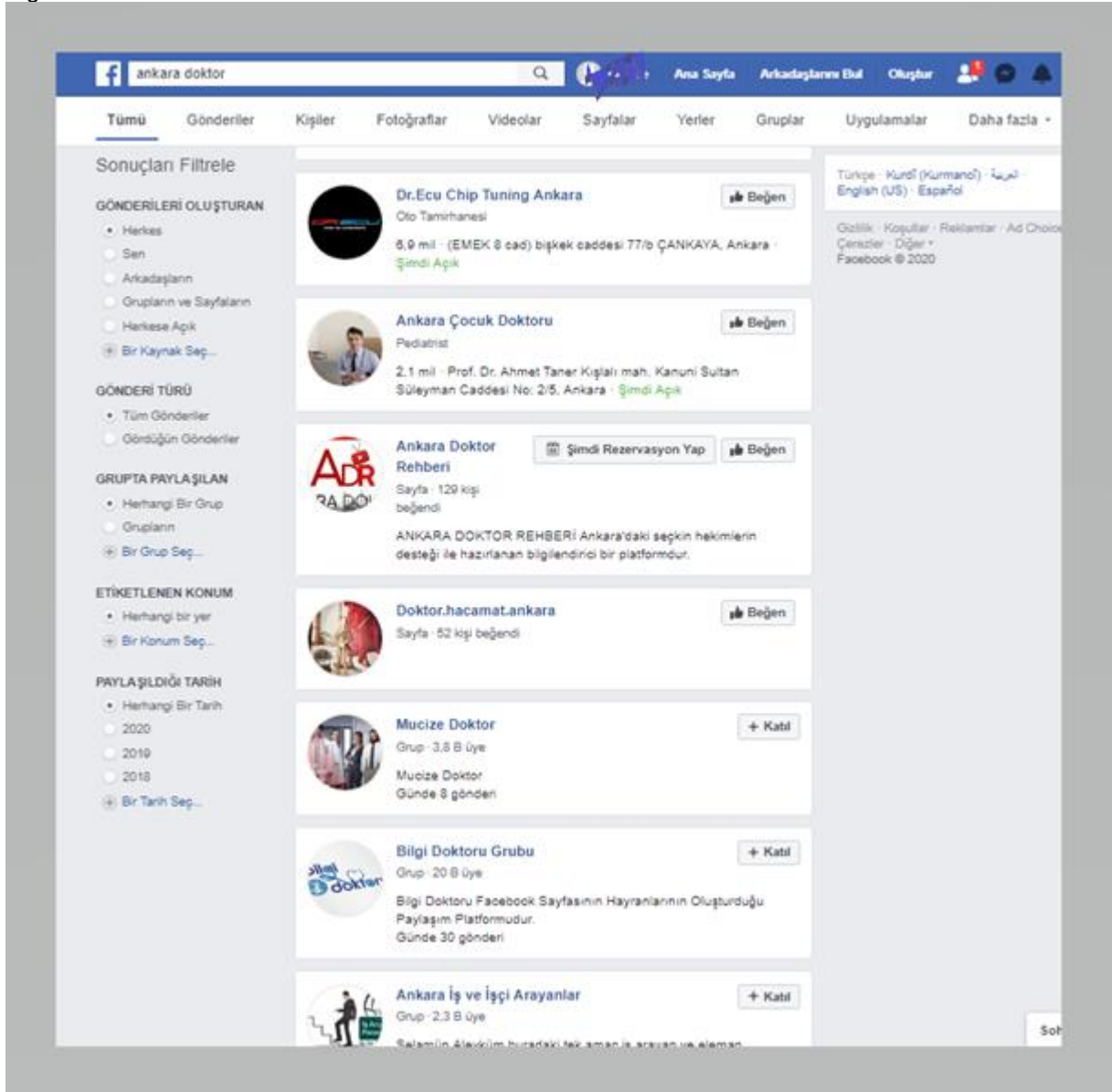
çok güzel güler yüzlü personel ile muhteşem bir yer
14 Ekim 2019

Yardımsaver otel görevlisi · Geniş odalar · Sessiz odalar
çok güzel ve aile için çok uygun çocuklar için de muazzam at
mosfer ayrıca yemekler muhteşem seneye y... Devamını Gör
17 Ekim 2019

Şuan otelinizdeyim ve gerçekten herşey süper yemekler... havuzları... v
e en önemlisi çok güzel ilgi... Devamını Gör
29 Temmuz 2019

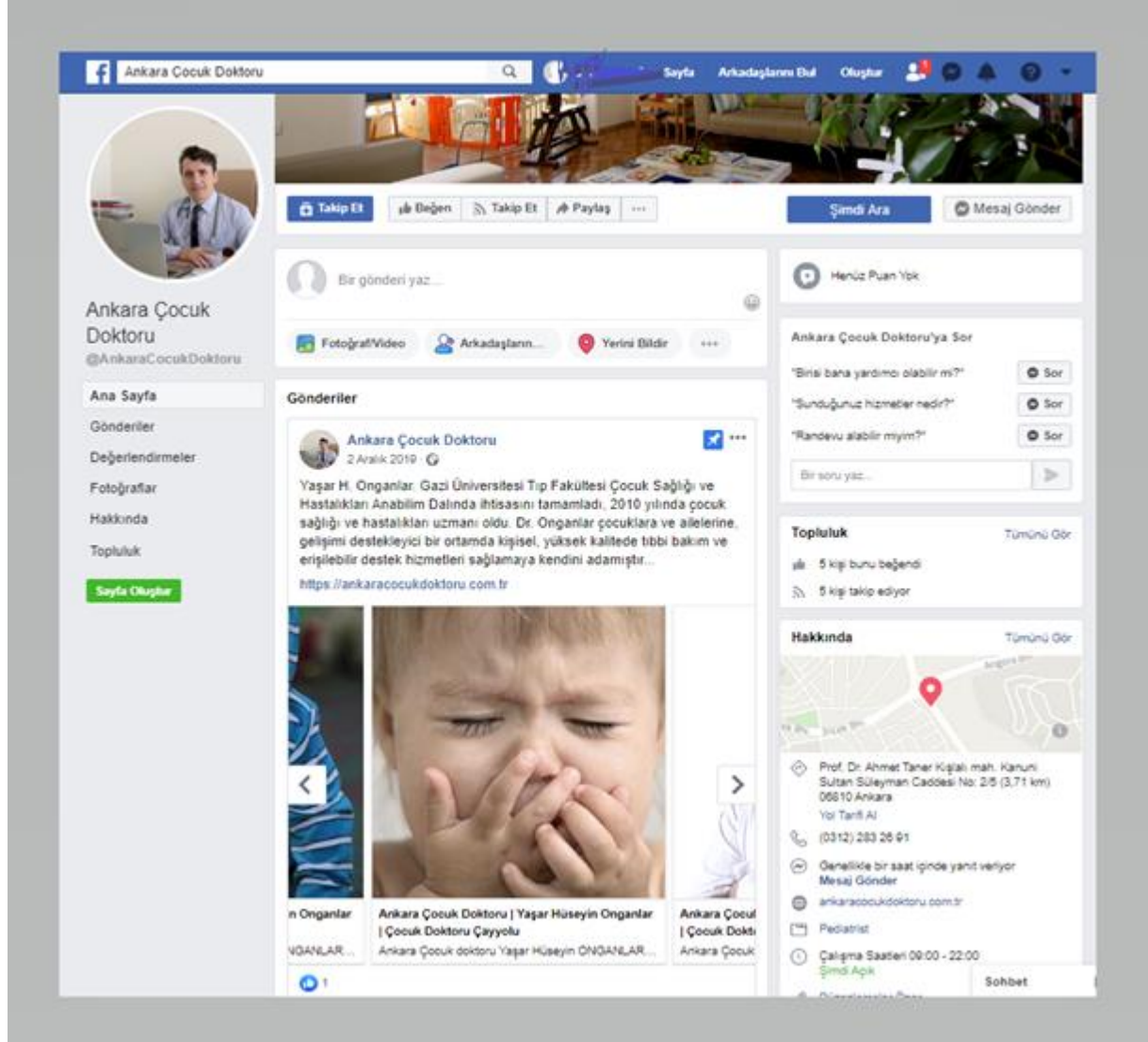
- (213) As shown, this results shares information such as the hotel's address, a map, reviews/ratings by Facebook users and photos.
- (214) Conducting a search for "ankara doctor" on the same search engine shows the car repair shop "Dr.Ecu Chip Tuning Ankara," a TV show called "miracle doctor," and a group called "Ankara Jobs and Jobseekers" in addition to the results for doctors:

Figure 34: Screenshot of the Results for a Local Search Conducted on the Facebook Search Platform



(215) Clicking on "Ankara Çocuk Doktoru" (Ankara Pediatricist) option on the results page above opens the following:

Figure 35: Screenshot of the Ankara Pediatricist Result on the Facebook Search Platform



- (216) The relevant page offers address and map information, as well as the option to leave reviews or ask questions to the doctor.
- (217) The Facebook Search page has filtering options for posts, people, photos and places. Submitting the same query (Antalya hotel) under the Places filter⁵⁰ leads to the page shown in the example, which includes hotel results such as Adenya Resort Hotel and Dedeman Antalya Hotel, in addition to irrelevant results such as Antalya Pet Hotel, Antalya Industrial Kitchen Equipment restaurant cafe hotel trading, Sultan Mobilya Antalya Hotel Furniture, etc.:

⁵⁰ <https://www.facebook.com/search/places>

Figure 36: Screenshot of the Local Search Performed on the Facebook Search Platform with the Places Filter (1)

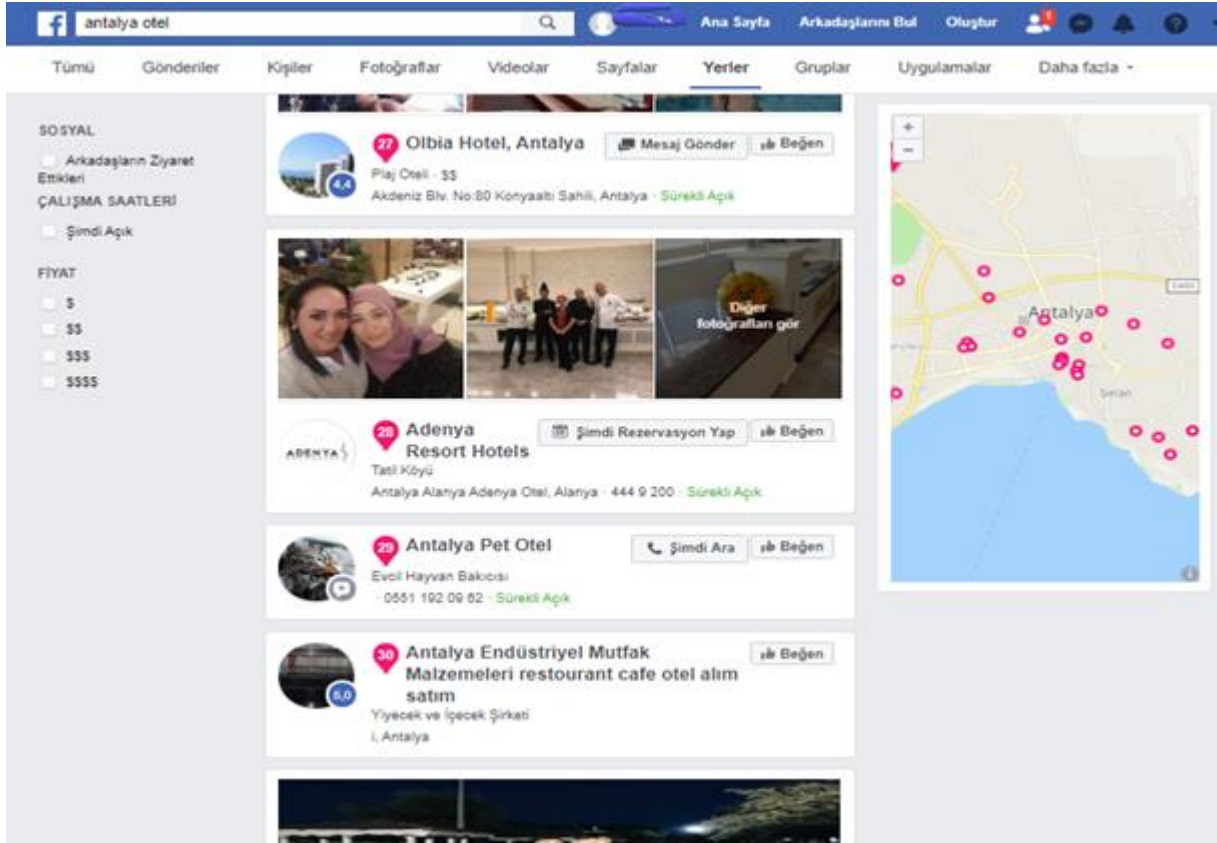
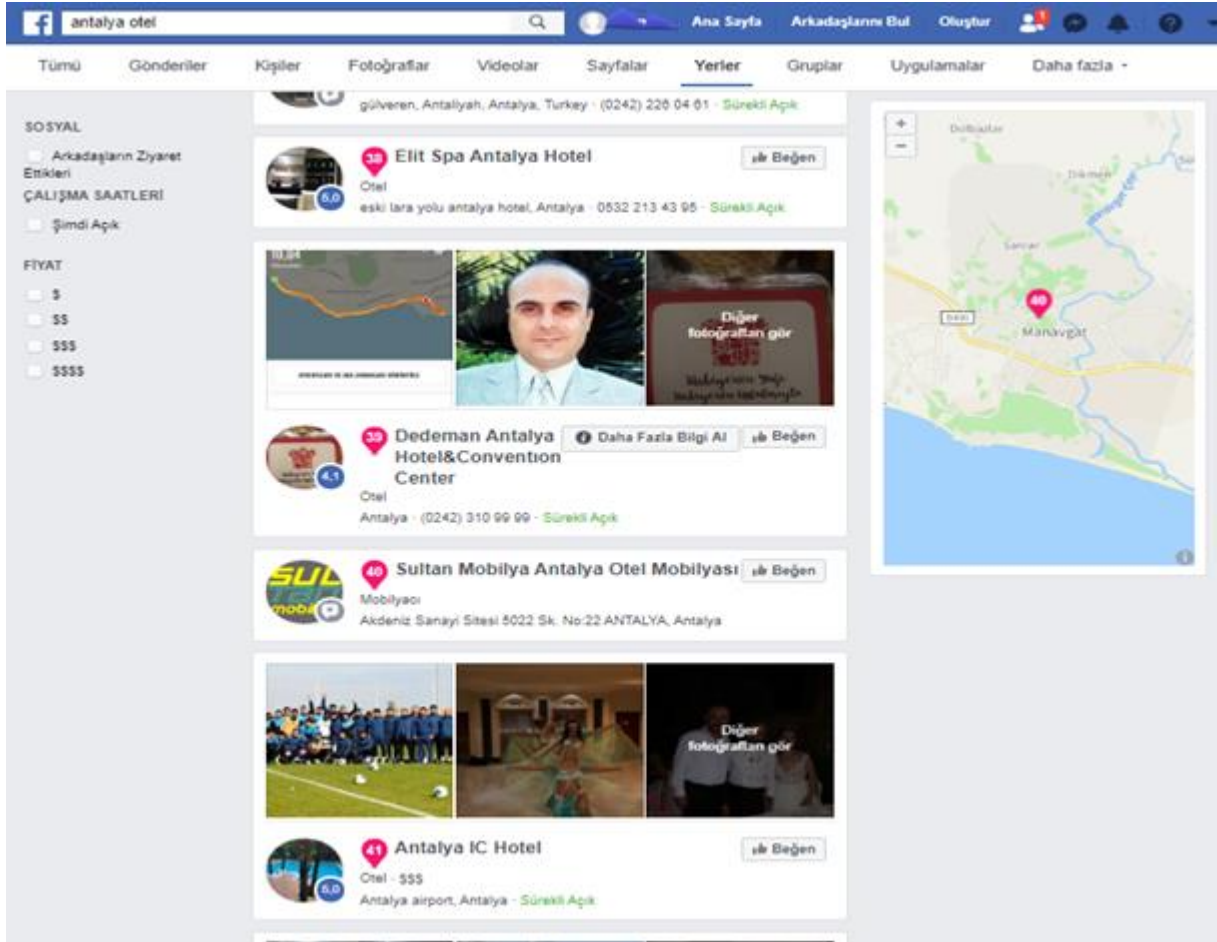
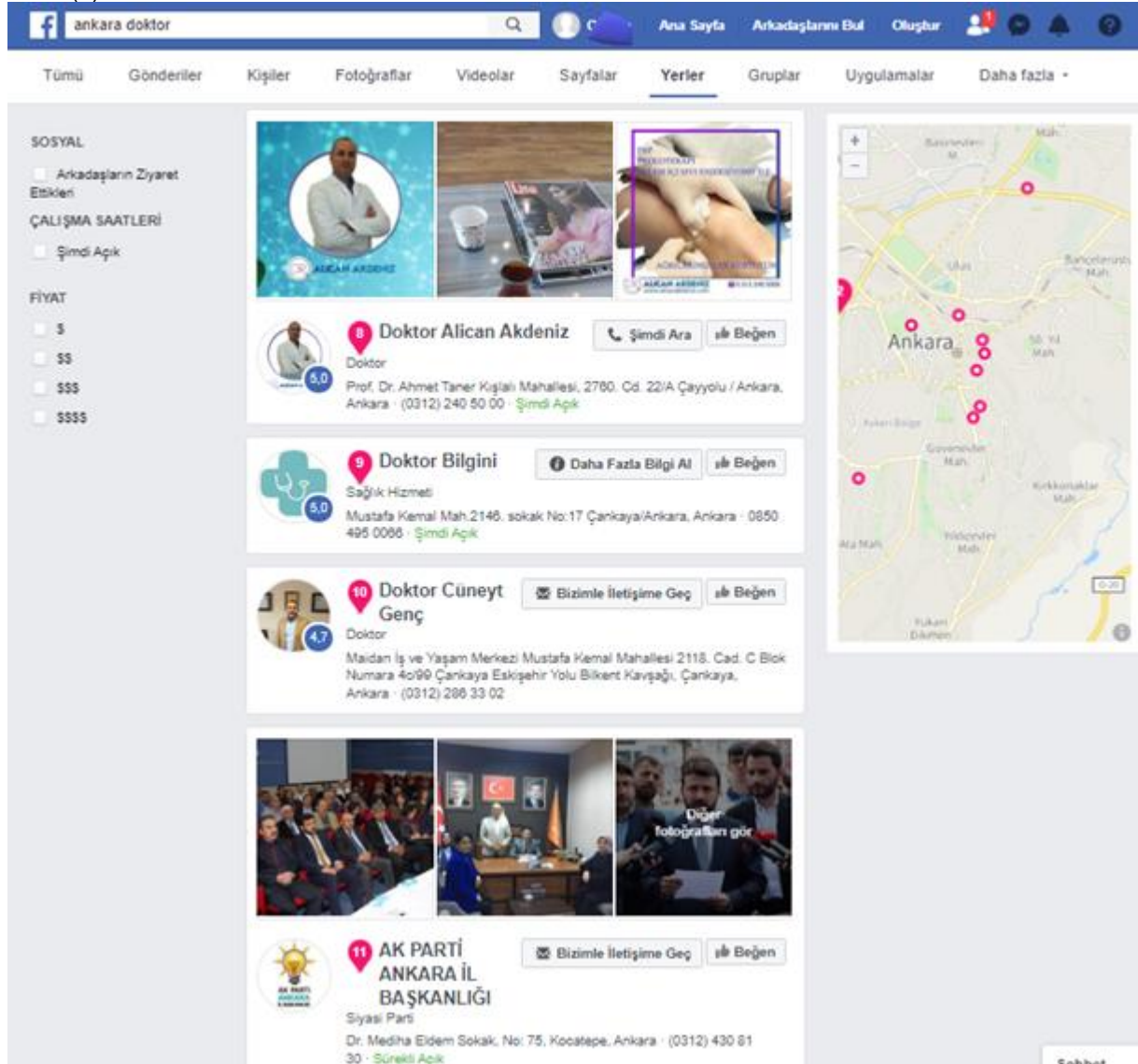


Figure 37: Screenshot of the Local Search Performed on the Facebook Search Platform with the Places Filter (2)



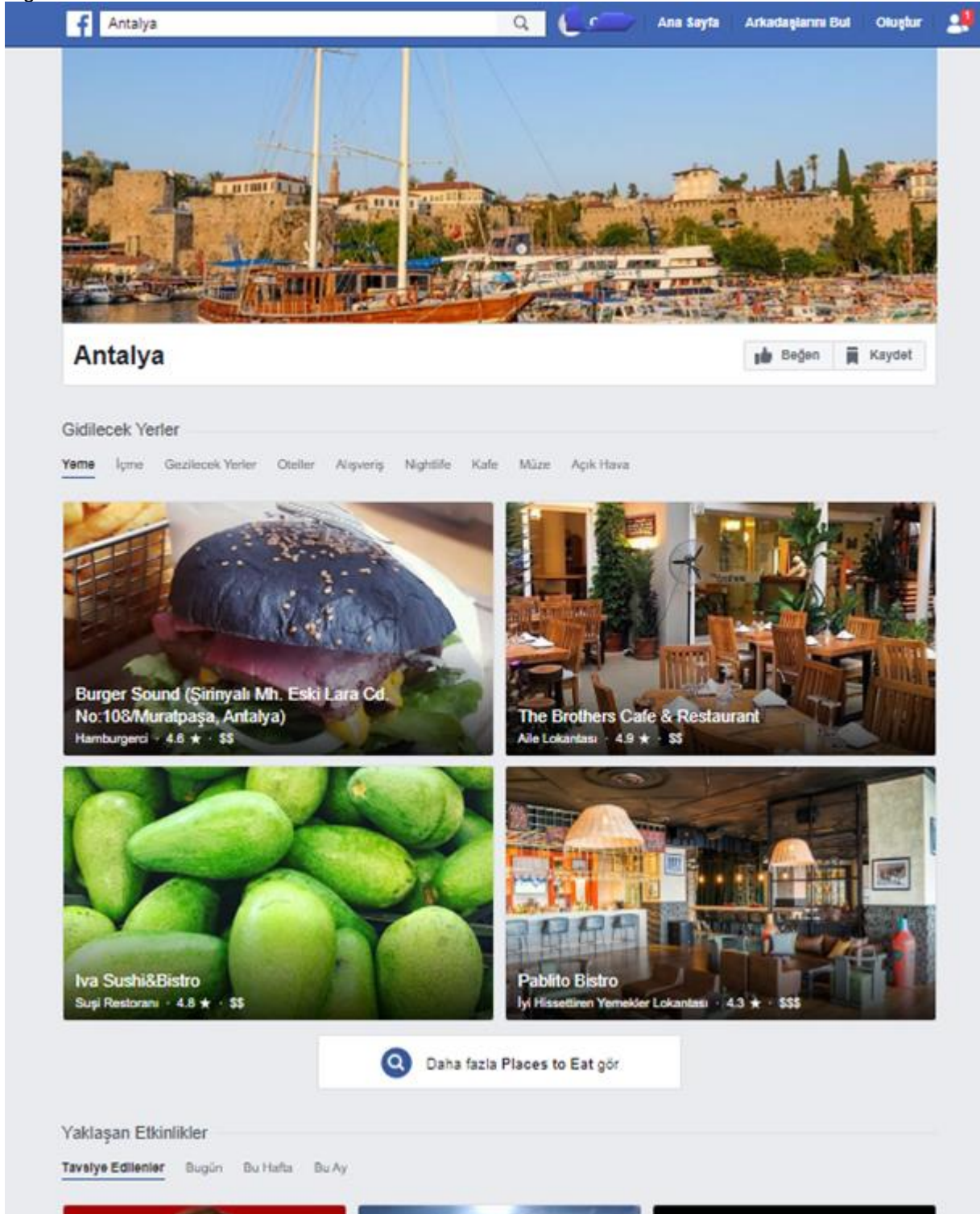
(218) Searching for “ankara doctor” through the Places filter shows the content in the following screenshot under the results above:

Figure 38: Screenshot of the Local Search Performed on the Facebook Search Platform with the Places Filter (3)



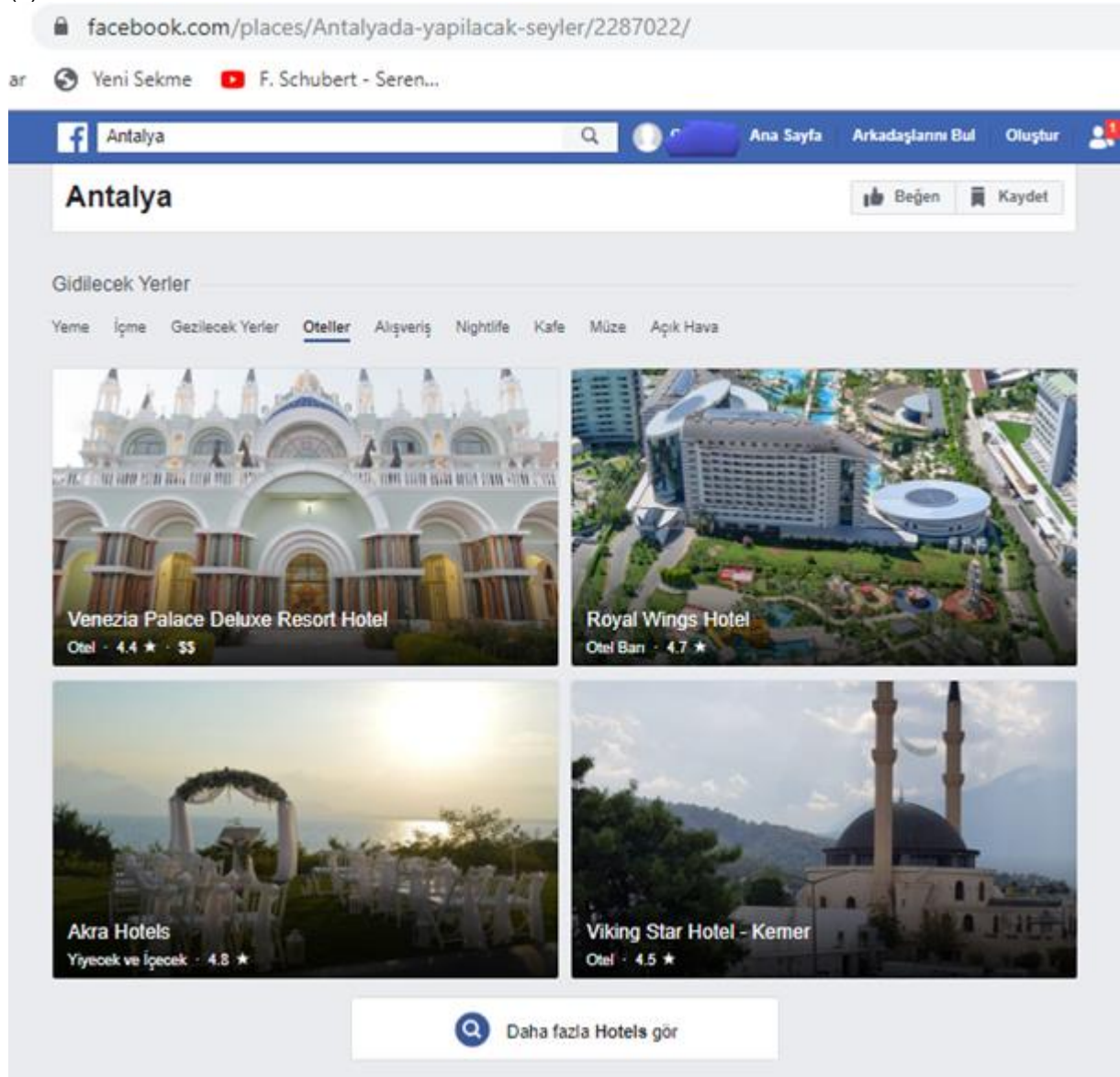
- (219) In light of the information above concerning Facebook Search, the search feature of the application leads to results with low relevancy since it is limited to businesses, and thus it could not meet the need underlying the query.
- (220) Facebook Places, on the other hand, offers a more specialized search function. However, this search field can only be accessed through the URL address Facebook.com/places. In other words, this search function is unavailable through the Facebook.com webpage or the Facebook mobile application. Searching for the word “Antalya” in the relevant field leads to the following result:

Figure 39: Screenshot of the Local Search Performed on the Facebook Local Platform



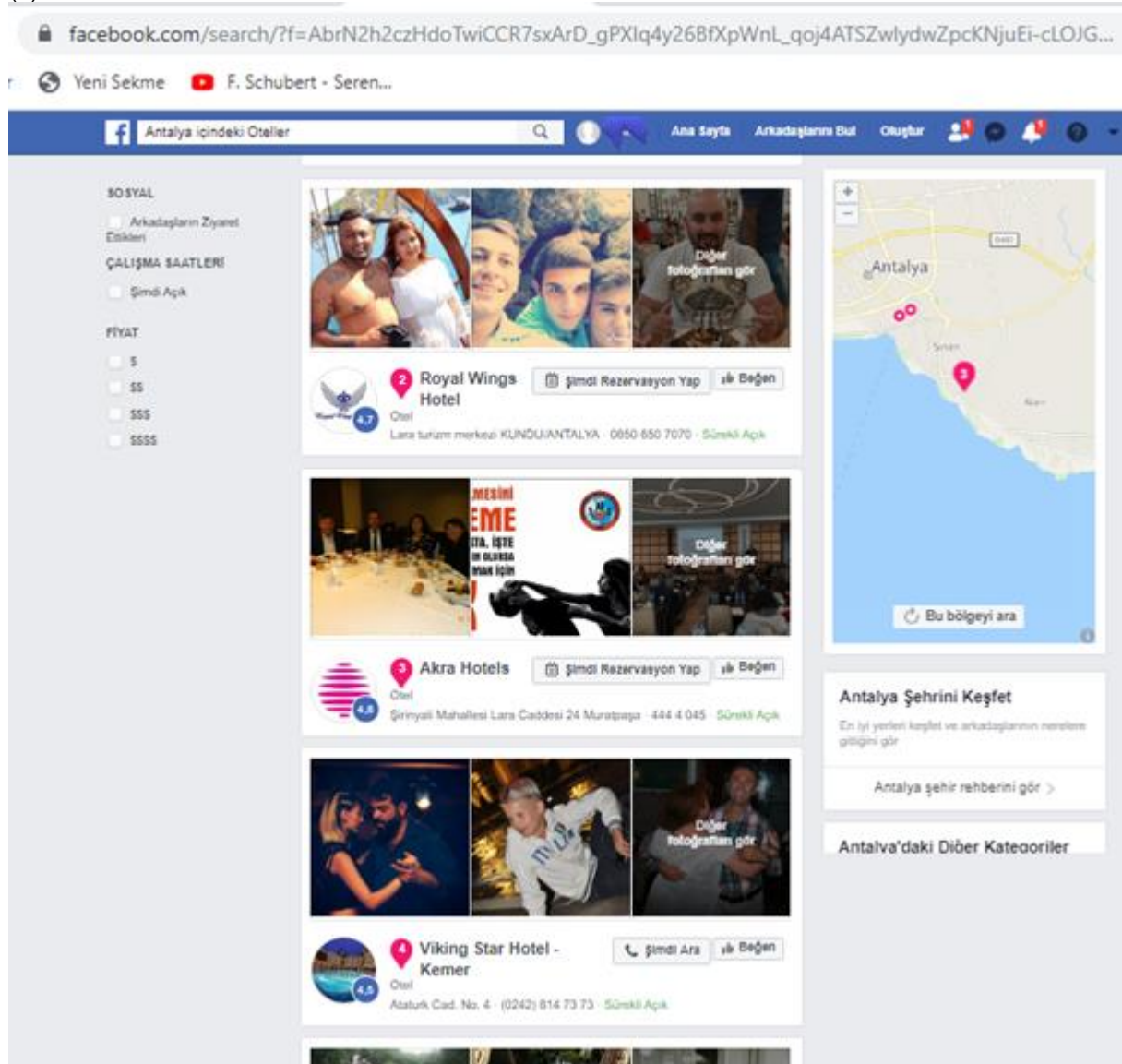
(221) As seen here, the title “Places To Go” includes destinations such as eating, drinking, hotels, shopping, museums and outdoor. Clicking on the hotels tab shows the following results:

Figure 40: Screenshot of the Results Offered under the Hotels Tab on the Facebook Places Platform (1)



(222) Clicking on the “See More Hotels” link afterwards redirects the user to the Facebook Search page and displays the following screen. These results are more relevant than those displayed for the Antalya hotel query done on the Facebook Search page above.

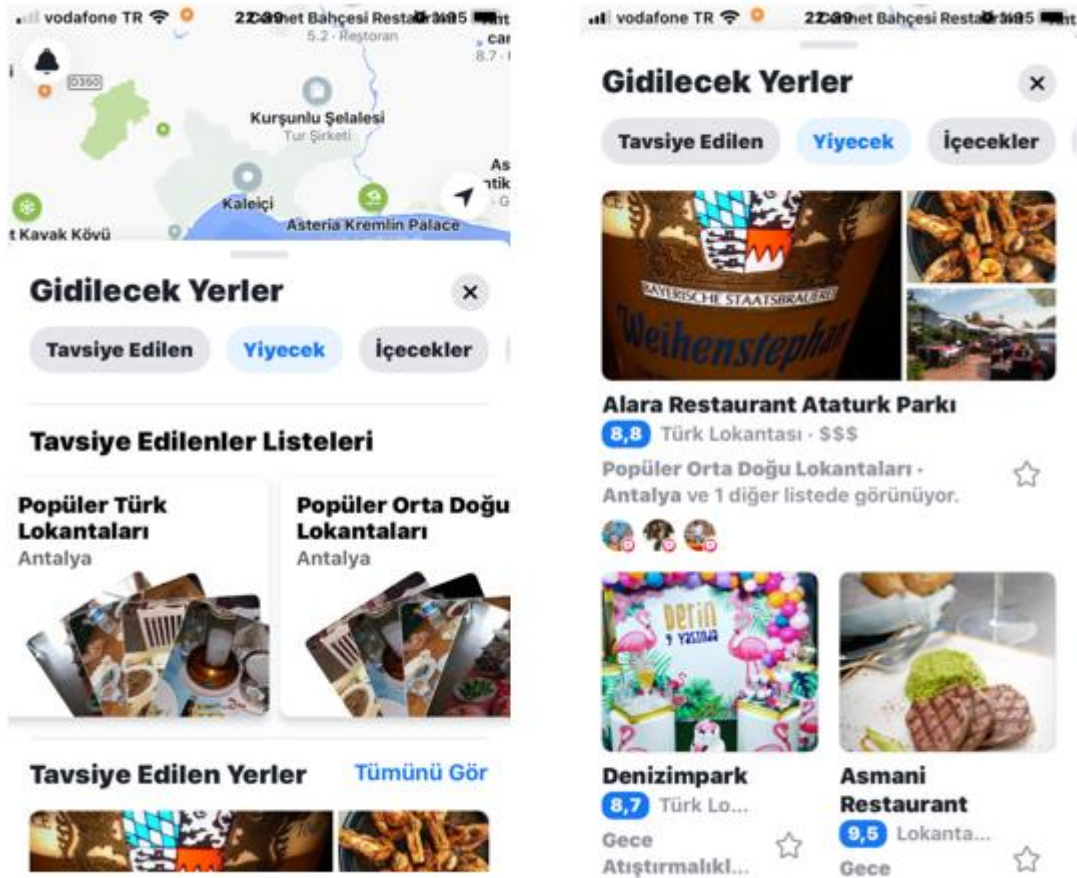
Figure 41: Screenshot of the Results Offered under the Hotels Tab on the Facebook Places Platform (2)



- (223) However, submitting the Antalya hotels query to the search engine without clicking on the hotels tab on Facebook Places redirects to the Facebook Search Page once more, and displays the results including the irrelevant ones above (see Figure 32).
- (224) This information about Facebook Places shows that the results displayed by this service is more relevant to the goal of the query than Facebook Search, with the platform classifying the results into the categories of eating, drinking, hotels, shopping, museums, nightlife and outdoor, thus allowing the user to access relevant results only after clicking on the appropriate link. This makes it clear that the service is intended to serve as an exploration guide/travel planner rather than a tool for local search. In addition, the user is redirected to another platform when he wants to access more information on the target business, which makes it harder for the user to access the information.
- (225) Another Facebook application relevant to the subject, Facebook Local, is only available on mobile devices. According to the information submitted, this platform allows users to see the last activities, events and places their contacts last interacted with, and also lets them find events and activities nearby or in another city on an interactive map and

filter them according to time, category, location and other criteria. The first screen has the map, together with the heading “Find Things To Do,” which is further categorized under the groups of *recommended places, this week, art, common goals, movies, fitness, eating, networking, and children*. The recommended tab has a variety of filtering options such as eating, drinking, night life, art, sightseeing, outdoors, shopping and children. Clicking on the eating tab on this screen displays the following results:

Figure 42: Screenshot of the Results Displayed under the Recommended Places Tab on the Facebook Local Platform



(226) Clicking on the first result displays the following screenshot:

Figure 43: Screenshots for the Alara Restaurant Atatürk Park Result on the Facebook Local Platform



Alara Restaurant Ataturk Parkı

8,8 Lokanta · \$\$\$
Şimdi Açık · 11:00 - 00:00

Takip Et

2,6B kişi bu Sayfayı beğendi

Bahçelievler Mah. Konyaaltı Cad.
Ataturk Parkı 2/R, Muratpaşa, 07050



Alara Restaurant Ataturk Parkı

8,8 Lokanta · \$\$\$
Şimdi Açık · 11:00 - 00:00

Takip Et

2,6B kişi bu Sayfayı beğendi

Bahçelievler Mah. Konyaaltı Cad.
Ataturk Parkı 2/R, Muratpaşa, 07050
Antalya

Şimdi Açık · 11:00 - 00:00

(0242) 247 01 01

<http://www.alararestaurant.com/>

Popüler Orta Doğu Lokantaları ·
Antalya ve Popüler Türk Lokantaları
· Antalya'da görünüyor

Düzenlemeler Öner

Tavsiyeler ve Değerlendirmeler

Tümünü
Gör

756 kişi tavsiye etti



Alara Restaurant Atatu...

<http://www.alararestaurant.com/>

Popüler Orta Doğu Lokantaları ·
Antalya ve Popüler Türk Lokantaları
· Antalya'da görünüyor

Düzenlemeler Öner

Tavsiyeler ve Değerlendirmeler

Tümünü
Gör

756 kişi tavsiye etti

Fatih Sefer
Servis çok kötü
Şeker 4. Söylediğimiz kişi tarafından 40
dk sonra ge...
2 yıl önce

Nihat Yuva
Özel bir gün için yaptığım
rezervasyonda, özel masa hazırlama
ücreti alınmasına rağmen masanın üz...
3 yıl önce

Diğer Detaylar



Alara Restaurant Ataturk Parkı

\$\$\$ · Türk Lokanta...

Şimdi Açık · 11:00 - 00:00

Beğen

Mesaj

Ana Sayfa Fotoğraflar Videolar Gönderiler

Hakkında

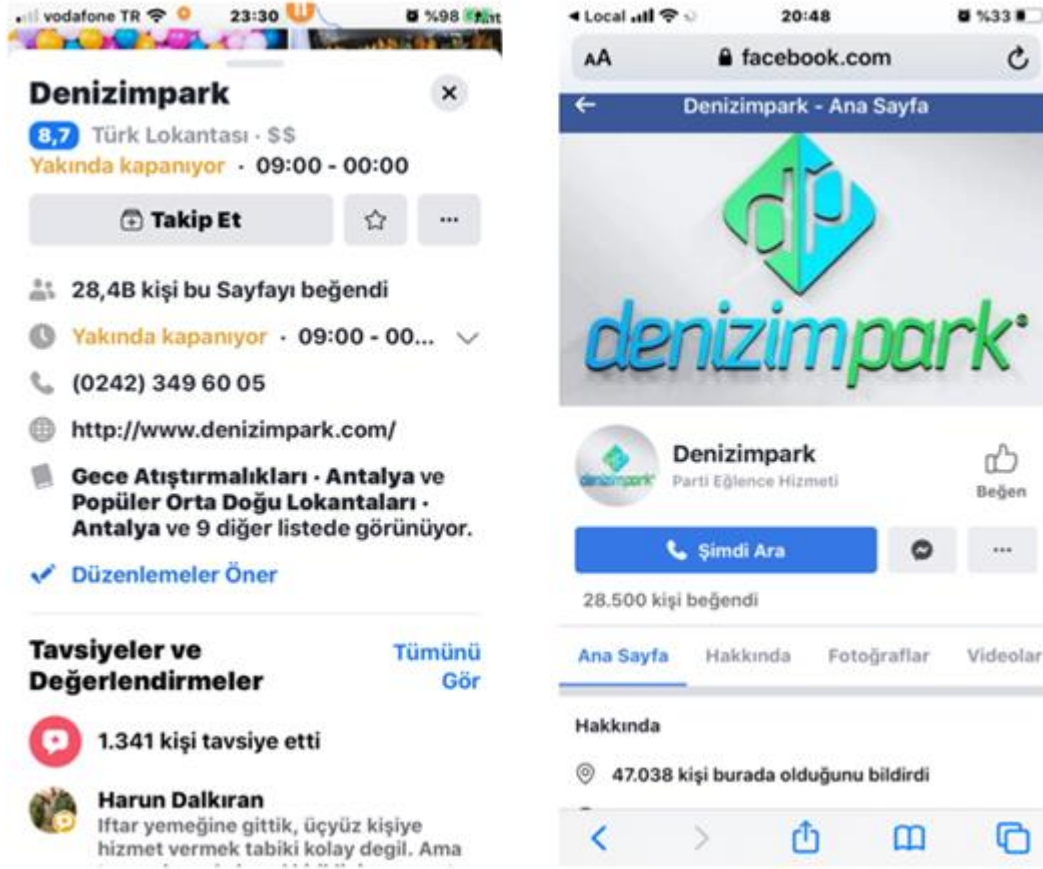


Bahçelievler Mah. Konyaaltı Cad.
Ataturk Parkı 2/R, Muratpaşa,
07050 Antalya

Yol Tarifi Al

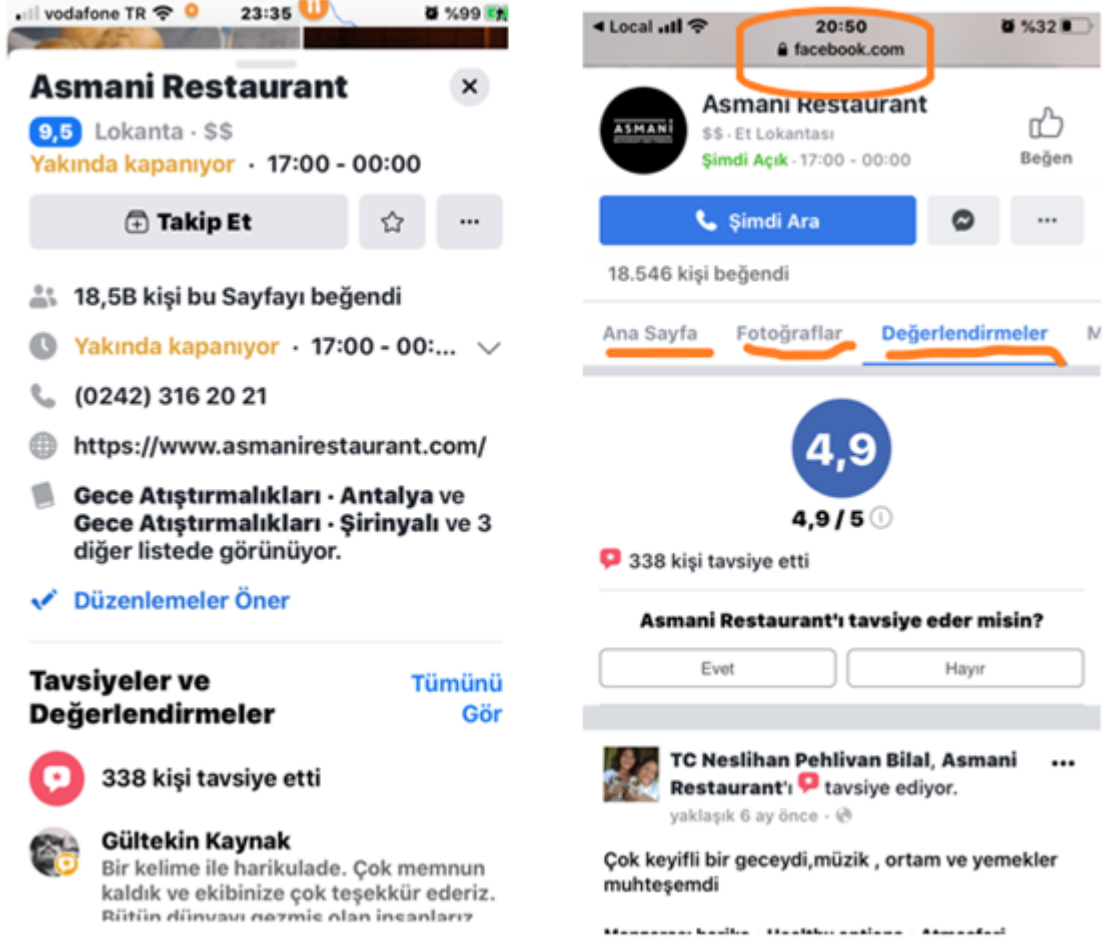
(227) As seen here, this screen shares useful content on the restaurant, such as address information, maps, photos, comments/ratings, etc. Clicking on the see all reviews or other details option takes the user to Facebook.com page (Figure 43). However, the redirected page does not have a reviews section (Figure 43). This is also the case for the following result:

Figure 44: Screenshots for the Denizimpark Result on the Facebook Local and Facebook.com Platforms



(228) Unlike the examples above, reviews of the following result can be seen on the redirected page. Information provided on that page are grouped under the sections main page, photos, reviews, etc.

Figure 45: Screenshots for the Asmani Restaurant Result on the Facebook Local and Facebook.com Platforms



(229) On the other hand, entering the query “restuarant” outside of the eating category lists results relevant to the search, but the page is displayed differently and the content is not categorized as before.

Figure 46: Screenshot of the Local Search Performed on the Facebook Local Search Engine

Restoran, Antalya'da

Robert's Coffe Restaurant & Bistro
9,8 Kahve Dükkanı

Ekici Restoran
7,7 Akdeniz Lokantası

Hakkında

Robert's Coffe Restaurant & Bistro
3.233 kişi burada olduğunu bildirdi
Kahve Dükkanı · Kahvaltı ve Brunch Lokantası
Şimdi Açık · 08:00 - 01:00

Sayfa Şeffaflığı
Facebook, bir Sayfanın amacını daha iyi anlamana yardımcı olmak için bilgiler gösteriyor. İçerikleri yöneten ve paylaşan kişilerin gerçekleştirdiği işlemleri gör.

Tavsiyeler ve Değerlendirmeler

138 kişi tavsiye etti

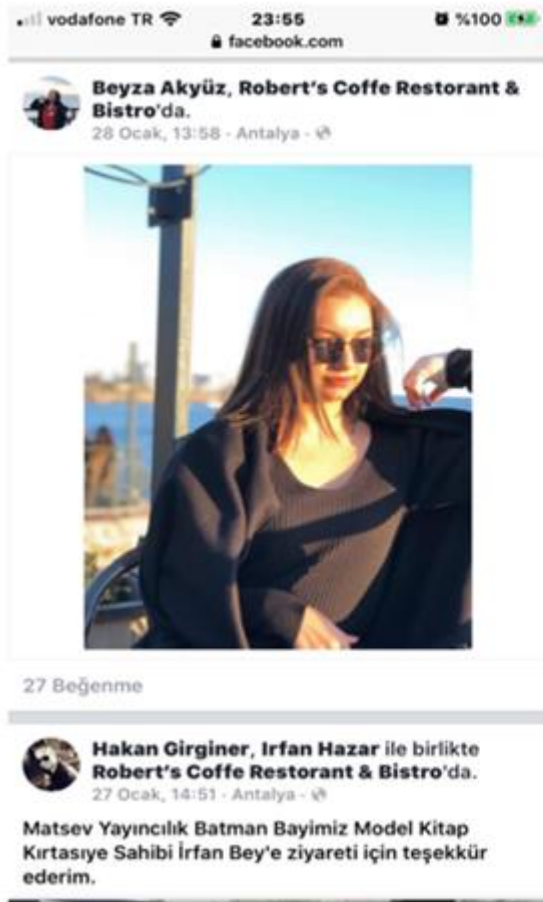
Robert's Coffe Restaurant & Bistro'yu tavsiye eder misin?

Evet Hayır

Lezzetli yemekleri ve harika manzarasıyla favori mekanımız oldu.Guler yuzlu çalışanları tavsiye ederim 😊
yaklaşık 2 ay önce

Very nice place!
Sea view, good music!
yaklaşık 6 ay önce

Kesinlikle hem yemekleri, hem çalışanları, hemde manzarası antalyanın en iyilerinden bir mekan başarılarının devamını dilerim 🙌
yaklaşık 6 ay önce



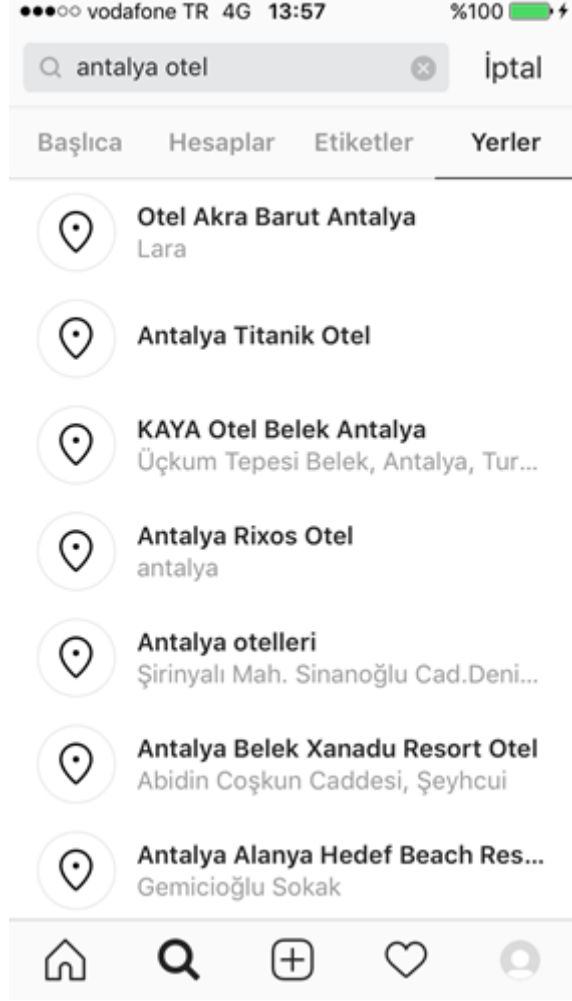
(230) There is a similar outcome for the remaining categories, other than eating/restaurants.

(231) In light of the above information on Facebook Local, this platform seems to have an efficiency-focused presentation, targeting users who are looking to have a good time and to socialize. Moreover, redirecting the users to the Facebook.com page when they want to read more comments makes it harder for the users to access the information.

Instagram

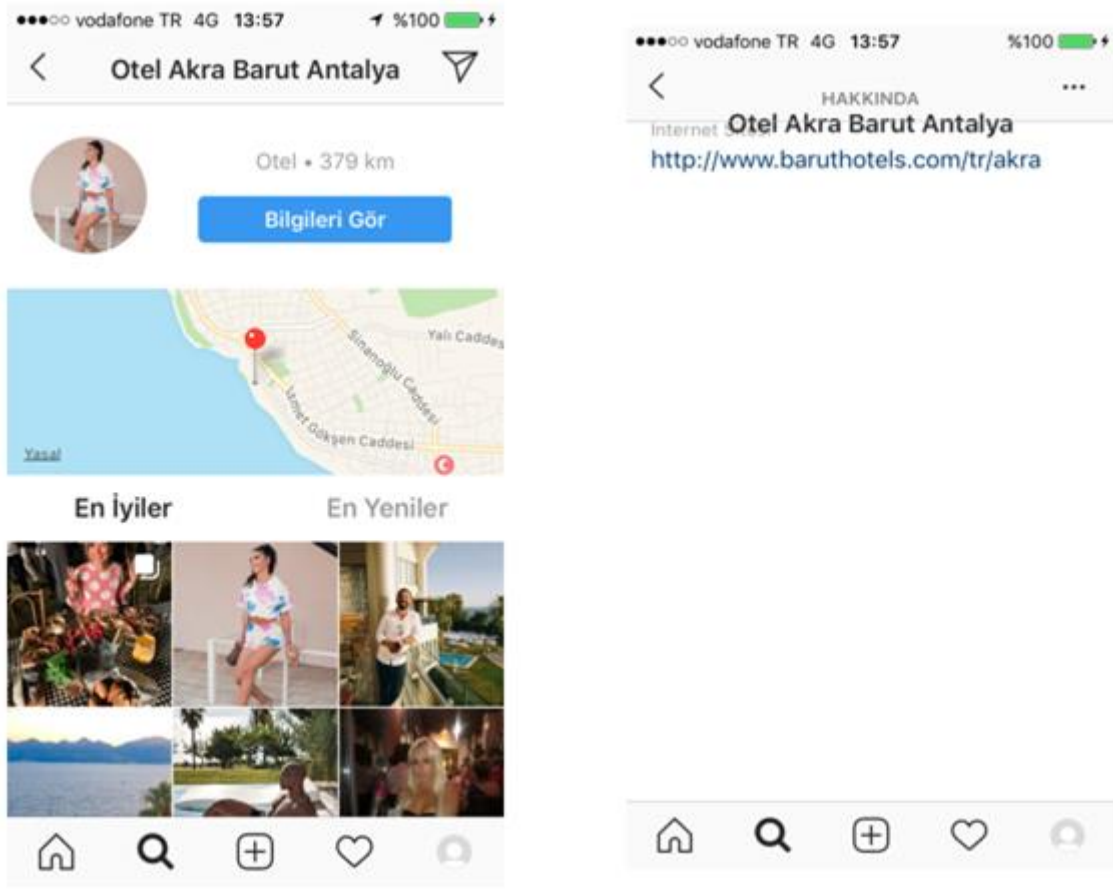
(232) Looking at Instagram, the search feature of this platform allows filtering according to the categories of *top*, *accounts*, *tags* and *places*. Submitting the search “Antalya hotel” under the “places” category lists the following results:

Figure 47: Screenshot of the Search Performed under the Places Category on Instagram (1)



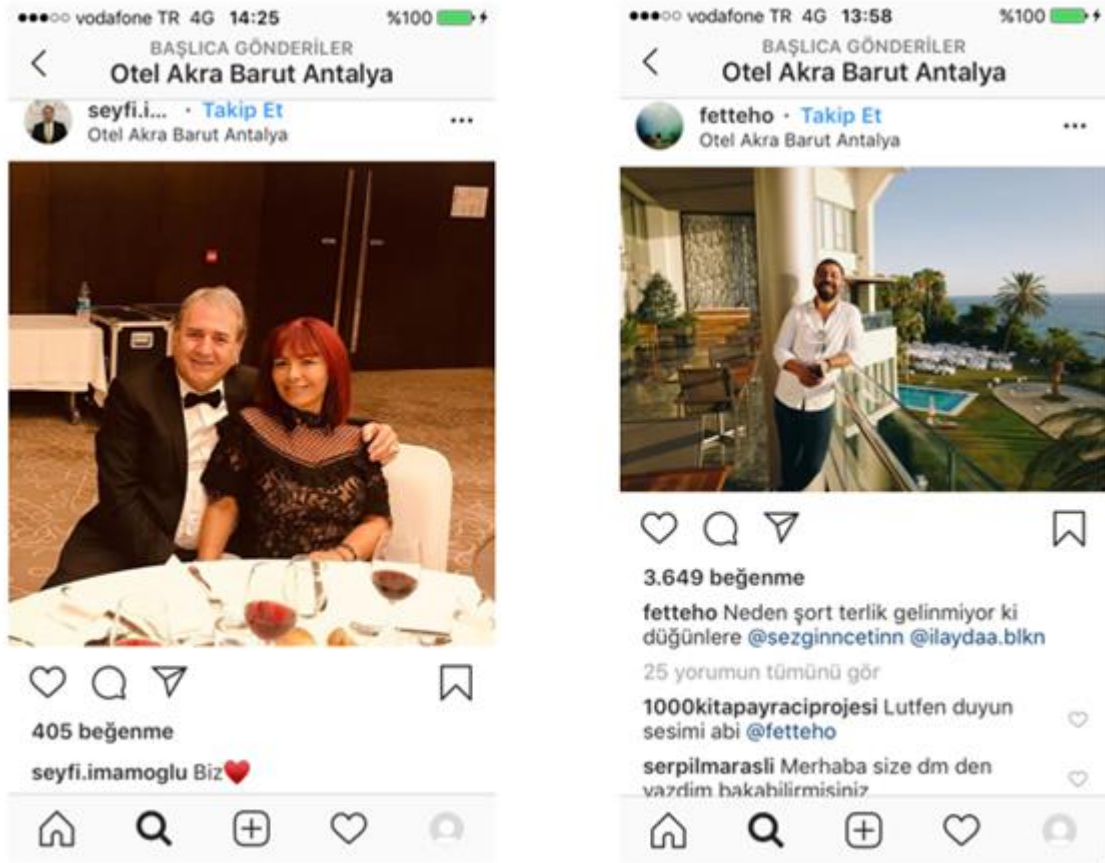
(233) Selecting the first of these results displays the following screen:

Figure 48: Screenshot of the Search Performed under the Places Category on Instagram (2)



(234) The page to the left of the screenshot is presented for View Information tab. As can be seen here, this platform does not offer any posts to identify the relevant business. Generally, the content shared by the users is displayed, as will be mentioned below.

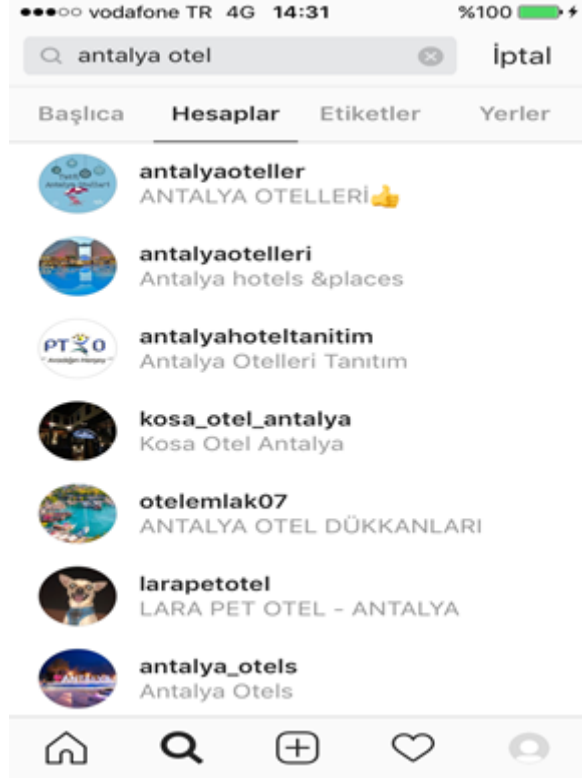
Figure 49: Screenshot of the Search Performed under the Places Category on Instagram (3)



(235) Submitting the same query under the accounts filter displays irrelevant content, such as laraoetotel, otelemlak 07, etc.:

21-20/248-105

Figure 50: Screenshot of the Search Performed under the Accounts Category on Instagram (1)



(236) Clicking on the “kosa-otel-antalya” account among these results displays the following:

Figure 51: Screenshot of the Search Performed under the Places Category on the Instagram Search Engine (2)



(237) According to the screenshots above, there is limited content on offer.

(238) Based on this information, it is necessary to evaluate whether Facebook and Instagram should be considered under the scope of the aforementioned local search service. To that end, undertakings were asked “Do you think services provided over platforms such as Facebook, Facebook Places and Instagram are in competition with any of your local search services?” Some of the answers on this subject are included below:

(.....): “Currently, Facebook and Instagram are not preferred in our category to find services...”

(.....): “...just like all search engines, all social media platforms are competitors for listing services.”

(.....): “Facebook Places overlaps with (.....). Both channels include reviews and ratings on hotels.”

(.....): “(.....) considers Facebook and Instagram sources of traffic rather than competitors. Both are leading social media platforms and Facebook, in particular, is an important source of traffic.”

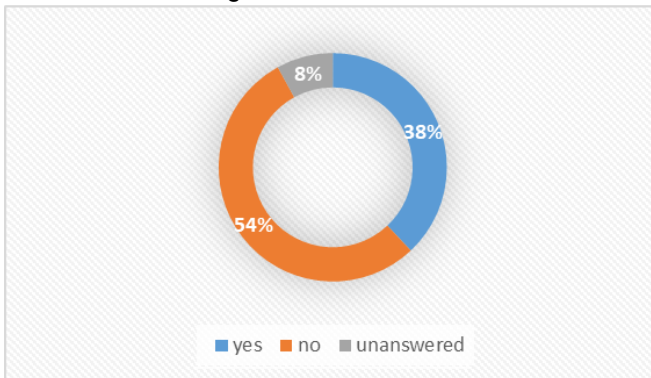
(.....): “Since such websites cannot provide live prices and availability, we do not think that they are in competition with the services we offer.”

(.....): “Both allows searching for restaurants. Moreover, Facebook and Instagram offers booking infrastructure as well”.

(.....): “There is limited demand-side substitutability as well as limited supply-side substitutability. User-generated local search services require expertise on community management, software design and comment collection, which Instagram and Facebook lack..”

(239) The entirety of the responses to the question concerned are shown in the chart below.

Chart 11: Undertakings’ Opinions on Whether They Are Competing with the Services Provided on Facebook and Instagram



(240) The chart above shows that a majority (54%) of the websites that responded to the relevant question did not consider social media platforms as substitutes.

(241) According to Facebook Inc., on the other hand, search results only surface content on Facebook and Instagram, and are not designed to browse the web or otherwise provide a full overview of the working hours of local businesses/professionals, prices, etc. since Facebook Inc. does not provide local search services. Facebook Inc. has repeatedly made the following explanation on how its services does not constitute local search services:

“... as explained in the responses, the search functions of the Facebook Service (including facebook.com/places) and Instagram are not designed to display wider search results on the internet for local businesses/professionals (neither do they include any extensive information users may be able to collect on the relevant businesses/professionals from the web via other methods). The search functions concerned are tools designed to help people search and find content currently on the Facebook Service or on Instagram and allows users to contact meaningful local

content, including local businesses, services and events, share them and communicate about them.

The search functions on the Facebook Service and on Instagram are not standalone products, and they reflect the content users share on the Facebook Service and on Instagram, respectively. These search functions are not designed to browse the web or to present a complete overview of the working hours, prices, etc. of local businesses/professionals. In that context, Facebook believes its search functions operate very differently than the services offered by Google. Due to the reasons above, Facebook is of the opinion that it does not provide local search services.”

- (242) On the other hand, Facebook Inc. does note that all digital platforms fundamentally operate with an aim to attract the attention of users and that there is competition between the platforms in that sense. However, Facebook Inc. states that Facebook’s and Instagram’s services detailed above, including their sub-domains, are not substitutes to the local or specialized search services provided by Google in terms of the characteristics of the service.
- (243) The conclusion reached under the file is that Facebook and Instagram do not operate in the local search services market. Explanations for this conclusion are provided below.
- (244) With no prejudice to the assessments concerning each Facebook application above, the first factor separating this platform from the undertakings in the local search services market is the focus on user photos. Since photos taken by the users feature the users themselves instead of the venue (see Figure 46), this is not the type of information a user performing a local search would primarily want to access. Secondly, the content presented on these platforms are not created by Facebook browsing all of the content on the web, and it is limited by the choices of the user or the business owner in terms of richness. The examples provided support this observation. In fact, businesses with a business account on Facebook share content on the platform according to a plan, but the results for those businesses with no business accounts list users’ posts about the relevant business, i.e. adopt a general flow of content. Moreover, this assessment is reinforced by the fact that in the examples, text reviews submitted by the users are not included on the redirected page when the “View All” option is clicked.
- (245) A third factor separating Facebook from the definition of local search services is the fact that the information offered by Facebook are only meaningful to the users who are members to this platform. In other words, for a user who is not a Facebook member, accessing the content on Facebook applications require costs such as signing up to and sharing personal information with the platform. In order to determine how many users are affected by this factor, the number of internet users in Türkiye is compared with the number of Facebook members. The following table shows that a significant portion of internet users have no access to the content on Facebook:

Table 2: Facebook Use and Internet Use

	2018	2019
Number of Active Users on Facebook (millions)	(.....)	(.....)
Internet Users (millions)	72.9	75.3
Ratio (%)	(.....)	(.....)
Source: Tüik ⁵¹ and Facebook		

⁵¹ <http://www.tuik.gov.tr/UstMenu.do?metod=temelist>

- (246) The table above shows that the utilization rate of Facebook among internet users on the basis of user numbers is around (...)%. On the other hand, Google is known to have 90% penetration in internet users in Türkiye.⁵² This suggests that Facebook's closed platform status may have a significant effect on its utilization rate, which shows that the provided service is distinct not only in terms of nature, but also in terms of the operation model of the platform it is provided on.
- (247) On the other hand, an overview of Instagram clearly shows that this platform is very different from local search services. First of all, queries on this platform do not always result in content directly related to the query itself. Even when we only look at the relevant results, there is heavy focus on user photos, which feature the persons themselves rather than the venue and include comments unrelated to the business or the service. Therefore, information provided on this platform lacks the richness and nature expected from a local search service.
- (248) Consequently, the applications mentioned above are intended to allow users to let their contacts know where they are, discover any close-by friends and be informed of the events around them, so they have a different nature and serve a purpose from the perspective of the users.

I.3.3.3. Market Definition for Accommodation Price Comparison Services

- (249) While the application mainly claims that Google used its dominance in the general search market to force its competitors out of the market through its conduct in the local search field, the examination above found that Google's conduct in question, which were addressed as a single service, actually concerned two separate services and markets. The main reason for that conclusion is the fact that local search services and accommodation price comparison services are intended to address different needs of the users. That is to say, a user researching an accommodation facility would decide which facility he will use by comparing the hotels in the geographical region that he finds through the platforms providing local search services according to various criteria including location, offered services and reviews. Once the user has made his choice, he will decide through which channel he will purchase the accommodation service for the relevant hotel. It is at this point that the GHA becomes important for the user. In other words, a user who has gone through the local search process and decided on which the facility to book will now be ready to consume the service provided by the GHA. In connection, while local search services provide many options for businesses operating in the same sector, the GHA offers the ability to compare many offers for one selected facility⁵³. Therefore, there is a need to define a relevant product market for the accommodation price comparison service. To that end, the alternative methods a user might use to compare accommodation prices for a selected facility are examined below.
- (250) The second step for a consumer in the process of planning a voyage after deciding on the accommodation facility is to purchase the relevant product. In that process, a consumer with price sensitivity would tend to purchase the relevant product from the

⁵² SimilarWeb, October 2018

⁵³ While in competition within the local search services market, agencies and MSS are no longer competitors in the accommodation price comparison services market due to this distinction between the local search services and price comparison services. In other words, while agencies do offer hotel comparison services on their websites, they show a single price for each hotel. For more detailed information see the section "Assessment of the Substitution Relationship for Local Search Related to Accommodation Facilities".

undertaking with the most affordable price. The primary way for a consumer to research the offers of the undertakings for the relevant accommodation is to collect offers by visiting the physical store of the hotel operators or those of every agency selling this product, or by contacting them via phone/e-mail.

- (251) A second way may be to visit the websites of the agencies and the hotel operator over the internet to compare the prices offered by these undertakings.
- (252) Another potential way the consumer may utilize on the internet is to conduct research through the platforms such as the GHA, which collect and present price offers from alternative sales channels. Recalling the GHA product, this platform shows accommodation prices offered for the relevant hotel during the specified dates by the hotel operator, agencies and undertakings such as Trivago and Tripadvisor, which provide this type of services on their own platform. It is known that besides Google, platforms such as Neredekal, Trivago, Tripadvisor, Kayak, Momondo, Hotelscombined and Wego are providing services in this area in Türkiye. As an example, screenshots from Neredekal and Trivago are provided below:

Figure 52: Screenshot of the Accommodation Price Comparison Service on Neredekal for the Hotel Titanic Deluxe Golf Belek (1)

The screenshot shows the Neredekal.com website interface. At the top, there's a navigation bar with 'neredekal.com' and various service links like 'Uçak Bileti', 'Araç Kiralama', etc. The main content area is for 'Titanic Deluxe Golf Belek' in Antalya. It features a search bar with dates '11 Şubat 2020 - 12 Şubat 2020' and a 'Gecelik En Uygun Fiyatlar' section. This section lists three providers: etstur, otelz.com, and tatilbudur, all offering a rate of 792 TL. A 'Daha Fazla Fiyat Göster' button is present. Below this, there's a 'Tesis Konaklama Fiyatları' section showing a 'Standart Oda' for 792 TL. To the right, there's a 'Regnum Carya Golf & Spa Res' with a price of 1275 TL. The page also includes a map, contact information, and a 'Tüm Fotoğraflar (45)' link.

- (253) The above result from Neredekal displays the following page when the “Show More Prices” option is clicked:

Figure 53: Screenshot of the Accommodation Price Comparison Service on Neredekal for the Hotel Titanic Deluxe Golf Belek (2)

Tesisin Ücretsiz Arama Numarası: 0 242 922 05 19

Genel Bilgi Fiyatlar Yorumlar (10) Tesis Özellikleri Konum

11-02-2020 12-02-2020 2 Yetişkin En Uygun Fiyat Bul

Tesis Konaklama Fiyatları

11 Şubat 2020 - 12 Şubat 2020 tarihleri arasında geçerli gecelik en uygun ortalama oda fiyatı.

etstur	Standart Oda Herşey Dahil %28 İndirim	Etstur Çağrı Merkezi 0 850 600 60 60	792 TL Oda fiyatı	>
otelz.com	Standart Room Herşey Dahil %28 İndirim		792 TL Oda fiyatı	>
totilbudur	Standart Oda Sadece Konaklama %28 İndirim	Tatilbudur.com Çağrı Merkezi 0 850 600 54 32	792 TL Oda fiyatı	>
etstur	Süperior Oda Herşey Dahil %28 İndirim	Etstur Çağrı Merkezi 0 850 600 60 60	828 TL Oda fiyatı	>
etstur	River Side Oda Herşey Dahil %28 İndirim	Etstur Çağrı Merkezi 0 850 600 60 60	900 TL Oda fiyatı	>
odamax.com	Standart Oda Bahçe Manzaralı Herşey Dahil		1114 TL Oda fiyatı	>
odamax.com	Standart Oda Bahçe Manzaralı Herşey Dahil		1114 TL Oda fiyatı	>
odamax.com	Superior Sehir Manzaralı Herşey Dahil		1148 TL Oda fiyatı	>
odamax.com	Superior Sehir Manzaralı Herşey Dahil		1148 TL Oda fiyatı	>
etstur	Family Suit Herşey Dahil %28 İndirim	Etstur Çağrı Merkezi 0 850 600 60 60	1584 TL Oda fiyatı	>
etstur	Corner Oda Nehir Manzaralı Herşey Dahil %28 İndirim	Etstur Çağrı Merkezi 0 850 600 60 60	2178 TL Oda fiyatı	>
Jolly	Fiyat Bulunamadı			>

(254) Performing a search for the same hotel on Trivago for the same dates displays the following screen:

Figure 54: Screenshot of the Accommodation Price Comparison Service on Trivago for the Hotel Titanic Deluxe Golf Belek (1)

The screenshot shows the Trivago website interface for searching accommodations. The search criteria are for "Titanic Deluxe Golf Belek" from Saturday, 11.02.20 to Sunday, 12.02.20. The results show a 5-star hotel with a rating of 9.3. The price per night is 795 TL. The "Fiyatlar" link is highlighted with a red circle.

Hotel Details:
 Titanic Deluxe Golf Belek
 5★ Otel
 Belek, Şehir merkezi 7.3 km uzaklıkta
 9.3 Mükemmel (6696 değerlendirme)
 Mükemmel odalar · Son derece konforlu

Price Comparison:
 Trip.com: 928 TL
 Hotels.com: 1.110 TL
 ZorHotels.com: 1.088 TL
 Agoda: ~~1.426 TL~~
 otelz.com: 795 TL
 Her Şey Dahil
 Göster

Çok beğeneceğiniz fırsatlar:

Fırsat	Fiyat	Site
En düşük fiyatımız	795 TL /gece	otelz.com
Önerilen fiyat Her Şey Dahil Otelde Öde	795 TL /gece	otelz.com
ücretsiz kahvaltı ile en düşük fiyatımız	928 TL /gece	Trip.com
her şey dahil ile en düşük fiyatımız	795 TL /gece	otelz.com
ücretsiz iptal ile en düşük fiyatımız	1.115 TL /gece	odamax.com

Tüm fırsatlar:

Şu fırsatları göster:
 Herhangi bir seçenek

Fırsat	Fiyat
Standart Room Her Şey Dahil - Otelde Öde İade yapılmaz	795 TL /gece
Standart Room	928 TL

(255) Visiting the "All offers" link displays the following results:

Figure 55: Screenshot of the Accommodation Price Comparison Service on Trivago for the Hotel Titanic Deluxe Golf Belek (2)

The screenshot displays the Trivago website interface for Hotel Titanic Deluxe Golf Belek. At the top, there are search filters for 'Fiyat / gece' (Price / night) with a slider set to 3.400 TL+, 'Otel' (Hotel) set to 'Tüm tipler' (All types), 'Misafir Puanı' (Guest Rating) set to 'Tümü' (All), and 'Otel Konumu' (Hotel Location) set to 'Titanic Deluxe G...'. There are also buttons for 'Genel Bakış' (Overview), 'Bilgi' (Info), 'Fotoğraflar' (Photos), 'Yorumlar' (Reviews), and 'Fiyatlar' (Prices). A 'Bağlantı ile paylaş' (Share with link) button is also visible.

The main content area is titled 'Çok beğeneceğiniz fırsatlar' (Offers you will love) and features five highlighted offers:

- En düşük fiyatımız** (Our lowest price): 795 TL /gece (otelz.com)
- Önerilen fiyat Her Şey Dahil Otelde Öde** (Recommended price All Inclusive Pay at Hotel): 795 TL /gece (otelz.com)
- Ücretsiz kahvaltı ile en düşük fiyatımız** (Our lowest price with free breakfast): 928 TL /gece (Trip.com)
- her şey dahil ile en düşük fiyatımız** (Our lowest price all inclusive): 795 TL /gece (otelz.com)
- Ücretsiz iptal ile en düşük fiyatımız** (Our lowest price with free cancellation): 1.115 TL /gece (odamax.com)

Below this, the 'Tüm fırsatlar' (All offers) section is shown with a dropdown menu set to 'Herhangi bir seçenek' (Any option). The list of offers includes:

- otelz.com**: Standart Room, Her Şey Dahil - Otelde Öde - İade yapılmaz. 795 TL /gece.
- Trip.com**: Standart Room, Ücretsiz kahvaltı. 928 TL /gece. 4 fırsatı göster (Ücretsiz kahvaltı dâhil).
- zenhotels**: Standart Oda (iki kişilik yatak), Her Şey Dahil - İade yapılmaz. 1.083 TL /gece. 6 fırsatı göster (Her Şey Dahil dâhil).
- Hotels.com**: Standard Oda, Her Şey Dahil - İade yapılmaz. 1.112 TL /gece. 15 fırsatı göster (Her Şey Dahil, Otelde Öde dâhil).
- odamax.com**: Standart Oda, Bahçe Manzaralı, Bu oda 2 kişiliktir, Her Şey Dahil - Ücretsiz iptal. 1.115 TL /gece. 3 fırsatı göster (Her Şey Dahil, Ücretsiz iptal dâhil).
- ogoda**: Standard Double or Twin Room, Ücretsiz kahvaltı - İade yapılmaz. 1.126 TL /gece.

- (256) As seen here, these platforms also compare the prices offered by the agencies and the hotel operator for the selected hotel on the specified dates, similar to the GHA.
- (257) At this juncture, an overall assessment of the alternatives where the consumer can compare accommodation prices show that i) Physical research requires significant research costs from the consumer and does not provide the consumer with the ability to conduct fast and comprehensive research at any time and in any place⁵⁴; ii) Since a consumer choosing the second way would need to research which businesses make sales, query the websites of each of these businesses and enter information such as the hotel, date and number of persons at each website, this alternative also requires significant research costs which could be decisive in consumer choices; iii) The GHA and MSS make information that might otherwise require significant costs easily accessible for the consumer and involve a richer presentation of the content.
- (258) Therefore, it is concluded that the first two channels would be unable to put sufficient competitive pressure in terms of providing a price comparison service on the platforms which aggregate the price offers, and thus the scope of the price comparison service should remain limited to the GHA and MSS.

⁵⁴ HRS-Hotel Reservation Service Robert Ragge GMBH, BKarA, B.9-66

- (259) As a result, the relevant product market for the service is defined as “accommodation price comparison services market.”

I.3.3.4. The Ad Service Google Provides through the Local Unit and the GHA

- (260) Google’s Local Unit and GHA fields have the features of a multi-lateral platform, and as outlined above, Google provides users local search and price comparison services in these fields respectively, while also offering ad services to websites. First of all, there are discussions on how to apply the SSNIP test used in the classic markets to these ones.⁵⁵ On the other hand, there are views in the literature on adopting different market definition approaches, depending on whether the market is transactional or non-transactional.⁵⁶ In contrast, there is also a view which says that such a distinction is not necessary when making a market definition for multi-lateral platforms.⁵⁷ Another distinction is based on whether the platform concerned involves matching or audience providing/advertising.⁵⁸ According to this approach, matching platforms connecting different groups of users require a single market definition, while multiple markets needs to be defined for advertising platforms. The recent report⁵⁹ published by the *Center on Regulation in Europe* (CERRE) on the subject discusses the single market and multiple markets approaches, and emphasizes the advantages of adopting the multiple markets approach, which argues that separate markets should be defined for the different sides of a platform.
- (261) Based on the discussions above, it should be noted that the current file mainly evaluates the claim that Google abused its dominant position in the general search services market within the vertically related local search and accommodation price comparison fields. However, as mentioned above, through the Local Unit and the GHA, Google provides a search-based advertisement service with exclusive features for the parties who take out ad space in this area, while it simultaneously offering local search and price comparison services to consumers. Consequently, adopting a multiple market approach would require the definition of separate market for the advertisement services side of the market. However, the current file involves the complaints about the anti-competitive effects Google caused in these relevant markets, and the analyses conducted are focused on this issue. Thus, in light of the practical difficulties and differences of approach concerning market definition in multi-lateral platforms, a separate market definition for this advertisement services was deemed unnecessary, since it seemed impossible to achieve the full benefits expected from making a separate market definition that part of this dynamic and variable market.

I.3.4. Relevant Geographic Market

⁵⁵ Auer, D. and Petit, N. (2015) “*Two-sided markets and the Challenge of Turning Economic Theory into Antitrust Policy*”, p. 26 (“*Two-sided markets*”).

⁵⁶ Filistrucchi, L., Geradin, D., Damme E. van, and Affeldt, P. (2014), ‘Market definition in two-sided markets: theory and practice’, *Journal of Competition Law and Economics*, Vol. 10 (2), pp. 293-339.

⁵⁷ Niels, G. (2019), “*Transaction versus non-transaction platforms: A false dichotomy in two-sided market definition*”.

⁵⁸ Wismer, S. and Rasek, A. (2018) “*Market definition in multi-sided markets*”, OECD Rethinking Antitrust Tools for Multi-sided platforms, (“*Market Definition*”), p. 6. <http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DAF/COMP/WD%282017%2933/FINAL&docLanguage=En>

⁵⁹ Cerre-Center on Regulation in Europe (2019), “*Market Definition and Market Power in the Platform Economy*”, https://www.cerre.eu/sites/cerre/files/2019_cerre_market_definition_market_power_platform_economy.pdf

(262) The relevant geographic market was defined as Türkiye within the context of the file, since the examined relevant product markets and conduct does not change between geographical regions.

I.4. Assessment

I.4.1. Dominant Position Assessment

(263) As noted above, the investigation evaluates whether Google violated Article 6 of the Act no 4054 by its practices comprising the subject matter of the file. An assessment under Article 6 of the Act no 4054 must first examine whether the relevant undertaking holds dominant position. Article 4 of the Act no 4054 defines dominant position as:

“The power of one or more undertakings in a particular market to determine economic parameters such as price, supply, the amount of production and distribution, by acting independently of their competitors and customers”.

(264) As made clear by the definition, when assessing dominant position, what is examined in principle is to what extent the undertaking examined can act independently of competitive pressure.

(265) Guidelines on the Assessment of Exclusionary Abusive Conduct by Dominant Undertakings (Guidelines) notes that the following factors should be taken into consideration when determining to what extent the undertaking under examination can act independent of competitive pressure, in consideration of the specific circumstances of each case:

- Market positions of the undertaking examined and its competitors,
- Barriers to entry and expansion,
- Bargaining power of the buyers

(266) The file examines whether Google abused the dominant position it held in the general search services market within the local search services and accommodation price comparison services markets. In that framework, while determination of dominant position in the general search market would be sufficient for an infringement assessment to be made under Article 6 of the Act, observations and assessments of Google’s market power in the local search and accommodation price comparison services will be included below, in order to facilitate an improved evaluation of the effects of the practices examined.

I.5.1.1. Assessment of Dominant Position in the General Search Services Market

(267) In competition law analyses, the most important indicator when identifying market power in a specific market is the market share of the undertaking concerned and that of its competitors. Market shares at a certain level are considered indicators of dominant position. For instance, in its Hoffman-La Roche decision, the CJEU stated that, outside of exceptional circumstances, continuous substantial market share would evidence dominant position.⁶⁰ In its AKZO decision, the Court filled in the meaning of the phrase “substantial market share” it used in the Hoffman-La Roche decision, noting that a market share over 50% would indicate that an undertaking was in a dominant position in the relevant product market, unless proven otherwise.⁶¹ The General Court deepened the assessment of market shares in its Hilti decision, and stated that a market share of around 70-80% would be considered a clear indication that the

⁶⁰ Hoffman-La Roche 1979 ECR 461 para. 39-41.

⁶¹ Case C-62/86, AKZO Chemie BV v. Commission [1991] ECR I-3359, para. 60.

undertaking held dominant position on its own.⁶²

- (268) Similarly, the Dominant Position Guidelines note that the established practice of the Board, in the absence of any indication to the contrary, is to accept that undertakings holding less than 40% of the market share are less likely to be dominant, and emphasize the need to conduct more detailed examinations concerning undertakings with a higher market share. However, the Board acknowledges that an undertaking with less than 40% market share may also hold dominant position depending on the specifics of the market under examination.
- (269) In that context, the market shares of the undertakings in the general search services market are examined below, in light of the utilization rates of search engines. As shown in Table 4, Google's market share did not fall under 91.8% in the last five years, and it has a constant gap of over 85% with its closest rival.

Table 3: Turkish Market Shares of General Search Engines According to Utilization Rates(%)

General Search Engine	General Search Services Market Shares						
	2013	2014	2015	2016	2017	2018	2019
Google	96.4	95.8	96.8	97.4	97.2	95.9	91.8
Yandex	2.0	2.5	2.3	2.1	2.3	3.3	6.9
Bing	0.9	1.1	0.5	0.3	0.2	0.2	0.4
Yahoo	0.2	0.4	0.2	0.2	0.2	0.4	0.8
Others	0.5	0.2	0.2	0.3	0.1	0.2	0.1

Source: Statcounter⁶³

- (270) Similarly, the Board Decision dated 16.11.2016 and numbered 16-39/638-284 established that Google had significant market power in internet search, stating "*According to the information from Gemius Ranking, GOOGLE's market shares in the months of October 2016, December 2015 and December 2014 was 94%, 91% and 95% respectively, with respect to the general search engine services.*" In addition, the Commission's decision concerning Google Shopping Services⁶⁴ ruled that Google held dominant position in all 31 member states of the European Union in the general internet search market since 2008⁶⁵, and that it held a market share of over 90% in the entire European Economic Area (EEA).
- (271) Examining the global market shares of the search services operating in the general search services market reveal results similar to the Turkish market.

⁶² Hilti CFI Dec. 12, 1991, 1991 ECR II-1439, para.92.

⁶³ <https://gs.statcounter.com/search-engine-market-share/all/turkey/#yearly-2013-2019> Accessed: 02.02.2020 <https://gs.statcounter.com/search-engine-market-share/all/turkey/yearly-2013-2019>

⁶⁴ Google Search (Shopping), 2017, Case AT.39.740.

⁶⁵ With the exception of the Czech Republic, where it held dominant position since 2011.

Table 4: Global Market Shares of the General Search Engines (%)

Search Engine	General Search Services Market Share						
	2013	2014	2015	2016	2017	2018	2019
Google	90.2	89.8	90.6	92.0	92.1	91.1	92.6
Bing	3.4	3.6	3.0	2.8	2.8	3.0	2.5
Yahoo	3.1	3.6	3.4	2.6	2.1	2.0	1.8
Baidu	0.9	0.6	1.0	1.0	1.3	1.7	1.0
Yandex	0.6	0.7	0.7	0.7	0.8	0.9	0.9
Ask Jeeves	0.3	0.5	0.4	0.1	0.0	0.0	0.0
Other	1.5	1.2	0.9	0.8	0.9	1.4	1.2

Source: Statcounter⁶⁶

- (272) The table above shows that Google's market share is above 90%, and that the market shares of firms such as Yandex, Yahoo and Bing are unable to show much difference through the years, remaining at quite low levels compared to that of Google.
- (273) On the other hand, the literature notes that, in fast-growing markets with short innovation cycles, market shares would be short-lived and would not indicate single dominant position, however market share could be taken into account if it can be preserved for a long period of time. The Commission's France Telecom decision accepted the maintenance of market stability as an indication of dominant position⁶⁷. Examining the table above in light of those assessments reveal that Google has been maintaining its indicated strong position in the market for a long time and that there are no fluctuations in the market.
- (274) Another factor to consider in dominant position assessment other than market share is establishing whether there are barriers before the entry of new undertakings into the market or before the growth of undertakings already operating in the market.
- (275) In that respect, the first point to assess is the size of the investment costs required to enter the market and to keep operating in it. Developing an algorithm to enter the general search services market and maintaining that algorithm requires significant fixed costs. The two important sources of these fixed costs are the significant expenditures of research and development to maintain and continuously improve the quality of the search activity and the advertisement tools, and the establishment and operation of the critical server infrastructure to operate a search engine that is sensitive to user demand.
- (276) Another factor connected with these investments costs is the possession of a rich search data pool. As mentioned before, competition in the general search services depends on the quality of search. Thus, presenting results relevant to the query is critical for the commercial success of the undertaking. This means an undertaking providing general search services needs to have a certain volume of queries in order to compete. In other words, as the number of queries increase, undertakings that provide general search services are more able to update and improve the level of relevancy by identifying user choices. In addition, this is even more important for long

⁶⁶ <https://gs.statcounter.com/search-engine-market-share#yearly-2013-2019> Accessed: February 02, 2020

⁶⁷ Case T-340/03, *France Telecom v Commission*, 2007, para. 107-108.

tail keywords. Google is known⁶⁸ to be a monopoly⁶⁹ in this field due to the data in its possession. Having large amounts of data allows Google to use past user behavior to update the relevant algorithm in time and produce more relevant results. This increase in service quality grants Google the privilege of attracting the attention of more users and thus possess even more data. It is this relationship/cycle that increases barriers to entry or makes it harder for undertakings to grow their shares once in the market⁷⁰. Moreover, the wealth of data in Google's possession allows advertisers to show more target-oriented and personalized advertisements, which makes Google even more valuable for the advertisers. Recalling that the main source of income for search engines is advertisement revenues, this can make it difficult for existing/potential rivals to fund their investments, decreasing the incentives for innovation.

- (277) In addition, the fact that the Google search engine is the default in the Google Chrome and Apple Safari web browsers and the mobile phones using the Android operating system creates another barrier to entry.
- (278) Lastly, for new entrants or smaller businesses, Google's brand awareness can potentially prevent the growth of these undertakings.
- (279) In the European Commission's *Google Shopping* Decision, it is stated that start-ups in the general search services market are unable to reach significant market shares, that most of these undertakings stop offering general search services or gravitate towards complementary areas which do not compete with Google's general search service.⁷¹ Moreover, it is noted that Duck Duck Go⁷², which started operations in 2010 exclusively in English has been unable to get an appreciable share of the market, with large undertakings such as Yahoo and Bing having trouble competing against Google.
- (280) The last factor to take under consideration in dominant position assessment is buyer power. General search services are valuable for users who wish to access information, for websites that wish to be accessible and for advertisers who wish to promote their products to their target audience. In light of the billions of searches⁷³ conducted on Google, it does not seem possible to talk about any buyer power. In account of Google's market share, and thus the size of its audience, Google is an indispensable business partner for websites and advertisers. Besides, the externalities caused by the nature of the market, i.e. the structure whereby the demand from all parties feed into the demand of the others, makes it easier for Google to protect and reinforce the power it already holds.
- (281) As a result, when taken together, the high level fixed costs required by the market, Google's wealth of data, brand awareness, externalities and the lack of buyer power lead to the conclusion that Google holds dominant position in the market for general search services.

⁶⁸ Also see <https://www.accc.gov.au/publications/digital-platforms-inquiry-final-report>

⁶⁹ *Data Monopolists Like Google Are Threatening the Economy*, 02.03.2015, <https://hbr.org/2015/03/data-monopolists-like-google-are-threatening-the-economy>, Accessed: 18.11.2019.

⁷⁰ Also see <https://www.accc.gov.au/publications/digital-platforms-inquiry-final-report>

⁷¹ *Ibid.* para. 301-304.

⁷² Duck Duck Go differentiates from other search engines by placing more emphasis on the security of user data and by refusing to collect and sell consumer data.

⁷³ <http://www.internetlivestats.com/google-search-statistics/>

I.4.1.2. Assessment of Google's Market Power in the Local Search Services Market

- (282) Within the framework of the file, the traffic volumes are important with respect to the market share to be calculated for local search services. In that context, in order to assess Google's position in the market, undertakings determined in light of the assessment conducted under the relevant product market were asked their monthly traffic volumes based on number of sessions as well as the breakdown of that traffic according to source. In that process, while some of the undertakings were indeed able to provide the information concerned, some undertakings either could not be contacted or they were unable provide the relevant information. For that reason, and in consideration of the fact that traffic from Google held a significant share in the total traffic of those undertakings which were able to offer the relevant data, Google was asked provide the traffic (paid+free) directed to the relevant websites.
- (283) The analyses below first takes into account the total traffic data of the websites including any traffic they received from sources outside of Google, followed by the data submitted by Google. However, while Google was requested to provide the traffic data of the Local Unit for the 2009-2019 period, the relevant data were sent after 2017, which required an analysis of the market shares between the years 2017 and 2019.

Table 5: Market Shares of the Undertakings Operating in the Local Search Services Market, within the Framework of the Data Submitted by the Undertakings⁷⁴ (%)

Website	2017	2018	2019 (January- August)
Local Unit ⁷⁵	(.....)	(.....)	(.....)
Bulurum	(.....)	(.....)	(.....)
Etstur	(.....)	(.....)	(.....)
Tatılsepeti	(.....)	(.....)	(.....)
Tatılbudur	(.....)	(.....)	(.....)
Dokortakvimi	(.....)	(.....)	(.....)
Jollytur	(.....)	(.....)	(.....)
Zomato	(.....)	(.....)	(.....)
Odamax	(.....)	(.....)	(.....)
Armut	(.....)	(.....)	(.....)
Sahibinden ⁷⁶	(.....)	(.....)	(.....)
Tatıl	(.....)	(.....)	(.....)
Otelpuan	(.....)	(.....)	(.....)
Kolayrandevu	(.....)	(.....)	(.....)
Reztoran	(.....)	(.....)	(.....)
Yelp	(.....)	(.....)	(.....)

⁷⁴Within the framework of the assessment conducted into the relevant product market, it was found that Jollytur and Tatıl.com did not operate in the local search services market since their platforms did not include user comments, and that whether or not Bulurum was a competitor depended on the type of the query submitted. While for a majority of the queries they were far from putting competitive pressure on Google, in light of Tatıl.com's inclusion of ratings for facilities, Jollytur's statement that it would add commenting features going forward, and the fact that Bulurum can be considered a local search service by the users in terms of searches where comments are not a main parameter (such as pharmacies, markets, etc.), the undertakings were also taken into account in the market share analysis, to Google's advantage.

⁷⁵ Traffic volume data on the basis of number of clicks for Local Unit in Türkiye were used.

⁷⁶ In accordance with the assessment conducted with relation to the relevant product market, traffic to the Services section of the Sahibinden.com platform was taken into account.

Enuygun	(.....)	(.....)	(.....)
Ustanerede	(.....)	(.....)	(.....)
Zingat	(.....)	(.....)	(.....)
Total	(.....)	(.....)	(.....)
Source: Data provided by Google and undertakings.			

(284) In light of the table above calculated within the framework of the data presented by the undertakings, the market share of the Local Unit during the January-August 2019 period was around (.....)%, while its closest rival Bulurum had a market share of around (.....)%. The following table, which only considers the data for the traffic received from Google does not reveal a significant change in the conclusion.

Table 6: Market Shares of the Undertakings Operating in the Local Search Services Market, within the Framework of the Traffic Data Submitted by Google (%)

Website	2017	2018	2019 (January- August)
Local Unit	(.....)	(.....)	(.....)
Bulurum	(.....)	(.....)	(.....)
Etstur	(.....)	(.....)	(.....)
Foursquare	(.....)	(.....)	(.....)
Tatilsepeti	(.....)	(.....)	(.....)
Doktorsitesi	(.....)	(.....)	(.....)
Tatilbudur	(.....)	(.....)	(.....)
Dokortakvimi	(.....)	(.....)	(.....)
Jollytur	(.....)	(.....)	(.....)
Zomato	(.....)	(.....)	(.....)
Skyscanner	(.....)	(.....)	(.....)
Armut	(.....)	(.....)	(.....)
Find	(.....)	(.....)	(.....)
Odamax	(.....)	(.....)	(.....)
Tatil.com	(.....)	(.....)	(.....)
Otelpuan	(.....)	(.....)	(.....)
Kolayrandevu	(.....)	(.....)	(.....)
Sahibinden	(.....)	(.....)	(.....)
Agoda	(.....)	(.....)	(.....)
Reztoran	(.....)	(.....)	(.....)
Yelp	(.....)	(.....)	(.....)
Enuygun	(.....)	(.....)	(.....)
Kurs	(.....)	(.....)	(.....)
Expedia	(.....)	(.....)	(.....)
Ustanerede	(.....)	(.....)	(.....)
Trip	(.....)	(.....)	(.....)
Zingat	(.....)	(.....)	(.....)
Fulltrip	(.....)	(.....)	(.....)
Total	(.....)	(.....)	(.....)
Source: Data provided by Google and undertakings.			

(285) An examination of the table above shows that the market share of the Local Unit in the January-August 2019 period was around (.....)%, while the market share of its closest rival Bulurum was around (.....)%. Moreover, the Local Unit is observed to have significantly increased its share in the 2.5 year period for both of the indicators above, but there is no similar increase for the competitors.

- (286) Consequently, in light of the relative market shares of the websites above, it becomes clear that the competing undertakings are far from putting sufficient competitive pressure on Google.
- (287) While this is the conclusion based on market shares, a potential identification of dominant position requires the interrogation of barriers to entry. In order to collect information on this matter, the parties offering local search services were asked which technologies and assets were needed to operate in the local search market, as well as how much time and cost would be required to create them. Some of the responses are as follows:

(.....): “(.....)’s infrastructure is completely based on smart machine learning and artificial intelligence algorithms. These require large investments to match the demand with service providers within the quality standards. Since our establishment in (.....), we have made significant investment in this area by growing our product and technology development teams and by using various software products. It takes long-term effort to develop local service marketplaces as well. Various marketing investments are made in order to advertise the platform to the service users and customers and to ensure that they use it. Examining the data, we can see that we spent (.....) on the technology team and technological infrastructure costs since 2017.

(.....): “... While it is easy to set up the website, it may take 3-4 years to increase its recognition, to expand the customer portfolio and finally to achieve profitability.”

(.....): “Examples for the required technology and other assets in question are the creation of a website infrastructure to provide filtering and search functions, signing agreements with providers for display and database functions, the creation of a cloud infrastructure, etc. In 2018, (.....) spent (.....) on the technologies in question, including product development (and the IT costs required to support the relevant infrastructure), administrative department applications, and the general monitoring and security applications for its own network connections. These costs were primarily made up of personnel and general expenditure payments, depreciation and amortization shares for the technology assets including the software purchased or developed in-house, and other costs such as cloud expenses, licensing and maintenance. Moreover, (.....).”

(.....): “First of all, a website must be set up for the purpose. That requires having servers, purchasing a domain, entering the information (texts/images), getting teams to work on the software infrastructure and content, which are all separate items of costs. This all takes between 6 months and 1 year, depending on the variety of the information included and the complexity of the infrastructure.

(.....): “A site template allows for a very low-cost creation of an operational local search website. On the assets side, there might be very different strategies for signing agreements with hotels, getting the human resources needed to sign agreements with operators if there is comparisons involved, and more importantly, for creating end-user traffic to the site. The investment return process can significantly increase these costs under the changing market conditions, and the expected outcomes are directly related to the behavior of the end users. In light of the potential variability in many parameters such as the continuity of your content (maintaining agreements), returning visitors, end-user loyalty and the conversion rates of the traffic you created, it is impossible to cite a definite outcome. On the other hand, since all of the above developments cannot happen immediately, it can be said that creating the relevant technologies and assets in a short time is impossible.”

(.....): “The preferred infrastructure may vary depending on the nature of the business. The hardware to be used will directly affect the costs. In addition, the more comprehensive the software to be used is and the more intelligently it can analyze the needs of the users, the more these factors will affect the timing for the creation. Since all of that will depend on the

decisions of the decision-makers, it is hard to cite a definite cost and time. Moreover, apart from the technological requirements, acquiring the data to be used is a long and difficult process. It is clear that a long period is required to acquire the data and turn it into a product.”

(.....): “Establishing a local search service requires a lot of components. There is the complete technology infrastructure to store, search and present the information to users. We need to collect and regularly update the information which also requires a lot of effort and involves significant costs on an on-going basis.”

(.....): Setting up a local search website requires the following categories of investment:

- Website development and technology infrastructure investment: These are one-time costs.
- Acquisition of local data and content:
 - Purchasing local business indices, setting up and monitoring separate pages for each business.
 - Community management for creating and supporting the content creators community consisting of users.
 -
 - (.....) sometimes employs temporary local staff, called “scouts” to confirm the purchased business information and the content of the model created based on that information. Scouts are also responsible for providing rich content (such as comments, photos and working hours).
- Administrative costs (legal, accounting, user support, community support).
- Sales activities (business acquisition marketing, branding and advertising).
- Technology monitoring, growth and product innovation.
- Each geographical location requires additional costs (language and cultural updates, collection of local data and content).

(.....) provides its costs at the set-up stage through sampling. These are actual data from ten years ago, and the set-up costs for a local search service largely created by the users would be unavoidably higher than what it was during 2004-2007.

In its own set-up phase (2004-2007), (.....) made an investment of around (.....):

- Engineering: The engineering department spent around (.....) to develop the main functionality of (.....), and a further (.....) for the direct expenses of the site (network website, etc.).
- Sales and marketing: In terms of sales activities, around (.....) was spent for employment, supporting content creation, brand recognition, creation of sales teams, sales strategy and infrastructure in support of these sales strategies.
- General and administrative: (.....) spent about (.....) for acquiring a data license and for supporting those activities related to the establishment of its own business (legal expenses, user activities, accounting, employee salaries, service tools)..

In order to grow in (.....) and expand internationally, (.....) had to continue investing afterwards. As mentioned above, expanding to new countries requires one-time costs for each country, including additional language and cultural updates, collecting local data and content, as well as establishing a local community. The “community building” investment is in fact crucial since, as explained before, technology on its own will not attract sufficient traffic to support a viable business. By way of illustration, (.....) spent and additional (.....) between 2008-2012 for employment, supporting activities for content creation and brand recognition in (.....) countries ((.....)’s first expansion phase). Between 2012 and 2016, (.....) additionally spent (.....) for

expanding to (.....) countries, supporting the international sales organization, and creating the necessary sales/strategy teams and infrastructure. These development costs comprise a significant portion of (.....)'s expenditures in this period. As a comparison, engineering expenses are only (.....) from 2008 to 2012, and (.....) from 2012 to 2016.

- (288) In accordance with the information above, collected from the undertakings, it becomes clear that the set-up costs for the local search website as well as the costs required to remain in the relevant market would be decisive for a business that plans to enter the local search services market. Rich content seems to be an important factor for the undertakings to remain and/or grow in the market. At that juncture, recalling Google's dominance in the general search services market, its advantage in this field becomes very obvious. In other words, due to the vertical relationship between the general and local search services, Google's supremacy in the general search services market stemming from its rich content, brand recognition and other externalities presents an element of pressure on the growth of its competitors in the local search services market.
- (289) Lastly, looking at buyer power, Google can easily use the advantages of its dominant position in the general search services market in this area as well. That is to say, as mentioned in the relevant section, the general tendency of a user conducting a local search is to submit a query to a general search engine. Since Google is the most widely used search engine, displaying the Local Unit on the general search results page significantly restricts the users' tendency to prefer other platforms. Moreover, due to the externalities stemming from the characteristics of the market, the advantages offered by the Local Unit would make it the preferred choice for those businesses who wish to be accessible.
- (290) As a result, it is concluded that Google holds high market power in the local search services market and that its competitors are not likely to have sufficient power to develop strategies to resist Google's practices.

I.4.1.3. Assessment of Google's Market Power in the Accommodation Price Comparison Services Market

- (291) As mentioned before, analyzing Google's market power in the relevant product markets contributes to revealing how effective Google's practices are. To that end, Google's power in the accommodation price comparison services market was investigated.
- (292) As noted above, in response to a query submitted for a specific accommodation facility, Google lists the prices offered by alternative platforms for the relevant accommodation option in a knowledge panel on the right side of the relevant general search results page, marked as ads. In other words, a user can access this service on the general search results page in response to his query, without taking any additional steps. On the other hand, for a user to access a similar service provided by competing platforms, he must first click on the link to the relevant platform on the general search results page and visit its website. Due to this difference in the accessibility of Google and its competitors, a market share calculation based on number of clickthroughs would be misleading. In addition, it has been observed that Google's competitors in this area such as Tripadvisor, Neredekal, Momondo, Kayak, Wego and Hotelscombined offer different services on the same platform in addition to accommodation price comparison, including local search, flight search and airport transfer. Thus, it might be hard to determine the intended targets of the traffic towards the relevant competing websites. Lastly, data provided by Google makes it hard to create alternative scenarios

based on clickthroughs. This is because, according to the information provided by Google, it does not collect clickthrough data for the hotel knowledge panel in general, and only knows the clickthrough numbers for the hotel ads displayed on the panel.

- (293) Consequently, based on the reasons listed above, a market share based on traffic volume was not calculated.
- (294) However, it is believed that the annual changes of the GHA traffic volume provided by Google on the relevant market could be used as a reference point in the assessment. In order to analyze this trend, Google was asked to provide traffic data for the GHA covering the 2012-2019 period, but the data submitted only started from 2015. Accordingly, the following table shows the change in the volume of traffic to GHA for the years 2015-2019:

Table 7: Rate of Change in the GHA's Traffic Volume (%)

Year	Traffic Volume	Rate of Change
2015	(.....)	(.....)
2016	(.....)	(.....)
2017	(.....)	(.....)
2018	(.....)	(.....)
2019 (January- November)	(.....)	(.....)

Source: Data submitted and calculations done by Google

Chart 12: Rate of Change in GHA's Traffic Volume

(.....TRADE SECRET.....)

Source: Data submitted and calculations done by Google

- (295) As shown in the table and figure above, the volume of traffic for the GHA shows a significant upward trend. The preferential way of displaying the GHA⁷⁷ is considered to be an important factor in this rate of increase. That is to say, Google presents its accommodation price comparison service directly on the knowledge panel, and also includes results from the GHA in the travel tab, which is accessed by clicking on the Local Unit, where it offers local search services. As a result, due to the preferential positioning and presentation of the knowledge panel with GHA and of the Local Unit on the general search results page, Google renders its accommodation price comparison service more visible than those of its rivals.
- (296) Taking into account the other conditions of market entry and growth, it is believed that the explanations above provided by (.....) and (.....) may be considered under this heading as well, since competitors operating in the accommodation price comparison services market are also active in local search service provision. Thus, (.....)'s statements show that bringing the relevant website to a level that can attract traffic, content continuity, agreement continuity and investments to ensure these elements are more important than the set-up costs of the website, but that these improvements could not be realized all at once, since the return process for the investment takes a long time, which increases the costs. Meanwhile, (.....)'s explanations reveal that setting-up continuing operations requires high-cost investments.

⁷⁷ This subject will be addressed in detail in the following sections.

(297) Moreover, Google's vertically integrated structure, its financial power and brand recognition could affect the market entry and growth decisions of its existing and potential competitors. In light of these observations, it is concluded that GHA consistently increased its market power. Consequently, it is assessed that, under the current circumstances, alternative operators were not likely to restrict Google's power.

I.4.2. Assessment on Abuse

(298) This section will scrutinize both the claims in the petition of complaint and the practices that require examination in light of the information collected during the preliminary inquiry and the investigation processes within the framework of the relevant literature, legislation, documents collected during on-site inspections, information and documents collected from the undertakings in order to examine the details of Google's conduct as well as whether the claims concerned reflected the reality.

(299) Yelp's application and the information acquired from the undertakings in the sector afterwards mainly involve the claim that Google foreclosed the local search market to competitors through its practices in the field it refers to as the Local Unit. The application concerned asserts that Google's practices in general search were intended as part of its general strategy to expand its dominant position in general search and search advertising into the specialized search market.

(300) A point of note here is that the application submitted presented all of Google's vertical services with relation to the accommodation field as local search services, complaining from Google's practices in this field in their entirety. However, as a result of the assessments conducted in the relevant sections above, it is concluded that while the complaint addressed Google's actions as a single service, they in fact comprised two separate services related to two different markets. In that context, this section will also examine Google's practices in the market for accommodation price comparison services.

(301) In order to ensure the clarity of the analysis to be conducted to that end, the claims in the application may be classified as follows:

- That Local Unit was positioned and displayed more favorably than competitors,
- That the service quality offered by Local Unit was low and therefore Google's favoring of its own product led to a decrease in consumer benefit,
- That Google did not include competing websites in the Local Unit,
- That Google included user comments from competing websites on its own relevant service without authorization,
- That the visibility of the competitors offering the relevant services fell down following certain algorithm changes by Google, which were not applied to Google's own services.

(302) Since the last two claims listed above do not require an assessment specific to the relevant product market, they were only addressed in the assessment made within the framework of the local search services market, to avoid repetition.

(303) As known, Article 6.1 of the Act no 4054 prohibits "*the abuse, by one or more undertakings, of their dominant position in a market for goods or services within the whole or a part of the country on their own or through agreements with others or through concerted practices,*" with the second paragraph of the article listing examples of abuse in five sub-paragraphs.

- a) *Conduct preventing, directly or indirectly, another undertaking from entering into the area of commercial activity, or actions aimed at complicating the activities of competitors in the market,*
- b) *Engaging in direct or indirect discrimination between purchasers with equal status by offering different terms for the same and equal rights, obligations and acts,*
- c) *Tying the purchase of certain goods or services to the purchase of other goods or services, or tying a good or service demanded by purchasers acting as intermediary undertakings to the condition of displaying other goods or services by the purchaser, or imposing limitations with regard to the terms of purchase and sale in case of resale, such as not selling a purchased good below a particular price,*
- d) *Conduct aiming to distort competitive conditions in another market for goods or services by means of exploiting financial, technological and commercial advantages created by dominance in a particular market,*
- e) *Restricting production, marketing or technical development to the disadvantage of the consumers.”*

(304) Accordingly, an assessment must be conducted in order to determine whether the conduct comprising the subject of the above-mentioned claims would lead to an infringement of Article 6 of the Act within the relevant markets. Google’s practices with relation to each claim and the potential impact of the practices concerned on the relevant markets will be examined below:

I.4.2.1. Assessment of Abuse concerning the Local Search Services Market

(305) **I.4.2.1.1. Assessment of the Claims Related to the Positioning and Display of the Local Unit**

(306) As noted above, the first issue examined under the file is the claim that Google positioned the search results in its Local Unit on the first results page, on a highly-visible location above the organic search results. It is claimed that placing Google local search results on top as well as giving these results a lot of space by placing them within a box, called OneBox, which also includes maps, images, ratings for the local business and more, creates an advantage against the competitors. The rich graphical features in question allegedly makes it easier for Google’s local search results to attract users’ attention and achieve higher clickthrough rates.

(307) It is stated that competing local search services, on the other hand, are only displayed among Google’s “generic blue links” when shown on Google’s general search results pages, and that text-based generic search results generally only included the title of the webpage, URL address, a short textual excerpt and occasionally a star rating. Moreover, it is also noted that the websites shown among Google’s general search results would be demoted down the list by Google’s general search algorithms if they did not comply with the Web Administrator Rules on “setting up a Google friendly website”.

(308) According to the information in the file, Google does not allow displaying results from a competing local search service within the Local Unit. Google has put into practice a new feature called “Reviews from the Web” which allows third-party content to be displayed within the context of Google’s local search service under certain circumstances. However, this third-party content is not always displayed and, when it is displayed, it is not highlighted in the same way as Google’s own content.

(309) In their responses to the requests for information submitted under the file, websites expressed their concerns related to the loss of rankings they experienced due to Google local search services as follows (the following is not a comprehensive list). In

order to explain the relevant concerns more clearly, the full statements of the undertakings ((.....)) are quoted:

- *“The share of organic traffic within the total traffic is decreasing day by day. As a result, in order to reach sufficient traffic, we have to support our traffic in the google paid channel in particular and thus increase our advertising expenses.”*

...

Google holds dominant position in the search market. Consequently, it is crucial for ... to have a high ranking in the Google search engine to gain customers. Google is ... the largest channel for gaining customers.

... despite being at the top of the search results through the years as seen in the examples below, our visibility dropped through the years as a result of Google's changes to the advertisement and map applications, and our position slid towards the bottom of the page.”

- *“... organic search results are demoted by Google Hotel Ads, which removes the visibility of the organic search results.. On the other hand, the search results page is clearly designed to direct users towards Google's paid services in location-based keyword search services, through the box on the left side of the search results page, which is another service by Google.*

A majority or the entirety of the internet companies operating in Türkiye lack a source of traffic that can serve as an alternative to Google. Thus, every single action by Google directly and deeply affects us and the internet ecosystem.”

- *“Another point is that companies with higher rankings are thought to be more reliable; even if we have no studies on the subject, we believe that end users find companies at the top of the rankings more reliable. Thus, in terms of competition, we believe that confidence in our undertaking will increase when it is towards the top in the rankings, and we will gain competitive advantages as a result.”*

- *“However, we believe that Google's Google Hotel Ads (GHA) product, which was announced in 2015 and which was first used in Türkiye in 2016... decreases organic traffic. “Google Hotel Ads” is an advertisement model whereby search results include locations, price information and images for hotels just below Adwords results, which pushes organic list results downwards on the page. The following images show the advertisement slots with Google Hotel Ads. A website which organically has the topmost spot when there are no advertisements drops down to the tenth spot once Google Adwords and Google Hotel Ads are both displayed on the page. As a result, there is a significant (exponential) loss of organic traffic in the relevant search volume.”*

- *“The implementation of Google Hotels and ..., made it more difficult ... to receive clickthroughs from the organic channel since organic results are pushed even further below Google's own services, and they are not highlighted to the same extent as Google. This situation ... forced to bid for keywords in order to gain visibility against Google's own hotel and ... offers (paid advertisements shown above Google Hotels and ...).*

...

Google used its dominant position in general search to gain unfair advantage against ... and MSS competing with Google Hotels - by favoring these tools in organic results (so that they are always above the organic results from competing MSS), by showing prices in the results for these tools (and making it harder for competing MSS to do the same) and by transferring the date information in the consumers' searches to its own tools (without doing the same for the competing

MSS). In light of the importance of Google as a source of traffic, the lack of playing field in this way led to a rapid growth for Google's tools against the other MSS [both in Türkiye and abroad].⁷⁸

- "... Considering how visible the Hotel Ads product is on the Google page, the product in question is observed to attract consumer attention; at the same time, this situation leads to a negative impact on those firms which do not take out ads and instead focus on organic ads, or which have a limited advertisement budget."
- Google Local Unit (Google My Business) application has a direct negative effect on our services, since it makes the display of organic results more difficult, and these are the most important service parameter for undertakings providing local search services. Moreover, this field always has a competitive advantage due to its fixed location on the search page."
- "These channel transition trends are the same on the desktop and mobile internet. In 2013, Search Engine Optimization Traffic corresponded to (.....)% of the Google channel traffic on the desktop, and (.....)% on mobile. This figure dropped to (.....)% for both desktop and mobile in 2018, which forces ... to use Google's paid channels to maintain visibility."
- "However, while our website used to come up in the top 3 in Google search results as well as in the ads on the left side, now the top 4 spots are made up of ad results. This demoted organic search results even further down, dropping our clickthrough rates in organic results."

Afterwards, Google activated its own tool 'hotel box' widget for the tourism/accommodation sector, and positioned it below the first 4 ad results.

Organic search results, which were already pushed down as a result of the allocation of the top 4 spots to ads, dropped even further after the addition of this widget. This led to an around (.....)% reduction in the clickthrough rates of the organic results. Moreover, even if we had the (.....) ranking in some organic search results, our clickthrough rates do not increase that much as a result of this, and our traffic from the organic channel is reduced.

...

In that context, our e-commerce site should not be seen as substitutable for or in competition with the Hotel Widget. This is because, as we mentioned above, it has become too difficult for our company to be organically visible in Google search due to advertisements and the Hotel Widget, and we are forced to purchase advertisement services from Google for a fee to prevent that. Under these circumstances, becoming a substitute for them or competing with them is impossible for us, as you would appreciate, since we are required to bear additional costs."

- "As a result, organic traffic has decreased and paid traffic has increased due to an increase in the number of advertised listings. This has a larger impact for mobile devices. Consumers are unable to see any results without ads on the first page."

(310) The statements above clearly show the concerns competing local search websites have with relation to lost visibility and traffic due to Google favoring its own services in terms of position and appearance, as well as their concerns related to growing difficulties of competing with Google. One of the most frequently mentioned methods of dealing with the situation seems to be choosing Google's paid channel instead. In that context, due to Google's increasing number of advertisements and large local unit,

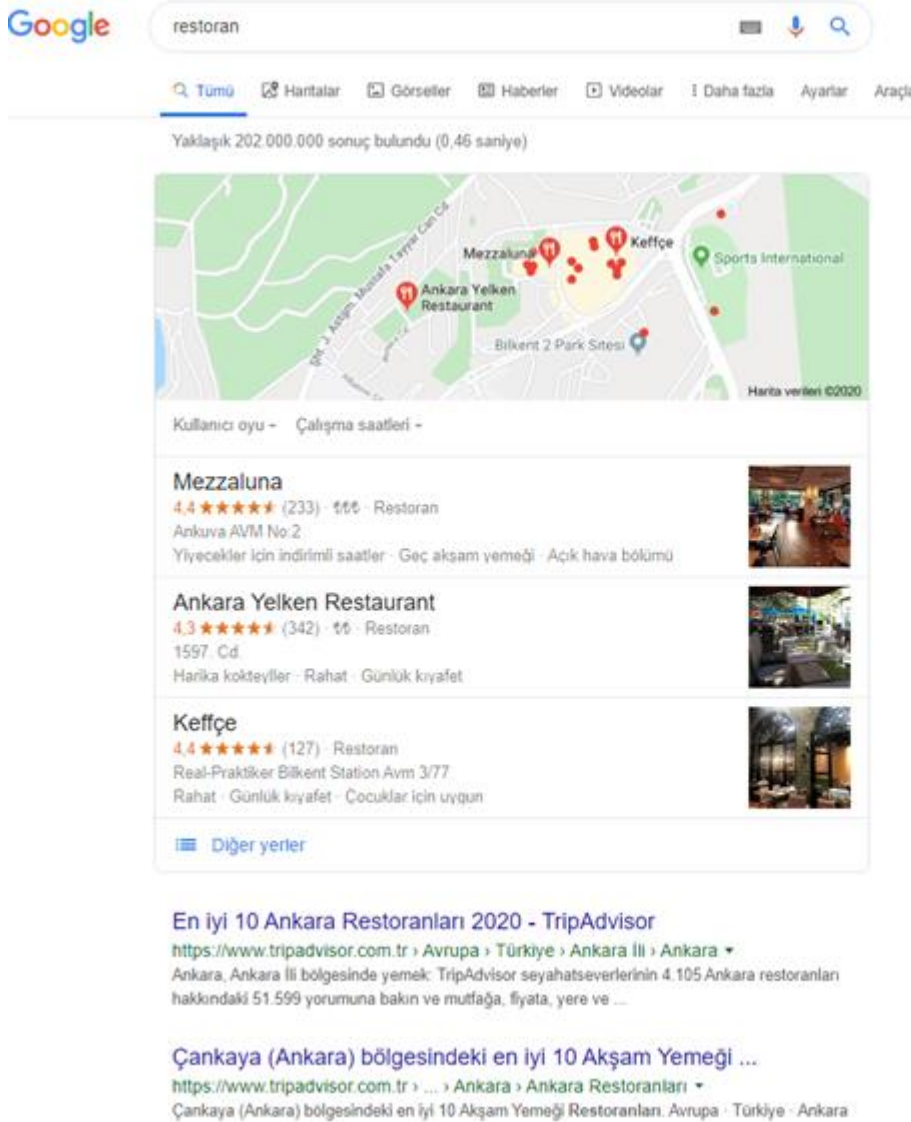
⁷⁸ Translated from English to Turkish, back to English.

even having a top spot in organic results do not leave space for effective competition and the competitors are not able to get into this space anyway. Therefore, alternative tools for competition are found to be quite limited.

Presentation of the Local Unit and the Structure of the Search Results Page

- (311) According to the information provided by Google, the Local Unit became available in Türkiye in 2009. It is noted that Google Places and Google+Local features were deactivated by Google years ago. In order to better understand how the Local Unit is displayed among Google's general search results, an example query has been submitted on a desktop computer, and the following screenshots show the first screen of results with the Local Unit seen by the user:⁷⁹

Figure 56: How Local Unit is Displayed within Google Search Results



The screenshot shows a Google search for 'restoran' (restaurant) in Ankara. The search results page includes a map of the area around Bilkent 2 Park Sitesi, with several restaurant locations marked. Below the map, there is a list of three restaurants:

Restaurant Name	Rating	Number of Reviews	Price Range	Category
Mezzaluna	4.4	233	₺₺₺	Restoran
Ankara Yelken Restaurant	4.3	342	₺₺	Restoran
Keffçe	4.4	127	-	Restoran

Below the restaurant list, there are two links from TripAdvisor:

- [En iyi 10 Ankara Restoranları 2020 - TripAdvisor](https://www.tripadvisor.com.tr)
- [Çankaya \(Ankara\) bölgesindeki en iyi 10 Akşam Yemeği ...](https://www.tripadvisor.com.tr)

⁷⁹ The screenshots in question were taken on a desktop, with 90% zoom and a 19 inch screen.

Figure 57: How Local Unit is Displayed within Google Search Results


Google

ankara restoran

Tümü Haritalar Görşeller Haberler Alışveriş Daha fazla Ayarlar Araçlar

Yaklaşık 13.700.000 sonuç bulundu (0,57 saniye)

Demonti Hotel Boreas Restoran | Akşam Yemeđi
www.demontihotel.com/ • (0312) 417 08 08
Yöresinden özel olarak getirilen malzemelerle hazırlanıp eşsiz sunumlarla taçlandırılan.
Damak tadınıza uygun lezzetler. 2018 Yılı'nın Ödüllü Oteli.



Kullanıcı oyu - Çalışma saatleri -

Ankara Yelken Restaurant
4,3 ★★★★★ (342) ₺₺ Restoran
1597. Cd.
Harika kokteyller - Rahat - Günlük kıyafet

Mezzaluna
4,4 ★★★★★ (233) ₺₺₺ Restoran
Ankava AVM No.2
Yiyecekler için indirimli saatler - Geç akşam yemeđi - Açık hava bölümü

Salus Restaurant
4,0 ★★★★★ (93) ₺₺₺ Türk
Bülbül Çk. No.3
Geç akşam yemeđi - Açık büfe - Kahvaltı

[Diđer yerler](#)

En iyi 10 Ankara Restoranları 2020 - TripAdvisor
<https://www.tripadvisor.com.tr> • Restaurants-g298656-Ankara
Ankara, Ankara ili bölgesinde yemek: TripAdvisor seyahatseverlerinin 4.105 Ankara


Figure 58: How Local Unit is Displayed within Google Search Results

Google

çukurambar doktorları

Tümü Haberler Haritalar Görseller Videolar Daha fazla Ayarlar Araçlar

Yaklaşık 200.000 sonuç bulundu (0,48 saniye)



Kullanıcı oyu - Çalışma saatleri -

<p>Doç. Dr. İbrahim Sakçak - Mide Botoksu, Mide ...</p> <p>4.7 ★★★★★ (42) - Doktor</p> <p>Çukurambar Mah. Muhsin yazıcıoğlu cad sarıkonak apt. D.No 8/11 ...</p> <p>Açık - Kapanış saati: 18:00</p>	<p>WEB SİTESİ</p> <p>YOL TARIFI</p>
<p>Dr. Güngör Sobacı</p> <p>4.3 ★★★★★ (9) - Doktor</p> <p>Muhsin Yazıcıoğlu Caddesi & 1480. Sokak Besakule İş Merkezi D:B...</p> <p>Açık - Kapanış saati: 16:00</p>	<p>WEB SİTESİ</p> <p>YOL TARIFI</p>
<p>Op. Dr. Muharrem Demiroğulları</p> <p>4.6 ★★★★★ (30) - Doktor</p> <p>Çukurambar Mahallesi, 1480. Sokak No.2/38 Besa Kule A Blok'u - (...)</p> <p>Açık - Kapanış saati: 18:00</p>	<p>WEB SİTESİ</p> <p>YOL TARIFI</p>

[Diğer yerler](#)

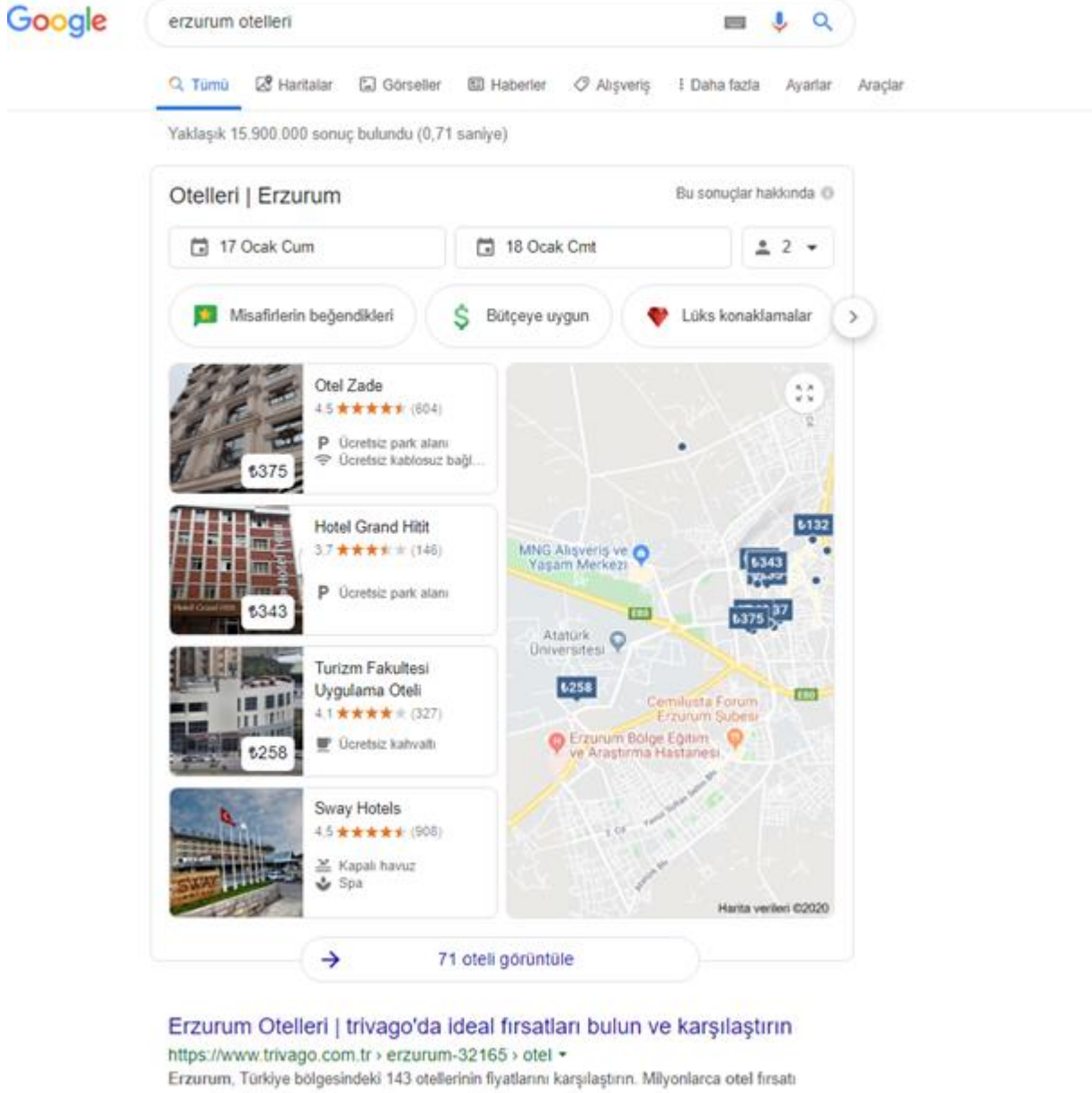
Ankara, Çukurambar | DoktorTakvimi.com

<https://www.dokortakvimi.com> > ankara > cukurambar ▾

Bunu mu arıyorsunuz: Ankara, Çukurambar? Ankara, Çukurambar'deki doktorların veya uzmanların listesine göz atın. Yorumları okuyabilir ve randevu ...

<p>Ankara Atatürk Eğitim ...</p> <p>Ankara Atatürk Eğitim Araştırma Hastanesi Balgat Çukurambar ...</p>	<p>Çocuk Sağlığı Ve Hastalıkları</p> <p>... kliniğindeki uzmanlık alanı</p> <p>Çocuk Sağlığı Ve Hastalıkları ...</p>
--	---

Figure 59: How Local Unit is Displayed within Google Search Results



- (312) The screenshots above show that, first of all, Google displays its own local search results in searches performed with a geographical area as well as in those performed without one, i.e. searches conducted without entering a location lists local businesses around the user. Secondly, the screenshots above also show that search results position the Local Unit at the top, just below text ads. Thirdly, Google uses different versions of the Local Unit for different services (see Figures 56, 57, 58, 59). The area covered by the Local Unit changes accordingly. An hotel search is performed in the last example above, where it can be seen that in addition to the Local Unit, a single organic result does not completely fit into the first screen of Google search results, also known as “before the fold. When the zoom is set to 100%, the first screen can only fit the Local Unit.
- (313) Following are the screenshots of the first screen of results on a mid-size desktop (19 inches), laptop (13.3 inches) and mobile phone (4.7 inches/iphone-7) for a restaurant search with no text ads.

Figure 60: Screenshots for the First Screen of the General Search Results Page on Different Channels for the Queries “Kars Hotel” and “Hatay Hospital”

	Desktop	Laptop	Mobile Phone
<p>“Kars Hotel” Query</p>			
<p>“Hatay Hospital” Query</p>			

- (314) As made clear by the screenshots above, with the exception of the desktop, none of the other channels can fit Google’s hotel unit, which covers a relatively large area (four local businesses), and other local units (three local businesses) at the same time on the first screen. Since the hotel local unit includes four local businesses and more filtering options, it covers an area that is larger than 1.5 screens (where only one organic result can fit at the bottom of the second screen) on a mid-size mobile phone. Thus, websites lose more visibility as the channel in question decreases in size. While the share of mobile traffic varies between undertakings at present, more than 70% of a website’s traffic is generally from mobile sources, which increases the likelihood of the area covered by the Local Unit to have an impact on competition.
- (315) On the other hand, Google’s maximum number of advertisements on each general search results page is set to four text ads for the top of the page, and three for the bottom. This ad area may also include advertisement products other than text ads, provided they do not exceed the boundaries. Moreover, it is known that more ads are shown for searches with higher commercial value on average. In that context, local search sites are demoted and thus they lose visibility not only due to the area covered by the Local Unit, but also as a result of these ads. At the same time, local search websites are forced to take out more ads in order to regain the visibility they lost. To illustrate the explanations above, screenshots of the first page for a sample query displaying four text ads on the results page are included below:

Figure 61: Screenshots of the First Page on the Desktop

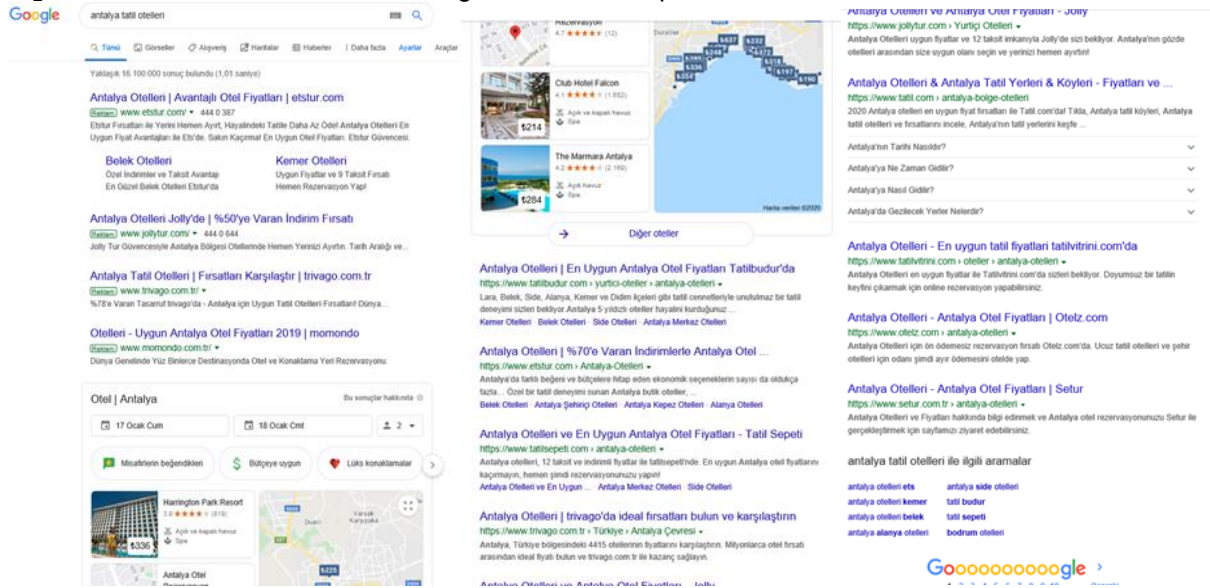
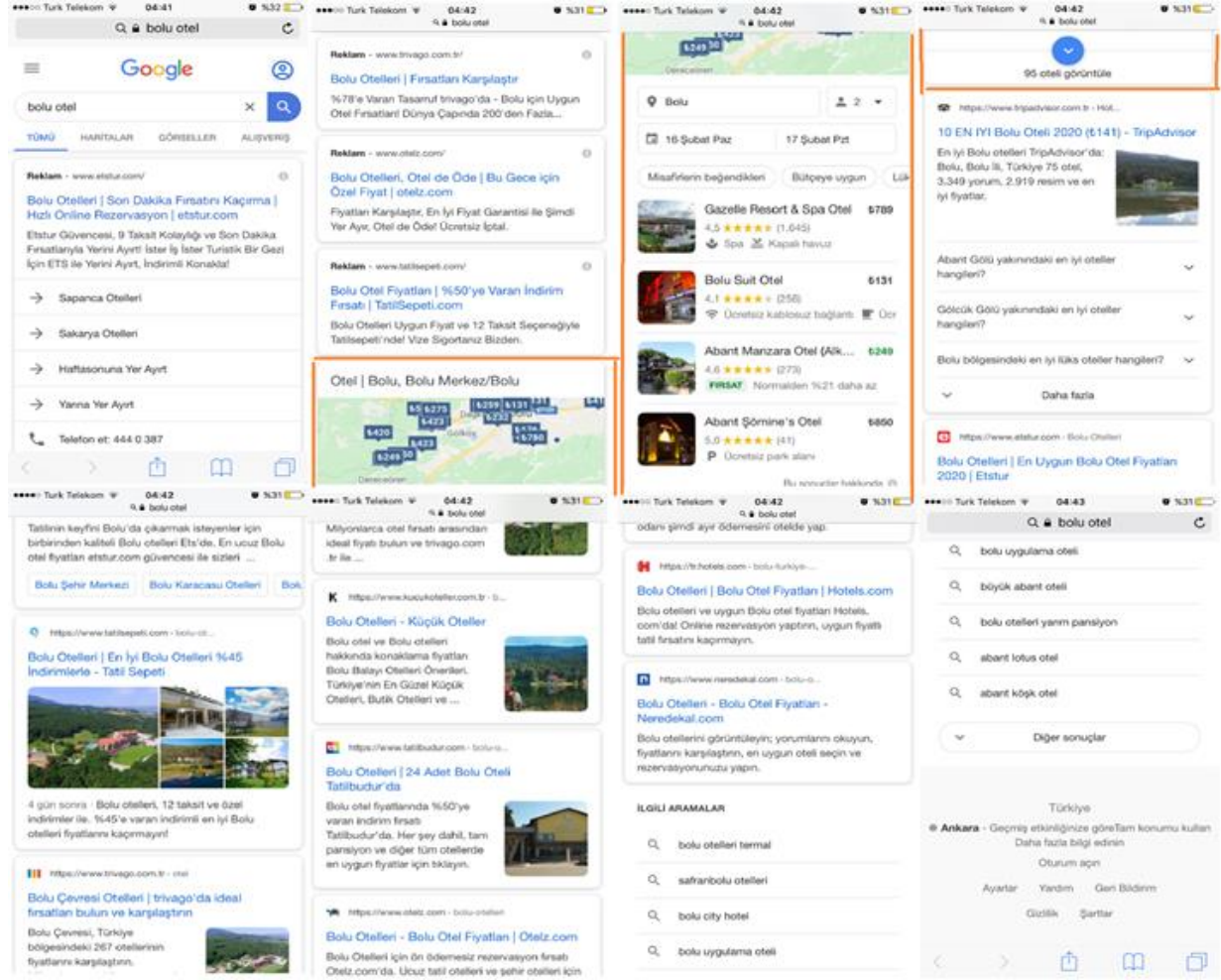


Figure 62: Screenshots of the First Page on Mobile (Mobile Phone) (The Section Market with Orange is the Local Unit)



- (316) From the first screenshots above, it can be seen that if Google displays ads at its maximum limits on a mid-size desktop, then the first organic result is shown in the middle of the second screen and that the first page, which fits into three screens in total, is covered with ads and the Google Local Unit. The second group of screenshots show that on a mid-size mobile screen (mobile phone), the first organic result appears on the 4th screen if the maximum number of ads are displayed (requiring three swipes to reach it), and that more than three of the seven screens before the “other results” button, indicating the bottom of the first page on the desktop channel, are covered by Google’s ads and Local Unit.
- (317) In addition, while the investigation process was ongoing⁸⁰, it was found that Google started to display ads in its Local Units and raised the number of businesses it included outside the accommodation area from 3 to 4. The following are Local Units with ads for various sample queries:

Figure 63: Local Unit Results Presented in Response to the “Ankara Transporter” Query

The screenshot displays a Google search for "ankara nakliyecisi". The search results are organized into several sections:

- Search Bar:** "ankara nakliyecisi" with a search icon.
- Map:** A map of Ankara showing several red location pins. Below the map, there are filters for "Şu anda açık olanlar" and "DİĞER FİLTRELER".
- Local Unit Results:** Four results are listed:
 - A Ankara süper nakliyat:** Nakliye Hizmeti, Çankaya, 24 saat açık.
 - B Ankara Nakliyat:** Nakliyat Şirketi, Çankaya/Ankara, 24 saat açık.
 - C Ankara Profesyonel Nakliyat:** Nakliyat Şirketi, Yenimahalle/Ankara, 24 saat açık.
 - D Doğançay Nakliyat Ticaret A.Ş.:** Taşıma ve depolama hizmeti, Etimesgut/Ankara, 24 saat açık.
- Advertisements:** Several ads are displayed on the right side, including "Ankaya Nakliyat", "Batiker", "elvan nakliyat", and "Yamot".
- Other Results:** Below the ads, there are more search results for "Ankara Evden Eve Nakliyat" services, including "En İyi 10 Ankara Evden Eve Nakliye Firması | Armut" and "Ankara Evden Eve Nakliyat Sahibinden.com Hizmetler'de!".

⁸⁰ Local Units with ads were identified on 21.02.2020.

Figure 64: Local Unit Results Presented in Response to the “Ankara Pediatrician” Query

ankara çocuk doktoru

TÜMÜ HARİTALAR GÖRSELLER HABERLER VİCİ

Reklam - www.goncayizmaz.com.tr/Çocuk_Doktoru/Gonca,...

Çocuk Doktoru Ankara | Prof Dr Gonca Yılmaz | goncayizmaz.com.tr

Çocuk Sağlığı: Büyüme ve Gelişimi, Aşılma, Beslenmesi, Alerjileri, Gelişimsel Pediatri, Yenidoğan Bebek Takibi, Bebek Beslenmesi, Gelişim Taraması, Emzirme Sorunları, Alerjik Hastalıklar. Ücretsiz Bakanlık Aşılma.

Telefon et: (0312) 441 14 17

Reklam - www.dr.yeldamumcu.com/

Aylık Yenidoğan, Prematüre | Sağlam Bebek Çocuk Takibi | dryeldamumcu.com

Ankara'da Emzirme Danışmanlığı, Büyüme Gelişim İzlemi, Bebek ve Çocuk Beslenmesi. Ücretsiz Sağlık Etkinliği. Aşılma Çocuk Hastalıkları Teşhis Tedavisi...

Telefon et: (0312) 286 21 11

Reklam - www.doktoroglu.com/

Uzm. Dr. Öge Çultu Kantaroğlu | Çankaya Çocuk Doktoru Ankara - doktoroglu.com

Doğumdan itibaren aylık sağlıklı bebek ve çocuk takibi, emzirme danışmanlığı, düzenlenmesi. Aynı gün Kan ve...

Reklam - 5.0 ★★★★★ (51)

Doç. Dr. Osman ÖZDEMİR | Çocuk Kalp Do...

5.0 ★★★★★ (51)

Çocuk Kardiyolojisi Uzmanı - Çankaya/Ankara

Açık - Kapanış saati: 19:00

Diğer yerler

Çocuk Doktoru

Ankara yakınında

Doç. Dr. Tülin Köksal | Eryaman Çocuk...
Uzm. Dr. Yelda Mumcu Çocuk Sağlığı...

Bu anda açık olanlar En çok oy alanlar DİĞER FİLTRELER

Uzm. Dr. Yelda Mumcu-Çocuk Sağlığı ve...

Reklam - 5.0 ★★★★★ (5)

Çocuk Doktoru - Çankaya/Ankara

Açık - Kapanış saati: 19:00

Prof. Dr. Peyami CİNAZ Çocuk Sağlığı ve H...

5.0 ★★★★★ (13)

Çocuk Doktoru - Çankaya

Açık - Kapanış saati: 18:30

Doç. Dr. Tülin Köksal | Eryaman Çocuk Dokt...

5.0 ★★★★★ (17)

Çocuk Doktoru - Etimesgut/Ankara

Açık - Kapanış saati: 18:00

Çocuk Sağlığı Ve Hastalıkları Ankara - Yorumları incele ve randevu al | DoktorTakvimi.com

Ankara Çocuk Sağlığı Ve Hastalıkları alanında tercih edebileceğiniz 1393 adet uzman ve doktor bulunuyor. Doktorları inceleyip randevu alabilirsiniz.

Çankaya Ankara Sigorta Acıbadem Sigorta Allianz

ANKARADA TAVSIYE EDECEĞİNİZ ÇOCUK DOKTORU VARMII??? | Anneysen

19 yanıt

Yeni doğmuş bebeğim için Ankara'da güvenilir, iyi bir çocuk doktoru arıyorum. Tavsiye edebileceğiniz bir doktor varsa paylaşırsanız sevinirim. ...

Figure 65: Local Unit Results Presented in Response to the "Ankara Psychiatrist" Query

ankara psikiyatrist

TÜMÜ HARİTALAR GÖRSELLER HABERLER VİDEO

Yazımı düzeltilmiş şu sorgu için sonuçları görüyorsunuz: **ankara psikiyatrist**
Yine de şu sorguyu ara: ankara psikiyatrist

Reklam - www.bireyseldanismanlik.com/

Ankara Psikiyatrist Arıyorsan | Mizmer'den Uzman Desteği Al | BireyselDanismanlik.com

Ankara Psikiyatrist ile İlgiliysen Mizmer Bir Telefon Kadar Yakınında. Sağlıklı, Mutlu, Başarılı ve Güzelliklerle Dolu Bir Hayata Başlamak için Hemen Randevu Al. destinasyonlar: İstanbul, Ankara, İzmir, Konya.

Çankaya · Söğütözü Mahallesi Koç Kulel...
24 saat açık

Reklam - www.neslihanaltunsoy.com/

Ankarada Psikiyatrist | Uzm. Dr. Neslihan Altunsoy | neslihanaltunsoy.com

Hacettepe Tıp Fakültesi Mezunu Uzm. Dr. Neslihan Altunsoy. İle Sizde Hayatınızdaki Engellerden Kurtulun. Hizmetler: Fobiler, Travma Sonrası Stres, Yaş Süreci.

Bireysel Psikoterapi İletişim Çift Terapisi Hizmetler

Telefon et: 0505 939 01 67

Psikiyatrist
Ankara yakınında

Şu anda açık olanlar En çok oy alanlar DİĞER FİLTRELER

Mizmer Ankara Ofisi
Reklam - 4,7 ★★★★★ (49)
Psikolog - Çankaya/Ankara
24 saat açık

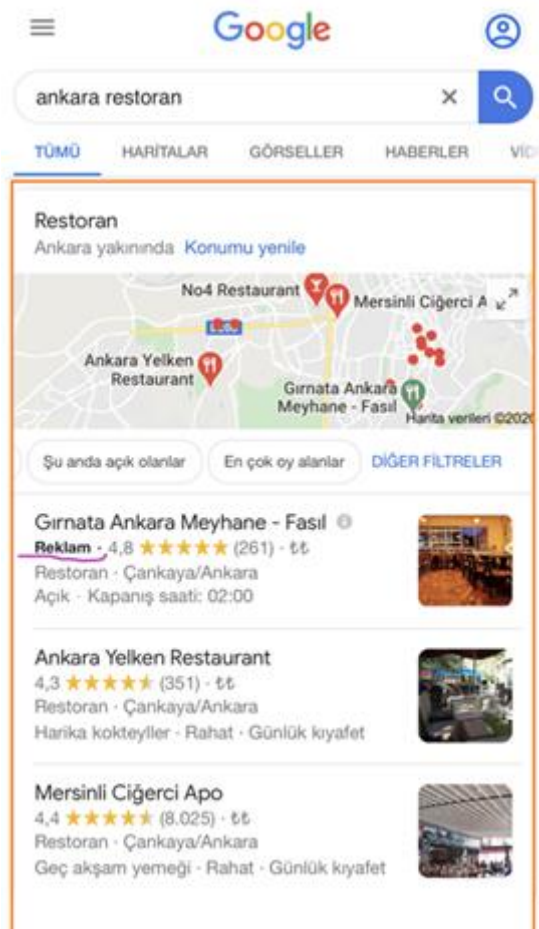
Psikiyatrist Buket Tuncer Eryonucu Ruh Sa...
5,0 ★★★★★ (3)
Psikiyatrist - Ankara
Açık · Kapanış saati: 19:00

Uzm. Dr. Baise Tıkır
4,3 ★★★★★ (9)
Psikiyatrist - Yenimahalle/Ankara
Açık · Kapanış saati: 20:00

Prof. Dr. Oğuz Berksun Psikiyatrist, Ankara
3,6 ★★★★★ (14)
Psikiyatrist - Çankaya/Ankara
Açık · Kapanış saati: 19:30

Diğer yerler

Figure 66: Local Unit Results Presented in Response to the Restaurant Query



- (318) First of all, the screenshots above show that the Local Unit, which covers a rather large space (vertically) even when there are no ads displayed, takes an even larger area if it does include additional ads. Secondly, the Local Units in question are displayed above the organic results (and below text ads, if any). As a consequence of that, Google's Local Units seem to be favored in terms of position and appearance, in comparison to the competitors. Additionally, Google gains an advantage before its competitors with respect to those businesses who wish to appear at the most valuable area of the general search results page and in a visually rich box. This is because while any business can show its ads on the competing local search websites only after the link to the relevant website is clicked, Google can display at a higher location and in a more advantageous manner in terms of appearance, thanks to the Local Unit. At the same time, as mentioned above, Google states that the Local Unit is fully populated by organic results and is ranked by a test of relevancy performed with other organic results. Examining the ads in that respect reveals that showing an area in which Google displays ads and takes into account criteria beyond those purely involving quality above other organic results cannot be reconciled with the aforementioned relevancy process. Independent of whether Local Units with ads – provided they are shown – are displayed above the organic results automatically or in some other area they supposedly “deserve,” depending on the results of a test, it is clear that competing local search websites are put in an even more disadvantageous position in terms of location and appearance (visuals/features/area) as compared to a Local Unit that includes ad results.

Location of the Local Unit

(319) Within the framework of the file, Google claims that it displays the Local Unit based on the same relevancy level as free generic search results. In other words, Google states that the Local Unit is shown only when it is more relevant than the generic results at the same location. Following this explanation, Google was asked to provide average ranking information of the Local Unit for the 2009-2019 period, on an annual basis. In response, Google provided the following monthly data for the December 2018 - August 2019 period:

Table 8: Average Location of the Local Unit on Google’s General Search Results Page

Month	Average location of the local unit on Google’s general search results pages
Dec.18	(.....)
Jan.19	(.....)
Feb.19	(.....)
Mar.19	(.....)
Apr.19	(.....)
May.19	(.....)
Jun.19	(.....)
Jul.19	(.....)
Aug.19	(.....)
Source: Google	

(320) The data above reveal that the Local Unit has generally the top three rankings in Google’s general search results. While the exception for the months of July and August is not known, it is believed that it might be due to an increase in the demand for advertising products in connection with seasonal effects.

(321) Google was also asked to provide the average distribution ratios of each ranking in the general search results on an annual basis for 2018 and 2019, for those results with the Local Unit. In response, Google submitted the following monthly data for the December 2018-August 2019 period.

Table 9: Local Unit’s Display Rate in Terms of Ranking for Those Results Where It Was Shown(%)

Month	Ratio of the local units displayed in the following rankings										
	1	2	3	4	5	6	7	8	9	10	11
Dec.18	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jan.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Feb.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Mar.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Apr.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
May.19.	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jun.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jul.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Aug.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Source: Google											

(322) As shown in the table above, among the local units shown within Google search results, the ratio of those displayed in the first ranking varies from around (.....)% to (.....)% on a monthly basis for the period of December 2018 to August 2019. Secondly,

in the relevant period, the ratio in question only fell below (.....)% in July and June of 2019. Besides, the higher display ratio of the Local Unit in the 5th ranking in July and June compared to the other months reinforce the observation that the demand for text ads were higher in those months and that there was a loss in rankings due to the display of maximum number of ads (four). Thirdly, the display rates of the local unit in the first five rankings vary between (.....)% to (.....)%, approximately.

- (323) The examinations conducted under the file show that Google displays the Local Unit in a sample product search such as “Children shoes” to list shoe stores (as the 5th organic result), as seen below. Therefore, in light of the numerous other sample queries submitted, it was found that the Local Unit was mostly positioned as the first organic result for direct local search queries, and somewhat lower for other queries that are indirectly related. Moreover, as made clear by the Google screenshots included below, Google does include the Local Unit in the first page in response to the relevant query, despite failing to link any competing local search websites. All of the results on the screen other than the Local Unit (with the exception of the Shopping Unit) are for platforms that directly sell the relevant product. This therefore raises suspicions that Google uses a wider definition for local search queries when deciding on the relevancy of the Local Unit

Figure 67: "Children shoes" query

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www.n11.com : Giyim & Ayakkabı - Ayakkabı & Çanta

Çocuk Ayakkabı Modelleri & Fiyatları - n11.com
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- (324) In light of these data, it is concluded that the Local Unit is mostly being displayed higher and more favorably than the other organic results.
- (325) Besides, despite Google insisting that the Local Unit is subject to the same standards of relevancy as the organic results, it does not seem reasonable to subject Local Unit to the same quality test as its competitors when it visually favors its own local search service. The data presented above prove, once more, that in a contest where the parties cannot use the same weapons, Google is the winner in a majority of the cases. Moreover, Google has started to display ads in its Local Unit as well. In that case, it is not known how a quality or relevancy test can be conducted between an area with ads and a fully organic result.

The Importance of the Ranking in Google's Search Results Page in Terms of Traffic

- (326) In order to determine the effect of the Local Unit's positioning above the search results in a large space together with maps and visuals on the competitors, we must first examine how important it is for the traffic of a local search website to be included in Google's search results and rank high in those results.
- (327) In its *Shopping* decision, the EU Commission noted that ranking in the top 3 to 5 on the first page of Google's general search results allowed a significant traffic volume since consumers generally checked the first 3 to 5 results and paid much less attention or no attention at all to the remaining results.⁸¹ In addition, the CMA study titled "*Online Search: Consumer and Firm Behaviour*" points out that users disproportionately focus on the top results in various online channels such as search engines and comparison shopping sites, with strong evidence suggesting that the purchases are done through the top links concerned, as well.⁸² The relevant study states that the top three links, on average, get 40-65% of the total clickthroughs on desktops, with this trend increasing even more in mobile devices so that the top three links get up to 70% of the clickthroughs. It is emphasized that the situation cannot be explained solely by the fact that the top results are the most relevant to the queries submitted by the users and that there is evidence to suggest consumers had an intrinsic tendency and fallacy to click the top links.
- (328) At the same time, there are numerous studies conducted by various SEO companies on the clickthrough rates according to rankings in Google's general search results. According to a 2014 study conducted by MOZ, the top five search results receive 67.60% of all clickthroughs⁸³. The chart below shows the clickthrough rates according to ranking, measured by the aforementioned undertaking:

⁸¹ Commission decision dated 27.06.2017 and numbered AT.39740, pp. 124-126.

⁸² Competition and Markets Authority (2017), "*Online Search: Consumer and Firm Behaviour*", p.3, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/607077/online-search-literature-review-7-april-2017.pdf

⁸³ MOZ, "Google Organic Click-Through Rates in 2014", <https://moz.com/blog/google-organic-click-through-rates-in-2014>

Chart 13: Click-through Rates According to Google Search Results



Source: MOZ, "Google Organic Click-Through Rates in 2014", <https://moz.com/blog/google-organic-click-through-rates-in-2014>; Accessed: 23.01.2019.

(329) According to the data above, results ranked between 6 and 10 only receive 3.73% of the clickthroughs, and the results on the second and third pages get clickthrough rates of 5.59% in total.

(330) The chart below shows the clickthrough rates from another source, according to the rankings of November 2019.

Figure 68: Average Clickthrough Rates According to Ranking in Google Search Results (November 2019)⁸⁴



Source: <https://www.advancedwebranking.com/ctrstudy/>; Accessed: 23.01.2019.

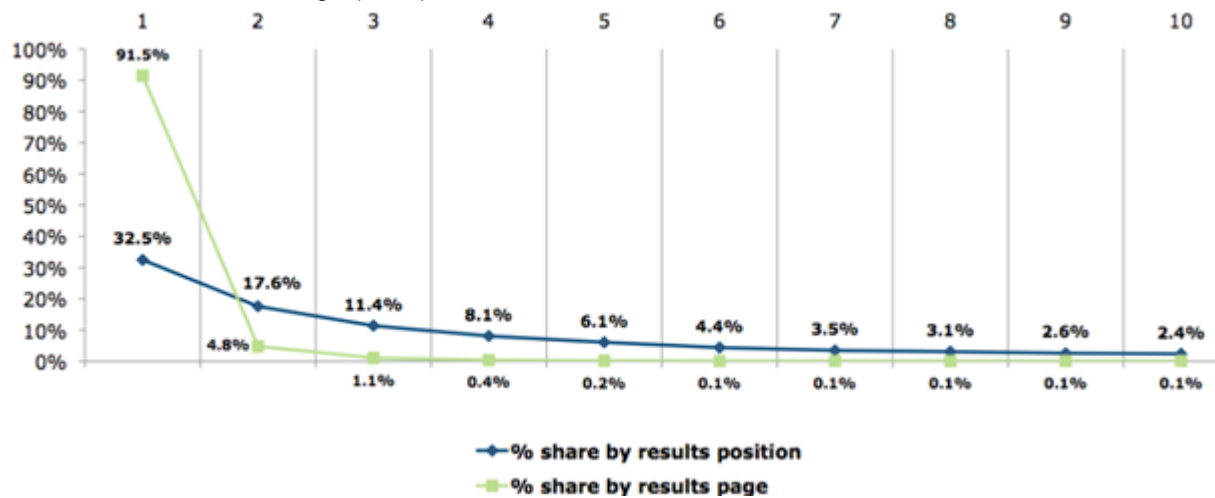
(331) The figure above shows that search results calculated on a monthly basis have a clickthrough rate of 31.35% in the mobile channel for the top ranking result, and that those rates falls down to 16.91% for the second-ranked result.

(332) On the other hand, another important factor is on which page of the Google general search results the website is shown. The figure below includes observations on the effect ranking and page number in Google's general search results have on

⁸⁴ It is noted that the rates in question are calculated based on statistics from 11,852,417 search words and 107,643 websites.

clickthrough rates:

Figure 69: Average Clickthrough Rates of the Results on Google's First Page by Ranking and by the Number of the Results Page (2013)



Source: *Chitika talks of the Value of Google Search Result Positioning (2013)*
<https://www.marketingcharts.com/charts/chitika-percentage-traffic-by-google-search-result-position-page-june2013>, Accessed: 23.01.2019.

- (333) The figure above shows that the results on Google's first page receive 91% of the total clickthroughs related to a query, while the results on the second page receive only 4.8% of them. Similar to the other studies above, this study also notes that the top ranking result receives a clickthrough rate of 32.5%, with the top five ranking results receiving a clickthrough rate of 75.7%.
- (334) In light of the information above, it is concluded that the position where Google generally places the Local Unit is a very valuable piece of the Google search results page, and that this location of the Local Unit has a significant impact on the volume of traffic received by the local search websites in the general search results from Google. Moreover, not only is this feature positioned on the top of the page but it is also allocated a large space with images, which makes it less likely for other webpages to be included in the first page of the results, increasing this effect exponentially in line with the statistics above. The article titled "*Search Behavior and Why Ranking Above the Fold Matters*," which was also referenced by the Commission in its decision, emphasizes that a user performing a search mostly clicked on a link above the fold (generally stated to be the top five results) and that any of the results that require scrolling down had much lower clickthrough rates. In addition, it is also noted that this effect is even more pronounced on the mobile, where above the space above the fold is even smaller.⁸⁵

Share of Traffic from Google within the Total Traffic of Websites

- (335) In order to make a sound assessment of the effects of how the Local Unit is displayed on the traffic of the competing local search websites, and thereby on the relevant product market, it must first be examined how much of the traffic to these websites are directed from Google's general search results and how much of an impact the Local Unit has on this traffic. In that context, undertakings providing local search services were asked to provide data on their traffic sources for the 2013-2018 period, based on

⁸⁵ Smith, J. (2008), "Search Behavior and Why Ranking Above the Fold Matters", <http://www.seodesignsolutions.com/blog/articles/search-behavior-why-ranking-above-the-fold-matters/>

number of sessions (number of visits) and number of unique users (number of visitors). In addition, they were asked to breakdown the traffic from Google according to Google’s organic search results and other advertisement channels. While the relevant data was requested from the websites’ launch onwards, not all of the websites had the data for the relevant periods available. As a result, some of the traffic analyses in the file were conducted based on the information collected from those undertakings which were actually able to produce the data concerned.

(336) In light of the data in question, the following tables show the share of the traffic from Google (paid+free) within the total traffic of the websites providing local search services⁸⁶ in the relevant period, based on number of sessions. Due to the large number of websites concerned, websites operating in the field of accommodation have been separated from those in other fields to ensure a more intelligible presentation of the examinations conducted.

Table 10: The Share of the Traffic Received from Google within the Total Traffic Volume of Websites Providing Local Search Services in Accommodation (%)

Months	Jollytur	Enuygun	Etstur	Hotels	Odamax	Otelpuan	Tatil.com	Tatilbudur	Tatilsepeti
Jan.13	(.....)		(.....)	(.....)		(.....)	(.....)		(.....)
Feb.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Mar.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Apr.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
May 13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Jun.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Jul.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Aug.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Sep.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Oct.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Nov.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Dec.13	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Jan.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Feb.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Mar.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Apr.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
May 14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Jun.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Jul.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Aug.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Sep.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Oct.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)
Nov.14	(.....)	(.....)	(.....)	(.....)		(.....)	(.....)		(.....)

⁸⁶Within the framework of the assessment conducted into the relevant product market, it was found that Jollytur and Tatil.com did not operate in the local search services market since their platforms did not include user comments, and that whether or not Bulurum was a competitor depended on the type of the query submitted. While for a majority of the queries they were far from putting competitive pressure on Google, in light of Tatil.com’s inclusion of ratings for facilities, Jollytur’s statement that it would add commenting features going forward, and the fact that Bulurum can be considered a local search service by the users in terms of searches where comments are not a main parameter (such as pharmacies, markets, etc.), the undertakings were also taken into account in the analysis.

Sep.18	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	
Oct.18	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	
Nov.18	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Dec.18	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Jan.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Feb.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Mar.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Apr.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
May 19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Jun.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Jul.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Aug.19	(.....)	(.....)	(.....)		(.....)	(.....)	(.....)	(.....)	(.....)	
Sep.19	(.....)	(.....)			(.....)		(.....)		(.....)	
Oct.19					(.....)					
Nov.19					(.....)					
Source: Calculations based on the data collected from the undertakings										

(337) Table 11: The Share of the Traffic From Google within the Total Volume of Traffic of Other Local Search Websites⁸⁷ (%)

Months	Armut	Bulurum	Doktortakvimi	Kolayrandevu	Reztoran	Sahibinden	Ustanerede	Yelp	Zingat	Zomato
Jan.14	(.....)					(.....)				(.....)
Feb.14	(.....)					(.....)				(.....)
Mar.14	(.....)					(.....)				(.....)
Apr.14	(.....)					(.....)				(.....)
May 14	(.....)					(.....)				(.....)
Jun.14	(.....)					(.....)				(.....)
Jul.14	(.....)					(.....)				(.....)
Aug.14	(.....)					(.....)				(.....)
Sep.14	(.....)					(.....)				(.....)
Oct.14	(.....)					(.....)				(.....)
Nov.14	(.....)					(.....)				(.....)
Dec.14	(.....)				(.....)	(.....)				(.....)
Jan.15	(.....)				(.....)	(.....)		(.....)		(.....)
Feb.15	(.....)				(.....)	(.....)		(.....)		(.....)
Mar.15	(.....)				(.....)	(.....)		(.....)		(.....)
Apr.15	(.....)				(.....)	(.....)		(.....)		(.....)
May 15	(.....)		(.....)	(.....)	(.....)	(.....)		(.....)		(.....)
Jun.15	(.....)		(.....)	(.....)	(.....)	(.....)		(.....)		(.....)
Jul.15	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)		(.....)		(.....)

⁸⁷ Yelp traffic does not include traffic from alternative search engines other than Bing; also, the data starts from the year 2015, since it was noted that traffic from the mobile application could only be provided 2015 onwards.

Nov.18	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Dec.18	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jan.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Feb.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Mar.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Apr.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
May 19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jun.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Jul.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Aug.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Sep.19	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)

Source: Calculations based on the data collected from the undertakings

(338) Data in the tables above were transferred to the charts provided below in order to present the trends through time:

Chart 14: Google Traffic Rates of Websites in the Accommodation Field (%)

(.....TRADE SECRET.....)

Source: Data from the Undertakings

Chart 15: Google Traffic Rates of Other Local Search Websites (%)

(.....TRADE SECRET.....)

Source: Data from the Undertakings

(339) The data above, first of all, show that local search websites in the filed of accommodation (with the exception of (.....) and (.....)) receive between 60-90% of their total traffic from Google. Secondly, Google’s share in the traffic of websites operating in other sectors (with the exception of (.....) and (.....)) seems to be at the same level, in general. Thirdly, even though the share of traffic coming from Google may fluctuate, it generally remains horizontal and does not exhibit a gradual systematic downwards trend. The charts below shows the cumulative totals of the share of the traffic received from Google within the traffic of the undertakings whose data could be collected for the relevant period:

Chart 16: Google Traffic Rates of Local Search Websites in the Accomodation Field (Cumulative-%)

(.....TRADE SECRET.....)

Source: Data from the Undertakings

(.....TRADE SECRET.....)

Source: Data from the Undertakings

- (340) The charts above reveal more clearly that the weight of the traffic from Google generally trends horizontally within the total traffic of the relevant undertakings. When taken together, these results show that Google is the primary source of traffic for a large majority of the local websites and is not substitutable under the current circumstances.
- (341) Moreover, the application notes that content is one of the factors affecting the local search service preferences of the users and that users provide content for the relevant website by providing information, images, ratings and reviews for businesses. In addition, it is also noted that all other factors being equal, visitors prefer to use those local search websites with the widest and most up-to-date content, with the local search websites themselves working to convert that traffic into new users. At the same time, a very large portion of the users tend to content themselves with reading the existing content instead of providing feedback in the form of up-to-date reviews, which is known as the “1-9-90” rule explained below.
- Around 1% of the users make large contributions to the content;
 - Around 9% make some contribution;
 - Around 90% are curious users known as “lurkers” who only consume the content created by the others.
- (342) The explanations above show that there is a cycle whereby more users lead to more content and more content attracts more users. As a result, undertakings in this field require a larger volume of traffic in order to be able to create large amounts of up-to-date content reliably.
- (343) In light of this data, the traffic received from Google is crucial for the traffic of the undertakings operating in the local search services market and thus Google positioning its own local search service more advantageously than its competitors to lead to a reduction in the aforementioned volume would have significant impact on the traffic.

I.4.2.1.2. Assessment of the Claim that the Quality of the Service Provided via the Local Unit Was Low

- (344) One of the claims in the file alleges that Google positioning the Local Unit at the top, to disadvantage its competitors, prevented the users from accessing the most relevant local service and that the local search services provided by Google itself were of lower quality than those of its competitors. In that context, an assessment must be conducted into the relevant claim in order to determine the validity of the underlying concerns, which involve a loss in consumer welfare stemming from Google providing a lower-quality service than its rivals in the most valuable part of its general search results page, and the competitors, which are supposedly offering higher-quality services, losing competitive incentives due to this situation since they would fail to attract traffic in proportion with the quality they offer.
- (345) As mentioned in the relevant section, in addition to the general search results, Google

also uses the Local Unit to display businesses/organizations/professionals in a geographical area queried by the users as a set of local results, by utilizing a more specialized search technology. Thus, Google has developed a specialized search system in order to display better results for queries on certain categories of information. Before this change, the system offered by Google used to display blue linked results (generic results) and plain text ads to redirect to the websites based on the data and general signals created by crawling the websites, while Google Local Unit presents to the users what they were looking for within more visually attractive boxes.

- (346) According to the explanation provided by Google, it became clear at the beginning of the 2000s that generic technologies were insufficient to present the most relevant results to the users and thus development work started on new sources of data, ranking technologies and formats. It is noted that this new method used by Google is comprised of the following elements:

(.....TRADE SECRET.....)

- (347) According to the information provided, when deciding whether to show the Local Unit for a specific query, Google uses an analysis comparing the relevancy of the Local Unit with generic results. According to the provided information, the first step in assessing the relevancy of local results is to determine potential candidates for local results based on suitable signals (such as the location of the business and its closeness to the user); in parallel, generic internet algorithms determine a group of generic results based on signals related to the characteristics of webpages (such as the textual content and the link structure of the webpage). In the second stage, the relevancy level of the candidate local results is compared with the relevancy level of the generic results. If this comparison determines that the Local Unit is more relevant than the generic results, it is displayed in response to the relevant query.
- (348) The application points out a study conducted by Professor Michael Luca and Hyunjin Kim⁸⁸, which found that Google used its universal search One Boxes to reduce the quality of its own search product to the detriment of the consumers. That study addresses the reactions of the users to Google's preferential treatment towards its own local search results on its general results page.
- (349) The study uses a system known as FOTUL (Focus on the User Local). According to the information provided, the operating principle of FOTUL is to remove the local results for the places/businesses Google would display within the Local Unit for a specific local search and replacing them with Google's generic blue linked results for the same query. The FOTUL add-on scans the generic results on the first ten pages of a particular local query in consideration of the star ratings and user reviews in particular, and results found to be the most relevant ones by Google's own algorithms are included in the Local Unit.
- (350) The observations from this system are summarized as follows:

To investigate, we implement a randomized controlled trial in which we vary the search results that users are shown - comparing Google's current policy of favorable treatment of Google content to results in which external content is displayed. We find that users are 45% more likely to engage with universal

⁸⁸ Luca, M. & Wu, T. (2015), "Is Google degrading search? Consumer Harm from Universal Search".

search results (i.e. prominently displayed map results on Google) when the results are organically determined. This suggests that by leveraging dominance in search to promote its internal content, Google is reducing social welfare - leaving consumers with lower quality results and worse matches.

(351) Besides this, the relevant study found an increase of between 5% and 25% in clickthrough rates when organic links are included under the Local Unit, which was interpreted to mean that organic results provided more relevant information.

(352) Statements made by Google on the FOTUL system emphasize that FOTUL is a tool based solely on generic text matching (for instance whether the word hospital is on that page) on webpage analysis, that generic technologies are not suitable for assessing the relevancy level of local results such as location, type of business, working hours, etc., that operating the Local Unit on a business model based on generic results, as mentioned above, would mean Google giving up specialized advanced technologies, which would prevent users from accessing real-time most-relevant results, causing a significant drop in service quality. The following example is presented in support of this statement, advocating that FOTUL was unable to display highly relevant results for local queries:

“... For example, for a query such as [hospital brussels], FOTUL identifies webpages that have the words “hospital” and “Brussels,” even if they are irrelevant to the hospitals in Brussels. The results also include museums, hotels, a hospital in Kuala Lumpur, Malaysia, and a restaurant. One of the results is a user comment on a restaurant. This comment uses the phrase “very hospital” for a waiter working at the restaurant, which was apparently intended to mean “very hospitable.”

(353) Before going into detail about the services offered by Google and competitors, one issue that must be specifically pointed out is the fact that it is hard to make a universal definition for the concept of quality, and that it is impossible to know which elements of quality are being referred to by a majority of the users in real life. It is known that even Google, which estimated to work via advanced search techniques, is trying to maintain a level of relevancy between the results by identifying certain basic indicators of quality. In that context, the quality assessments under the file provide a general evaluation using the most objective indicators possible, without arriving at an absolute conclusion on whether any one service offered by a website is of higher quality. On the other hand, in light of the fact that the hospital example repeatedly mentioned above by Google to show the “lack of quality” in FOTUL is a rather isolated one, this example is found to be insufficient on its own without knowing the general margin of error for Google, FOTUL or any other competitor in listing potentially unrelated results for the query.

(354) At this juncture, it is important to determine if there is a difference between the services provided by the Local Unit and its competitors, leading to a conclusion that the competitors’ services are inferior. In that framework, results provided to the user on Google’s general search results page for the sample query “Ankara restaurant” are compared between the Local Unit and the competing platforms. In the following sample query, the Local Unit was positioned at the top on organic search results.


Figure 70: Local Unit Results for the Query “Ankara restaurant”

Google

ankara restoran

Tümü Haritalar Görşeller Haberler Alışveriş Daha fazla Ayarlar Araçlar

Yaklaşık 26.600.000 sonuç bulundu (0,47 saniye)



Kullanıcı oyu - Çalışma saatleri -

Ankara Yelken Restaurant
4,3 ★★★★★ (348) - ₺₺ - Restoran
1597. Cd.
Kapalı - Açılış saati: 10:30
Harika kokteyller - Rahat - Günlük kıyafet

Düveroğlu Bilkent
4,4 ★★★★★ (1.753) - ₺₺ - Restoran
Bilkent Biv. 19/B
Kapalı - Açılış saati: 11:00
Gec akşam yemeği - Açık hava bölümü - Rahat

Mezzaluna
4,4 ★★★★★ (249) - ₺₺₺ - Restoran
Ankava AVM No:2
Kapalı - Açılış saati: 12:00
Yiyecekler için indirimli saatler - Gec akşam yemeği - Açık hava bölümü

Diğer yerler

www.tripadvisor.com.tr › Restaurants-g298656-Ankara

En iyi 10 Ankara Restoranları 2020 - Tripadvisor

Ankara, Ankara ili bölgesinde yemek: Tripadvisor seyahatseverlerinin 4.130 Ankara restoranları hakkındaki 52.843 yorumuna bakın ve mutfağa, fiyata, yere ve ...

En iyi 10 Ankara Restoranları ... - Fige Restaurant Bar - Trilye Restoran - L'avare

Figure 71: Full Screenshot for the Query “Ankara restaurant”

Ankara Yelken Restaurant
4.3 ★★★★★ (345) - 66 - Restoran
1597. Cd.
Kapanış - Açılış saati: 10:30
Harika kokteyller - Rahat - Günlük kıyafet

Düveroğlu Bilkent
4.4 ★★★★★ (1.753) - 66 - Restoran
Bilkent Blv. 10/B
Kapanış - Açılış saati: 11:00
Geç akşam yemeği - Açık hava bölümü

Quick China Tepe Prime
4.3 ★★★★★ (1.138) - 66 - Çin
Tepe Prime
Kapanış - Açılış saati: 11:00
Rahat - Günlük kıyafet - Çocuklar için uygun

No-4 Restaurant
4.0 ★★★★★ (252) - 66 - Restoran
Yaşam Cd. 4. sokak D:No:4
Harika kokteyller - Rahat - Günlük kıyafet

Cennetkuşu Kebap
4.3 ★★★★★ (1.171) - 66 - Restoran
2902. Sk. Sarıgöçer Park AVM D:7119
Kapanış - Açılış saati: 12:00
Rahat - Günlük kıyafet - Çocuklar için uygun

Daha fazla yer keşfedin:

Açık hava mekânları
Balıkcıköy Fahri Çayyolu, C...

Canlı mekânlar
Zoka Rakı&Balık, Düver...

Mersinli Çiğerci Apo
4.4 ★★★★★ (1.952) - 66 - Restoran
Zyabey Cd. 24-42
Kapanış - Açılış saati: 11:00
Geç akşam yemeği - Rahat - Günlük kıyafet

Bolu Akın Lokantası
4.4 ★★★★★ (250) - 66 - Restoran
No. 137. Cd No:3
Geç akşam yemeği - Karvahlı

Ankara Yelken Restaurant
4.3 ★★★★★ (345) - 66 - Restoran
1597. Cd.
Kapanış - Açılış saati: 10:30
Harika kokteyller - Rahat - Günlük kıyafet

Düveroğlu Bilkent
4.4 ★★★★★ (1.753) - 66 - Restoran
Bilkent Blv. 10/B
Kapanış - Açılış saati: 11:00
Geç akşam yemeği - Açık hava bölümü

Quick China Tepe Prime
4.3 ★★★★★ (1.138) - 66 - Çin
Tepe Prime
Kapanış - Açılış saati: 11:00
Rahat - Günlük kıyafet - Çocuklar için uygun

No-4 Restaurant
4.0 ★★★★★ (252) - 66 - Restoran
Yaşam Cd. 4. sokak D:No:4
Harika kokteyller - Rahat - Günlük kıyafet

Cennetkuşu Kebap
4.3 ★★★★★ (1.171) - 66 - Restoran
2902. Sk. Sarıgöçer Park AVM D:7119
Kapanış - Açılış saati: 12:00
Rahat - Günlük kıyafet - Çocuklar için uygun

Daha fazla yer keşfedin:

Açık hava mekânları
Balıkcıköy Fahri Çayyolu, C...

Canlı mekânlar
Zoka Rakı&Balık, Düver...

Mersinli Çiğerci Apo
4.4 ★★★★★ (1.952) - 66 - Restoran
Zyabey Cd. 24-42
Kapanış - Açılış saati: 11:00
Geç akşam yemeği - Rahat - Günlük kıyafet

Bolu Akın Lokantası
4.4 ★★★★★ (250) - 66 - Restoran
No. 137. Cd No:3
Geç akşam yemeği - Karvahlı

Ankara Yelken Restaurant
4.3 ★★★★★ 345 Google yorumu
66 - Restoran
Adres: Üniversiteler, 1597. Cd., 06500 Çankaya/Ankara
Çalışma saatleri: Kapanış - Açılış saati: 10:30 -
Telefon: (0312) 200 22 00
Düzenleme önerin

Sorular ve yanıtlar
S: Köpeğiminle gelebiliyor muyuz?
Y: Evet Osman Bey Köpeğinizle gelmenizde herhangi bir sorun yok
(2 yanıt daha)
Tüm soruları görün (1)

Popüler saatler
Pazarlığı göster

Yorum özeti
4,3
345 yorum

Google yorumları
mert akkaya
3 yorum
★★★★★ bir ay önce
Sıcak, müziğiyle, yemeğiyle kaliteli bir mekan. Çok seviyoruz etenim

Tolga Akyuz
Yenil Rehber 17 yorum - 93 fotoğraf
★★★★★ 3 ay önce
İSTIKRARSIZ ÇOK MEMNUN DA KALABİRSİNİZ...PIŞMAN DA OLABİRSİNİZ
AÇIK HAVUDA ŞEBET-ALKOL-APERATİF İÇİN OLABİLİR. AMA YEMEK YEMEK İÇİN ÇOK DOĞRU BİR SEÇİM DEĞİL BENÇE

duygu kelç
Yenil Rehber 150 yorum - 388 fotoğraf
★★★★★ 3 ay önce
Yiyecekler biraz kalitenin altında kalıyor. Mekan çok güzel. Rakı yemek meze demeyip. Bira patates dersiniz tavsiye ederim.

Diğer Google yorumları

Kullanıcıların yaptığı diğer aramalar
Ege Dama Ünlüler, Hacı Bekir Restaurant, Çankaya Balık Kayt & Karadeniz..., SAĞIROĞLU BALIK EVİ Dama Ünlüler, Zoka Rakı&Balık Restaurant

Web sonuçları
www.tripadvisor.com.tr / Restaurant_Review-g298658-63491038-Reviews-...
Ankara Yelken Restaurant - Restoran Yorumları - Tripadvisor
Ankara Yelken Restaurant, Ankara: Tripadvisor sitesinde 5 üzerinden 4,5 puanla değerlendirilmiş ve Ankara bölgesindeki 3.953 restoran arasında 121. sırada ...
ankarayelken.com - bize ulaşın
Bize ulaşın - Ankara Yelken Restaurant - Beer House Bilkent, Üniversiteler Mah. Bilkent 1. Çarşı Sitesi 1597. Cad.No:142. Bilkent/ANKARA. Tel. : 0312 200 22 ...
tr-tr.facebook.com / ankarayelkenrestaurant
Ankara Yelken Restaurant - Bilkent - Ana Sayfa - Ankara ...
Ankara Yelken Restaurant - Bilkent - Üniversiteler mah 1597 cad. Kümevleri nr. 142 Çankaya / Ankara, 06500 Ankara - 37 Değerlendirme değerlendirme ...

- (355) In light of the screenshots concerned, it must be noted that the Local Unit is positioned in a large area, with rich visuals and at the top of the search results. The Local Unit includes two filtering options consisting of “user ratings” and “business hours,” as well as summary information about the restaurants listed in response to the relevant query such as photos (3 photos), star ratings, number of comments and addresses, and the location of the restaurants are shown on a map at the top of the Local Unit.
- (356) Clicking on the “Other places” or the map within the Local Unit lists more restaurants with the same filtering options, and indicates the location of these restaurants on the map. Clicking on one of the restaurants on the first or second page displays the map location at the far right, and a section including information on the venue in the middle. This section has the address of the venue, business hours, questions and responses from the users, how busy it is depending on the hour of the day, photos, user ratings/comments, other searches of the user and “web results” in the Google general search results page related to the query submitted by the user.
- (357) The second most relevant result as determined by Google’s own algorithms, namely Tripadvisor, was selected to compare with the service offered by Google through the Local Unit with relation to the “Ankara restaurant” query. Below is a screenshot of the results displayed on the Tripadvisor search engine in response to the “Ankara restaurant” query:

Figure 72: Tripadvisor Results for the Query “Ankara restaurant”

The screenshot shows the Tripadvisor website interface for the search query "Ankara restaurant". The page is in Turkish and displays various filters and search results.

Filters:

- Seçtikleriniz:** Restoranlar, Ayaküstü Yenebilecek Abşırmaıklar
- Kuruluş Türü:** Restoranlar, Ayaküstü Yenebilecek Abşırmaıklar, Tati
- Mutfaklar ve Yemekler:** Türk, Fast Food, Pizza
- Beslenmeye İlgili Kısıtlamalar:** (Empty)

Search Results:

Ankara Bölgesindeki Yiyecek Yerlerini Araştırın

- Kafe (35)
- Deniz Mahsulleri (121)
- Suşi (12)
- Biftek Restoranı (44)
- Pizza (152)
- Asya (19)
- Çiğ (13)
- Barbekü (32)

Birinci Sınıf Restoranlar

- Trilye Restoran:** 4.5/5 (944 Yorum), \$\$\$\$ Deniz Mahsulleri, Akdeniz, Türk
- No4 Restaurant Bar Lounge:** 4.5/5 (199 Yorum), \$\$\$\$ Bar, Avrupa, Türk
- Günaydın Kebap Restaurant:** 4.5/5 (471 Yorum), \$\$\$\$ Biftek Restoranı, Barbekü, Türk
- Fige Restaurant Bar:** 4.5/5 (226 Yorum), \$\$\$\$ Akdeniz, Avrupa, Türk

Yerel Mutfak

The page also features a map on the left side and a logo for "DÜVEROĞLU" at the bottom right.

Öğünler

Kahvaltı

Brunch

Öğle Yemeği

Akşam Yemeği

Fiyat

Uygun Fiyatlı Restoranlar

Ortalama Fiyatlı

Birinci Sınıf Restoranlar

Yakın Çevredekiler

Atındağ

Keçiören

Çankaya

Restoran Özellikleri

Alkol Var

Açık Büfe

Açık Havada Oturma

Devamı ▾

Uygun Olduğu Amaç

Bar Ortamı


İş Toplantıları

Katabalık Gruplar


Devamı ▾

Orta Fiyatlı


Tümünü gör




L'avare
★★★★☆ 118 Yorum
 \$\$ - \$\$\$, İtalyan, Bar, Akdeniz



Pizza Il Forno
★★★★☆ 337 Yorum
 \$\$ - \$\$\$, Pizza




Kebap 49
★★★★☆ 799 Yorum
 \$\$ - \$\$\$, Türk




Timboo cafe
★★★★☆ 520 Yorum
 \$\$ - \$\$\$, Kafe

Öğle Yemeği


Tümünü gör




Trilye Restoran
★★★★☆ 944 Yorum
 \$\$\$\$, Deniz Mahsulleri, Akdeniz, Türk



No4 Restaurant Bar Lounge
★★★★☆ 169 Yorum
 \$\$\$\$, Bar, Avrupa, Türk




Mersinli Çiğerci Apo
★★★★☆ 363 Yorum
 \$\$ - \$\$\$, Türk, Barbekü




L'avare
★★★★☆ 118 Yorum
 \$\$ - \$\$\$, İtalyan, Bar, Akdeniz

Uygun Fiyatlı Restoranlar


Tümünü gör




Fatma Teyzenin Yeri
★★★★☆ 68 Yorum
 \$, Türk



Cennetkusu Kebap
★★★★☆ 68 Yorum
 \$, Türk




The Italian Cut - Pizza & Kit.
★★★★☆ 49 Yorum
 \$, İtalyan, Pizza



Can Balık
★★★★☆ 48 Yorum
 \$, Deniz Mahsulleri

sıralama kriteri: **sıralama** Adı



L'avare


★★★★☆ 118 yorum

1/3 481 (Restoranlar) - Ankara

\$\$ - \$\$\$, İtalyan, Bar, Akdeniz, Avrupa, Gastropub, Bar, Vegetaryen Dostu, Vegan ...

"İyi ki gitmişim, iyi ki denemişim" 09.02.2019

"çok lezzetli" 05.02.2019



Trilye Restoran


★★★★☆ 944 yorum

2/3 481 (Restoranlar) - Ankara

\$\$\$\$, Deniz Mahsulleri, Akdeniz, Türk, Vegetaryen Dostu, Helal, Glütensiz Seçene...

"Trilye Restoranı" 04.02.2019

"BALIKMI BALIK BUDUR ..." 01.02.2019



No4 Restaurant Bar Lounge


★★★★☆ 169 yorum

3/3 481 (Restoranlar) - Ankara

\$\$\$\$, Bar, Avrupa, Türk, Uluslararası, Vegetaryen Dostu

"No4 Restoranı" 01.02.2019

"Kâhili ve nezih" 30.01.2019



Pizza Il Forno


★★★★☆ 337 yorum

4/3 481 (Restoranlar) - Ankara

\$\$ - \$\$\$, Pizza, Vegetaryen Dostu, Vegan Seçenekleri, Helal

"Lütfen Fıme Kaburgalı Pizzayı dene..." 29.01.2019

"Başarılı" 23.01.2019



Meyhane Aşina

(358) Examination of these examples show that Tripadvisor classifies restaurants on a category basis to offer more specialized search features and includes quite comprehensive filtering options on the left side of the screen, which include “establishment type,” “cuisine and dishes,” “dietary restrictions,” “meals,” “price,”

“neighborhoods,” “restaurant features” and “good for”.


- (359) The top of the page listing the restaurants also include restaurant names, number of comments and ratings in the form of five boxes, while the bottom section individually ranks the restaurants. There are 117 pages of results in total for the relevant query. As partially shown in the following images, clicking on one of the restaurants in the results presents detailed information on the venue such as photos, price range, types of cuisine offered, location, address, contact, comments, and questions/answers, with additional recommendations for best moderately priced restaurants/best nearby restaurants.


Figure 73: Tripadvisor Results for the Query “Ankara restaurant”


The screenshot shows the Tripadvisor page for L'avare, a restaurant in Ankara. The page features a green header with the Tripadvisor logo and navigation options. Below the header, there are tabs for different categories like 'Seyahat aklığı', 'Oteliler', 'Yapılacak Şeyler', 'Restoranlar', and 'Uçak Biletleri'. The main content area displays the restaurant's name 'L'avare', a 4.5-star rating from 118 reviews, and a price range of \$5-\$55. It also lists the restaurant's address, phone number, and website. A section of photos shows various dishes and drinks, including a large platter of food and several glasses of wine. Below the photos, there are three columns of information: 'Puanlar ve yorumlar' (Ratings and reviews) showing a 4.5 rating and 118 reviews; 'Ayrıntılar' (Details) listing the price range, cuisine types, and special dietary options; and 'Konum ve iletişim bilgileri' (Location and contact information) with a map and address details.

Fotoğraflar **Genel Bilgi** Yorumlar Sorular ve Yanıtlar

PUANLAR

Yemek 

Hizmet 



Değer 

Seçenekler

Tüm ayrıntılara bakın
Öğünler, Özellikler, Hakkında

İzmir

Anıtkabir noktasına **3,8 km** mesafede


Web sitesi  E-posta 

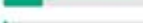
+90 312 427 22 42


Bu restoranda, tekerlekli sandalye geçişine uygun genişlikte giriş mevcut mu? Evet Hayır Emin değilim


Yorumlar (118) [Bir Yorum Yazın](#)


Gezgin puanı

Mükemmel  66

Çok iyi  20

Ortalama  2

Kötü  1

Berbat  0

Gezgin tipi

Aileler

Çift

Yalnız

İş

Arkadaşlar

Donem

Mar-May

Oca-Ağu

Eylül-Eki

Ara-Şub

Dil

Tüm diller

Türkçe (38)




İngilizce (28)

İtalyanca (4)

[Diğer diller](#)


Gezginlerin neler dediklerini öğrenin:

1-1089 yorum

  Yorum Zamanı: dün  mobil cihaz aracılığıyla

İyi ki gitmişim, iyi ki denemişim

Bekir arkadaşımın organizasyonu ile gittim, evime çok yakın olmasına rağmen hala keşfetmemiş olmaktan dolayı kendimden netrettim 😊😊😊 Ümit beyin tavsiyeleri ilk kez gidenler için çok yardımcı oluyor dinleyin derim... Yemekler çok lezziz, ortam çok sıcak ve zevkli!!! Mutlaka gidilmesi, tadılması, görülmesi gereken yerlerden!!! İyi... [Devamı](#)



(360) In addition to the comparison above concerning restaurants, a similar assessment was made for the query “İzmir plastic surgeon.” The results pages provided by the Local Unit and its competitors are compared. In the following sample query, the Local Unit was positioned at the top on organic search results.


Figure 74: Local Unit Results for the Query "İzmir plastic surgeon"

izmir estetik cerrah

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Kullanıcı oyu Çalışma saatleri

Prof. Dr. Ufuk Bilkay
 4,4 ★★★★★ (103) - Estetik Cerrah
 Cumhuriyet Bulvarı No: 135 Adil Bey Apt. Kat 6 Daire: 11 - (0232) 4... WEB SİTESİ YOL TARIFI
 Açık - Kapanış saati: 19:00

Doç. Dr. Saime İrkören - Estetik Cerrahi
 4,9 ★★★★★ (24) - Estetik Cerrah
 Adalet Mahallesi Manas Bulvarı No:47 Folkart Towers Bayraklı A Kul... WEB SİTESİ YOL TARIFI
 Açık - Kapanış saati: 19:00

Op.Dr.Tolgahan Alpaydın Estetik Cerrahisi|İzmir ...
 5,0 ★★★★★ (122) - Estetik Cerrah
 Talatpaşa Bulvarı No:17 K:3 D:6 Alsancak - (0232) 463 12 73 WEB SİTESİ YOL TARIFI
 Açık - Kapanış saati: 18:30

Diğer yerler

www.doktortakvimi.com › plastik-rekonstruktif-ve-estetik-cerrahi › iz...

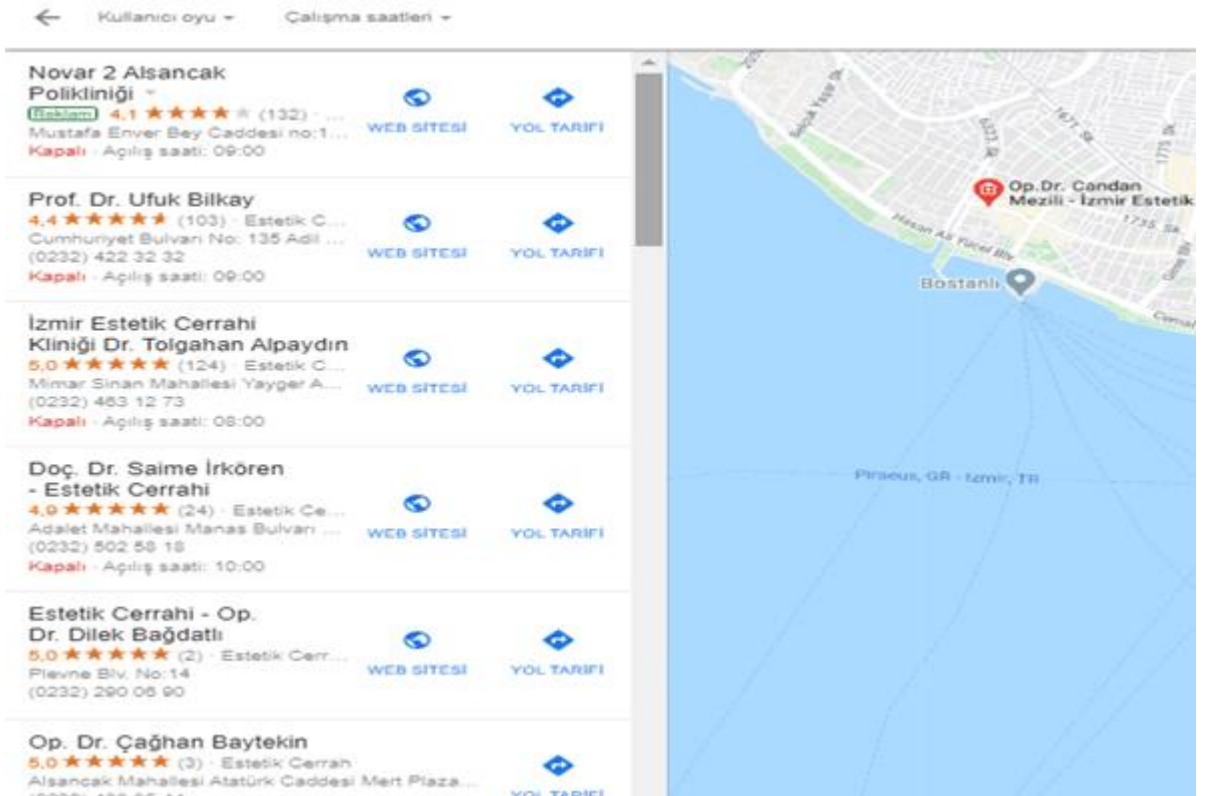
Plastik Rekonstrüktif Ve Estetik Cerrahi İzmir - Yorumları ...

İzmir Plastik Rekonstrüktif Ve Estetik Cerrahi alanında tercih edebileceğiniz 106 adet uzman ve doktor bulunuyor. Doktorları inceleyip randevu alabilirsiniz.

Takvimi göster - Karşıyaka - Can Kopal - Plastik Rekonstrüktif Ve Estetik ...

- (361) The screenshot above shows three results for the query concerned in the Local Unit, together with user ratings, number of comments, opening-closing hours and address information. Thanks to the directions and website links, users can get directions to their selected doctor and access the doctor's website. User ratings and business hours links allow filtering among the listed results. The map image at the top of the Local Unit shows the location of the doctors. Clicking on the map image or the "other places" option opens a full screen page showing more results for the relevant query. This page indicates advertisement content with a green label to separate them from the other results, and places them in a box above the organic results. The relevant page is shown in the image below:

Figure 75: Full Screenshot for the "İzmir plastic surgeon" Query



- (362) Clicking on one of the results on the first screen of the Local Unit or on the screen above takes the user to the following:

Figure 76: Full Screenshot for the "İzmir plastic surgeon" Query

Google İzmir estetik cerrah

Kullanıcıya Çalışma saatleri

Op. Dr. Ebru Dumuş
- Estetik Cerrah -
5.0 ★★★★★ (29) E...
Kontaktizmi
(0232) 421 20 04
Kapalı - Açılış zamanı: Per 10:00

Op. Dr. Türker Üstün
Estetik Plastik Cerrahisi ...
5.0 ★★★★★ (99) E...
Kontaktizmi
(0232) 400 02 00
Kapalı - Açılış zamanı: Per 00:00

Prof. Dr. Ufuk Bilkay
4.3 ★★★★★ (100) Estetik C...
Kontaktizmi
(0232) 422 22 32
Kapalı - Açılış zamanı: Per 00:00

İzmir Estetik Cerrahi
Kliniği Dr. Tolgahan Alpaydın
5.0 ★★★★★ (107) - Estetik C...
Kontaktizmi
(0232) 493 12 72
Kapalı - Açılış zamanı: Per 00:00

Doç. Dr. Saima İrkören
- Estetik Cerrahi
4.0 ★★★★★ (24) - Estetik Ce...
Kontaktizmi
(0232) 502 84 88
Kapalı - Açılış zamanı: Per 10:00

Estetik Cerrahisi - Op. Dr. Dilek Bağdatlı
4.0 ★★★★★ (5) - Estetik Cerrahisi
Kontaktizmi
(0232) 200 06 00

Op. Dr. Gökem Çalişkan | Meme Estetiği | M...
4.0 ★★★★★ (95) - Estetik Ce...
Kontaktizmi
(0232) 870 26 15
Kapalı - Açılış zamanı: Per 00:00

Prof. Dr. Ufuk Bilkay

Web sitesi - Yol tarifi - Kaydet

4.3 ★★★★★ 100 Google yorumu
İzmir'de bir estetik cerrah

Adres: Cumhuriyet Bulvarı No: 135 Adli Bey Apt. Kat: 11, 35220 Konak
Çalışma saatleri: Kapalı - Açılış zamanı: Per 00:00
Telefon: (0232) 422 22 32

Özellikler

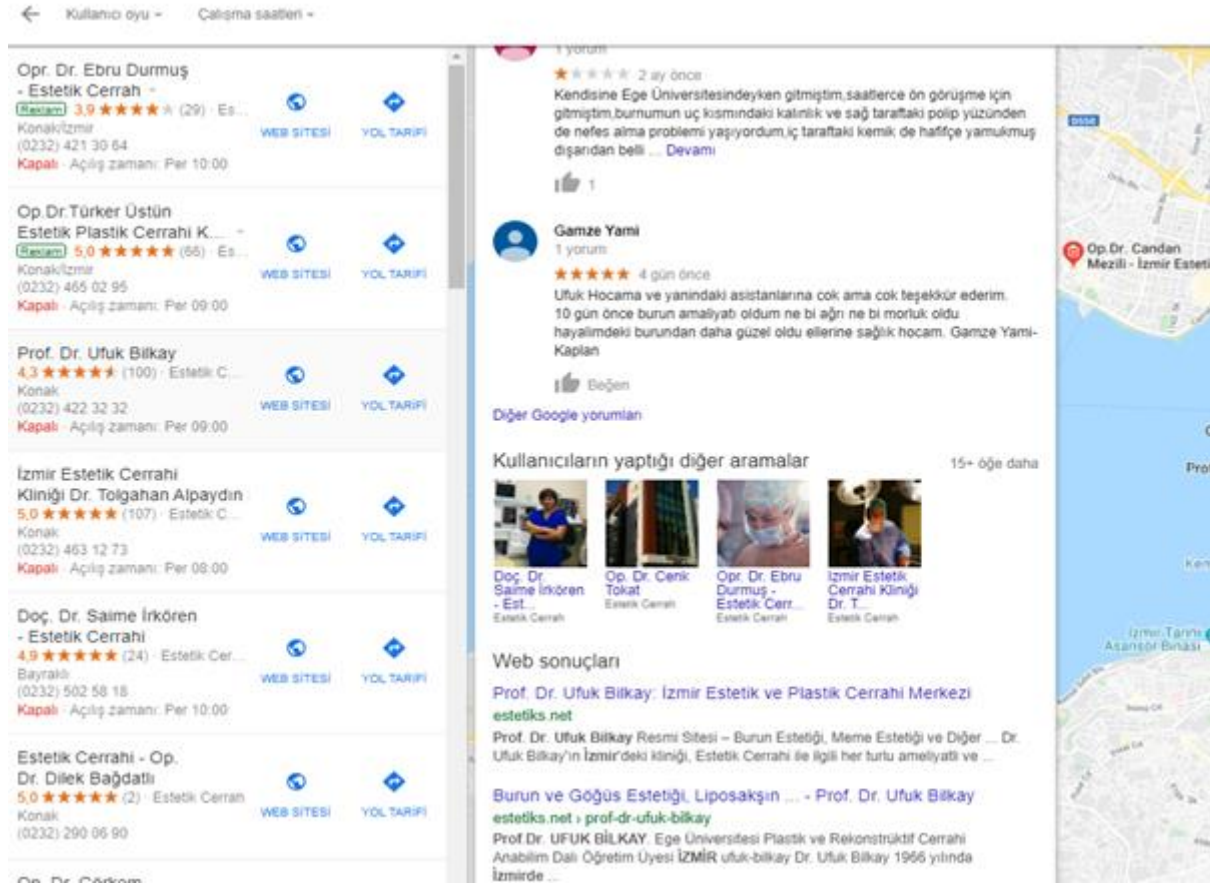
Sorular ve yanıtlar
S: Dümüm kemelli be büyük. Burun ameliyatı için fiyat alabiliyim
(Yeni yıl)
Tüm soruları gör (14)

Yorum özeti
5
4
3
2
1

4,3
★★★★
100 yorum

Google yorumları

Kubra Çelik
1 yorum
★★★★★ 3 hafta önce
Buruma ilgili geçireceğim bir kararım vardı estetik yaptırmaya karar verdim ve aradığım Ufuk hoca bana Türkiye'nin en iyi doktorlarından biri. Ham o benim hem abimin doktoru. Şu anda tümüm güzelim olmama rağmen bile şekli çok hoşuma ... Devam



- (363) The images above show that the results for the query present two filtering options consisting of “user ratings” and “business hours,” that map location is shown at the far right and the middle of the page includes the address, contact information, photos and business hours as well as questions and answers by the users, star ratings, user reviews, other searches by the user and “web results”.
- (364) The second most relevant result as determined by Google’s own algorithms, namely Doktortakvimi, was selected to compare with the service offered by Google through the Local Unit with relation to the “İzmir plastic surgeon” query. Below are screenshots of the results displayed on the Doktortakvimi search engine in response to the “Ankara plastic surgeon” query:


Figure 77: Doktortakvimi Results for the "İzmir plastic surgeon" Query

DoktorTakvimi
Giriş yap Doktor musunuz?

İzmir, Plastik Rekonstrüktif Ve Estetik Cerrahi

Prosedür ve yöntemler Sigorta/Ödeme Randevu tarihi

Uzmanlar Hastaneler ve Kurumlar bugün 29.1 yarın 30.1 Cum 31.1



Prof. Dr. Mübin Hoşnuter ✓


Plastik Rekonstrüktif Ve Estetik Cerrahi, Ağız Yüz Ve Çene Cerrahisi, El Cerrahisi

★★★★★ (13 görüş)

Mansuroğlu Mahallesi 296/3 Sokak, Zabıtcıoğlu...
Mübin Hoşnuter Muayenehanesi - BİNERPLAST

mübin hocama bence yaptırım acıyıp mükemmel kendisi çok kibar ve ilgili herlese...daha fazla

	bugün	yarın	Cum
	14:00		13:30
	14:30		
	15:00		
	15:30		
	16:00		
	16:30		
	17:00		
	daha fazla		



Op. Dr. Türker Üstün ✓


Plastik Rekonstrüktif Ve Estetik Cerrahi

★★★★★ (64 görüş)

Aısancak Mahallesi Plevne Bulvarı No.26 Aısan...
Türker Üstün Muayenehanesi

Ben Almanya Frankfurtan İzmir'e tatil amacıyla gelmişim ve aklımda popolarlarını...daha fazla

	bugün	yarın	Cum
			10:00
			12:30
		14:00	
		16:00	



Prof. Dr. Eray Coşcu ✓

Plastik Rekonstrüktif Ve Estetik Cerrahi

★★★★★ (36 görüş)

Kültür Mh. Cumhuriyet Bulvarı N:161 D:1 - 2 Aıs...
Mest Estetik

İlk müsait tarih: Çarşamba, 5.2

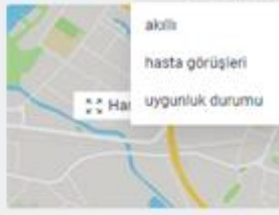
[Uygun saatleri gör >](#)

Sirala: [görsel](#)

akile

hasta görüşleri

uygunluk durumu




Hastalıklar

- Yüz Estetiği (56)
- Yüz Kirşıkaklar... (52)
- Göğüs Estetiği (52)
- Burun eğriliği (51)

[daha fazla](#)

Ana Sayfa / Plastik Rekonstrüktif Ve Estetik Cerrahi / İzmir / Mübin Hoşnuter




Prof. Dr. Mübin Hoşnuter ✓
 Plastik rekonstrüktif ve estetik cerrahi, Ağız yüz ve çene cerrahisi, El cerrahisi
★★★★★ 13 görüş

[Randevu al](#) [0850...](#) [Soru Sor](#)

[Adresler](#) [Hizmetler](#) [Görüşler \(13\)](#) [Özgeçmiş](#)

Adres

Mansuroğlu Mahallesi 286/3 Sokak, Zabıtcıoğlu Apt. No:17 K:1 D:1, Bayraklı, İzmir
 Mübin Hoşnuter Muayenehanesi - BINTERPLAST



haritayı büyüt

İlk müsait tarih: **Prş, 30 Ocak**
[Takvimi göster >](#)

Kabul edilen yaş grubu: yetişkin, her yaşta çocuk

Nakit, Kredi kartı


Randevu
 Apse İnsizyonu ve Drenajı
 Burun Estetiği +23 daha fazla

[Daha fazla](#)

Özgeçmiş

Hakkında
 1968 yılında İzmirde doğdu. 1992 yılında Ege Üniversitesi Tıp Fakültesi'nden mezun oldu. 1993-94 yıllarında Akşaray'da mecburi hizmetini tamamlayan Dr...
[Daha fazla](#)

Fotoğraflar



Videolar

[Somnon DNA'sı aygıtlanması](#) [Doğum sonra estetik](#) [Botoks ve d](#)

Bilinen diller
 İngilizce

[Tümünü göster](#)

Hasta / Danışan Görüşleri [Görüp ekleyin](#)

★★★★★ Genel skor 13 görüş ★★★★★ Dikkatli ★★★★★ Ataka ★★★★★ Mekan

[Bütün görüşler \(13\)](#) [Pozitif görüşler \(13\)](#) [Kararsız görüşler \(0\)](#) [Negatif görüşler \(0\)](#)

e...d ★★★★★
 10 Ocak 2020 Konum: Mübin Hoşnuter Muayenehanesi...[daha fazla](#)
 mübin hocama botox yaptırđım, sonuç mükemmel kendisi çok kıbar ve ilgili herkese tavsiye ederim ayrıca bahar hanım da çok tatlı
[Görüşü gösteren](#)

bu...ş ★★★★★
 4 Ocak 2020 Konum: Mübin Hoşnuter Muayenehanesi...[daha fazla](#)
 Prof. Dr. Mübin Hoşnuter e botox yaptırđım çok memnunum kesinlikle tavsiye ederim ilgi atakası içinde teşekkürler

Randevu al

Stanim üzerinden randevu olgutmak ızeretinizdir. Muayene ücret bilgisi için doktorunuza/uzmanınıza basgurunuz

Uygun bir saate tıklayarak randevu alabilirsiniz. [✕](#)

Adres [Haritada göster](#)

Mansuroğlu Mahallesi 286/3 Sokak, Zabıtcıoğlu Apt. ...
 Mübin Hoşnuter Muayenehanesi - BINTERPLAST

Randevu günü

Bugün	Yarın	Cum,	Cts,	Pzt,
29 Ocak	30 Ocak	31 Ocak	1 Şubat	2 Şubat
14:30	14:00	13:30	10:00	-
15:00	14:30	-	11:00	-
-	15:00	-	11:30	-
-	15:30	-	12:00	-
-	16:00	-	13:30	-

[Daha fazla saat göster](#)

Randevu al

Stanim üzerinden randevu olgutmak ızeretinizdir. Muayene ücret bilgisi için doktorunuza/uzmanınıza basgurunuz

Uygun bir saate tıklayarak randevu alabilirsiniz. [✕](#)

Adres [Haritada göster](#)

Mansuroğlu Mahallesi 286/3 Sokak, Zabıtcıoğlu Apt. ...
 Mübin Hoşnuter Muayenehanesi - BINTERPLAST

Randevu günü

Bugün	Yarın	Cum,	Cts,	Pzt,
29 Ocak	30 Ocak	31 Ocak	1 Şubat	2 Şubat
14:30	14:00	13:30	10:00	-
15:00	14:30	-	11:00	-
-	15:00	-	11:30	-
-	15:30	-	12:00	-
-	16:00	-	13:30	-

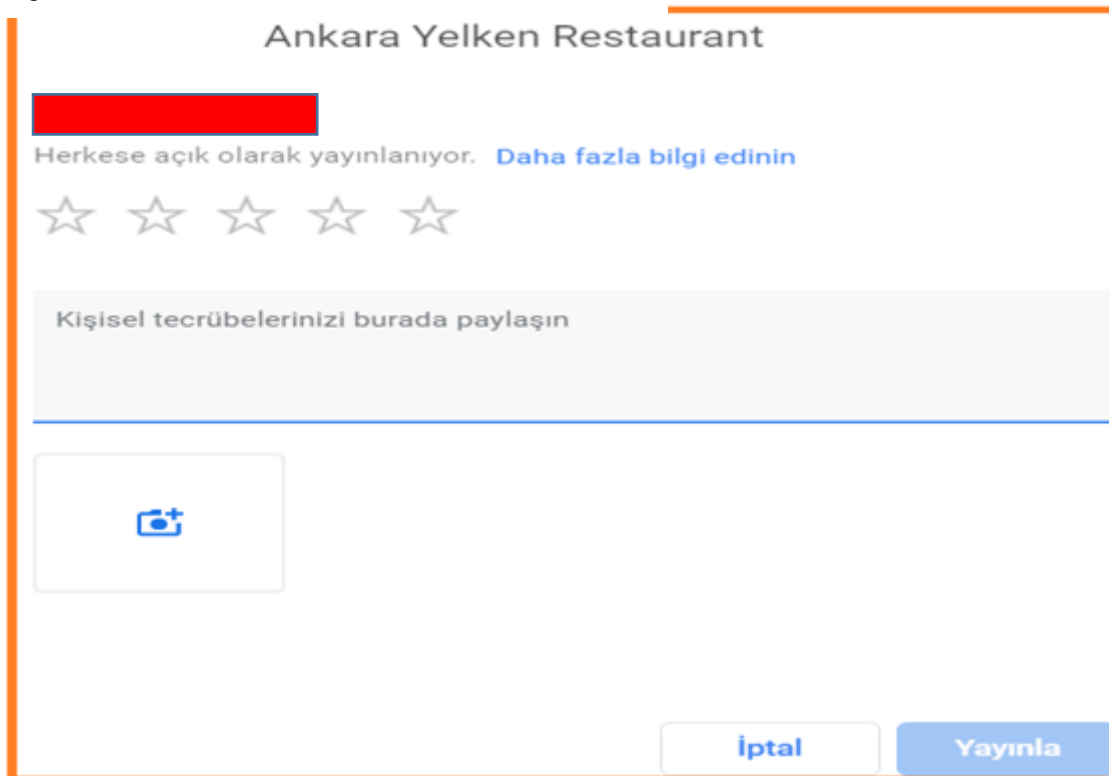
[Daha fazla saat göster](#)

- (365) The images above show that Doktortakvimi provides search services through its own website in many different categories. Doktortakvimi presents detailed filtering options to the user, depending on the type of plastic surgery the user is looking for (facial reconstruction, skin blemishes, nose surgeries, etc.), as well as on patient reviews and availability. The top of the page has a “procedures and methods” section, which shows the number of doctors that can perform various plastic surgeries, and the insurance/payment section includes insurance companies with coverage. Selecting one of the doctors listed on the first page displays a screen with address and contact information, available appointment dates and hours, informative videos, an option for asking questions, payment methods, the CV of the doctor (diseases treated, education, awards, etc.), user comments and star ratings.
- (366) In local search services, user comments and reviews are particularly important for user preferences, for assessing the service quality and for undertaking competitiveness. The opinions of the third party local search websites on the subject reveal the importance of user reviews for local search services [responses by (.....)].
- *“(.....). The system aims to ensure that those service providers with higher customer satisfaction ratings can access more customers and grow their businesses. At the same time, this increases the work quality for the customers. The artificial intelligence algorithms we developed also include reviews and ratings in their calculations as an important criterion. (.....).”*
 - *“The reviews left by the users are important in that they provide information to other users visiting the website of the Client Company. The Client Company does not conduct specific work to increase the number of comments on its website. Those who make an appointment through the website of the Client Company can leave their reviews through the SMS they receive after their appointment.”*
 - *“Comments and reviews are very important for the competitiveness of the service we provide. We work hard to receive user opinions and ensure that they are positioned correctly.”*
 - *“... in the travel and accommodation sector, users start with the region they will stay at and then decide which hotel they will use for accommodation. We think that the decision-making process is affected by benefiting from those who had a similar experience when choosing a hotel. Those users visiting our website attach great value on the reviews and ratings of other users in terms of their access to the facilities that can meet their needs and expectations we believe that having such content on our website is very important for competition since final users could then choose our website to gain such information. We inform facilities included on the (.....) website about the importance of the matter in order to increase their comments. In addition, we provide facilities with a review collection module allowing them to invite their guests to leave comments.”*
- (367) As seen above, users take into consideration the opinions of other users who have previously received the same service. Therefore, the quality and reliability of the reviews are important for local search services, in other words, reviews must include the explanatory and objective reviews of those who have actually experienced the relevant service before. For instance, according to the information collected from (.....), (.....)’s comment system only collects reviews via a mail sent to the user after a job is completed through the platform. In other words, in this system, leaving comments is tied to the requirement of getting the service over this platform. At the same time, user comments may have a decisive effect on whether the service provider can keep on working through the platform. In fact, the platform can terminate the operations of the service provider based on the reviews or complaints left by the users. The undertaking noted these factors among the important distinctions between the local search service

provided by Google and the local search service provided by (.....).

- (368) Within the context of the file Google was requested to provide information on whether there was a mechanism for Google to confirm the accuracy of the various information on the business shown in the Local Unit field (address, comments, photos, etc.); whether Google had a mechanism by which users can submit feedback if that information is wrong or if they are not satisfied with the service offered by the businesses displayed in this field; and if yes, whether any sanctions can be imposed on the relevant venue/business, such as excluding it from the Local Unit or otherwise.
- (369) According to the response submitted, Google asks venue/business owners to confirm the relevant information. However businesses can be included in the local results without providing information to Google, if the accuracy of the data on the local venues/businesses can be confirmed through the information created by the business owners or users, by licensed data, map data and the websites. At the same time, Google notes that users can leave negative feedbacks if they are not satisfied with the service and can submit an online form to Google if they determine that information on a particular business is false/misleading or illegal. In such cases Google states that it can impose sanctions including removing the business entry or its Google account.
- (370) In order to see the functioning of the “write a review” system, which can serve as an indicator for the reliability of the user comments shared by the Local Unit and its competitors, “write a review” tabs of the Local Unit and Tripadvisor are compared below for the same local venue (Ankara Yelken Restaurant):

Figure 78: “Write a Review” Tab of the Local Unit



- (371) As shown in the image above, the review screen offers two different options for reviews, comprised of ratings in the form of stars and “share details of your own experience at this place,” and the users can add photos below their reviews. Logging in with a gmail account is sufficient for users to write a review.

(372) A screenshot of Tripadvisor's "write a review" tab is below:

Figure 79: "Write a Review" Tab of Tripadvisor

The screenshot shows the Tripadvisor 'Write a Review' interface for Ankara Yelken Restaurant. At the top left is the restaurant's logo and a photo of its interior. To the right of the photo, the restaurant name 'Ankara Yelken Restaurant' is displayed, followed by its address: 'Bilkent 1 Çamlık Sitesi No: 142 | Çamlık Sitesi Bilkent 1, Ankara 06800, Türkiye'. Below this is a message in Turkish: 'İlk elden yaşadığınız deneyim seyahat eden kişiler açısından çok yararlı oluyor. Teşekkürler!' (Your first-hand experience is very helpful for travelers. Thank you!).

The next section is for rating the restaurant. It shows 'Bu restoran için toplam puanınız' (Total score for this restaurant) with five empty circles. A green arrow labeled 'Oylamak için tıklayın' (Click to rate) points to the circles. To the right, it says 'Değişiklikler otomatik olarak kaydedilecek' (Changes will be saved automatically).

Below the rating is the 'Yorumunuzun başlığı' (Review title) section, with a text input field containing the placeholder: 'Ziyaretinizle ilgili özet bilgi sağlayın veya ilginç bir ayrıntıyı vurgulayın' (Provide a brief summary of your visit or highlight an interesting detail).

The 'Yorumunuz' (Review) section follows, with a text input field containing the placeholder: 'İnsanlara tecrübelerinizi anlatın: Yemekler, ortam, servis nasıldı?' (Tell others about your experience: Food, atmosphere, service, how was it?). A note below the field says '(Minimum 100 karakter)' (Minimum 100 characters).

Next is the 'Bu ne tür bir ziyaretti?' (What type of visit was this?) section, with five buttons: 'Çift' (Couple), 'Aile' (Family), 'Arkadaşlar' (Friends), 'İş' (Business), and 'Yalnız' (Solo).

The 'Buraya geliş nedeniniz...' (Reason for visiting...) section has a dropdown menu labeled 'Birini seçin' (Select one).

Finally, the 'Ne zaman gittiniz?' (When did you visit?) section also has a dropdown menu labeled 'Birini seçin' (Select one).

the user. Other required fields are when and why (breakfast, dinner, coffee or tea, late night food, dessert, snack, etc.) the user visited the venue.

- (374) Besides these, the rest of the page includes optional tabs that the user can fill out. The users can provide “yes/no/not sure” answers to questions including the type of the restaurant (European/Greek), whether it is good for events (business meetings, private parties), its ambiance (bar/music), whether it is good for babies (baby chair), etc. They can also give separate ratings for the criteria of “service,” “food” and “value,” and they can comment on the expensiveness of the restaurant (cheap eats, mid-range, fine dining) and recommended dishes as well as add user photos. In order to submit the review, the user is asked to provide a guarantee that that the review includes his frank opinions on the restaurant, that the user does not have personal or commercial ties to the restaurant and did not receive any incentives or payments to leave a review.
- (375) Comparing these reviews, it is concluded that Tripadvisor’s review mechanism pushes the user to provide a more detailed content, which may make Tripadvisor comments more beneficial for other users. Moreover, the guarantee taken concerning the impartiality of the review can reassure other users that the reviews are accurate.
- (376) An analysis conducted by Yelp into the quality of the user reviews in 20 different US cities and 6 sectors shows that the number of words in the user reviews at Yelp was (.....) times more than those at Google in each of the business categories of auto repair, dentists, florists, plumbing, restaurants and shopping. This analysis, provided below and submitted by Yelp to the Authority took into account the top 100 businesses listed among the Yelp and Google results in response to 120 local search queries using cities and business types as keywords (for example, Miami restaurants).

Chart 18: Comparison of the Length of Yelp and Google Reviews

(.....TRADE SECRET.....)

Source: Yelp

- (377) Moreover, another analysis by Yelp using the the same data set notes that (.....)% in average of the overlapping reviews between Yelp and Google (reviews left on both platforms) were blocked by Yelp’s algorithms for being inappropriate or low-quality. This analysis comparing the number of reviews shown and blocked on a sector-by-sector basis is presented below:

Chart 19: Google Content Yelp Defines as Spam (inappropriate/low quality)

(.....TRADE SECRET.....)

Source: Yelp

- (378) In summary, the study conducted by Yelp concludes that the user reviews on Yelp were more comprehensive and higher quality than those on Google. This conclusion is also supported by Google’s statement “*Yelp is noted for its reviews and reliability,*” in a document collected during the on-site inspection (Document: 1/36-39).
- (379) Following this comparison in the fields of restaurants and healthcare, the services

provided by the Local Unit and its competitors were compared for the query “Cyprus hotels”:

Figure 80: Local Unit’s Presentation in Response to the Query “Cyprus Hotels”

Reklam · tr.hotels.com/ ▾
Hotels.com - Kıbrıs Otel, Kıbrıs Otelleri
En İyi Oteller. Cazip Fiyat. Hotels.com’la Hediye Geceleer. Fiyat Garantisi. Lüks Oteller.

Otel | Kıbrıs Bu sonuçlar hakkında ⓘ

1 Mart Paz 2 Mart Paz 2 ▾

Misafirlerin beğendikleri Bütçeye uygun Lüks konaklamalar >

Golden Bay Beach Hotel
4.4 ★★★★★ (937)
Spa
Açık ve kapalı havuz
₺5.783

Nissi Beach Resort
4.6 ★★★★★ (1.817)
Spa
Açık ve kapalı havuz
₺659

Radisson Blu Hotel, Larnaca
4.7 ★★★★★ (233)
Spa
Açık havuz
₺774

Sun Hall Hotel
4.3 ★★★★★ (550)
Spa
Açık ve kapalı havuz
₺557

**Kuzey Kıbrıs
Türk Cumhuriyeti**

Harita verileri ©2020

→ 2.815 oteli görüntüle

www.etstur.com > Kıbrıs-Otel ▾
Kıbrıs Otelleri | etstur.com

- (380) In the example above, the Local Unit is displayed below the text ads and above the organic results. In light of the screenshot, results for the hotel query are limited to four and price, stars/ratings and location information on the hotels are provided, together with the filtering options of “top rated,” “budget options,” and “luxury stays”. On the page displayed when the “view 2,815 hotels” option at the bottom of the Local Unit is clicked, the users are offered more hotel options, and they are given the opportunity to choose among these hotels using filtering options such as price, number of guests, date, facilities (gym, pool, free breakfast, etc.) and star ratings (2-3-4-5 stars). Clicking on the “when to visit” option informs the user on how busy hotels in the selected location are depending on the month of the year, as well as their price and weather conditions; clicking on the “What you’ll pay” option, on the other hand, provides information on the average prices of hotels from different categories (2-3-4-5 stars) on the selected dates. The map on the left of the screen shows the locations of the listed hotels. These points are shown in the screenshot below.

Figure 81: Full Screenshot for the Query “Cyprus hotels”

The screenshot displays a search interface for hotels in Cyprus. The search criteria include the location 'Kıbrıs', dates from 1 Mart Paz to 2 Mart Paz, and 2 guests. The search results show 4,892 hotels. The top results are:

Hotel Name	Rating	Price
Aquamare Beach Hotel & Spa	4.1 (322 yorum)	€701
Four Points by Sheraton Le Verdun	4.2 (322 yorum)	€539
Golden Bay Beach Hotel	4.1 (327 yorum)	€5.783
Nissi Beach Resort	4.6 (1.817 yorum)	€659

Each hotel listing includes a thumbnail image, a brief description, and a 'Fiyatları göster' button. A map on the right side of the page shows the location of the hotels in Cyprus.

(381) Clicking on the first instance of the Local Unit or on any of the hotels listed on the full page directs the user to the following screen:

Figure 82: Screenshot of the Page Displayed When Clicking on a Hotel on the Local Unit

Golden Bay Beach Hotel

5 yıldızlı otel
Dhekelia Rot, Larnaca, Kıbrıs • +357 24 645444

€5,782
1-2 Mar

Internet sitesi • Yol Tarifi • Oda rezervasyonu yap

4,4 Çuk iyi | 837 yorum • Toplu taşımaya yakın • Mükemmel kahvaltı • Mükemmel kon.

Odalarda klima, merkezi ısıtma, mutfak ve banyo bulunmaktadır. Çoğu odada bulunan balkonlar manzaraya keyifli.

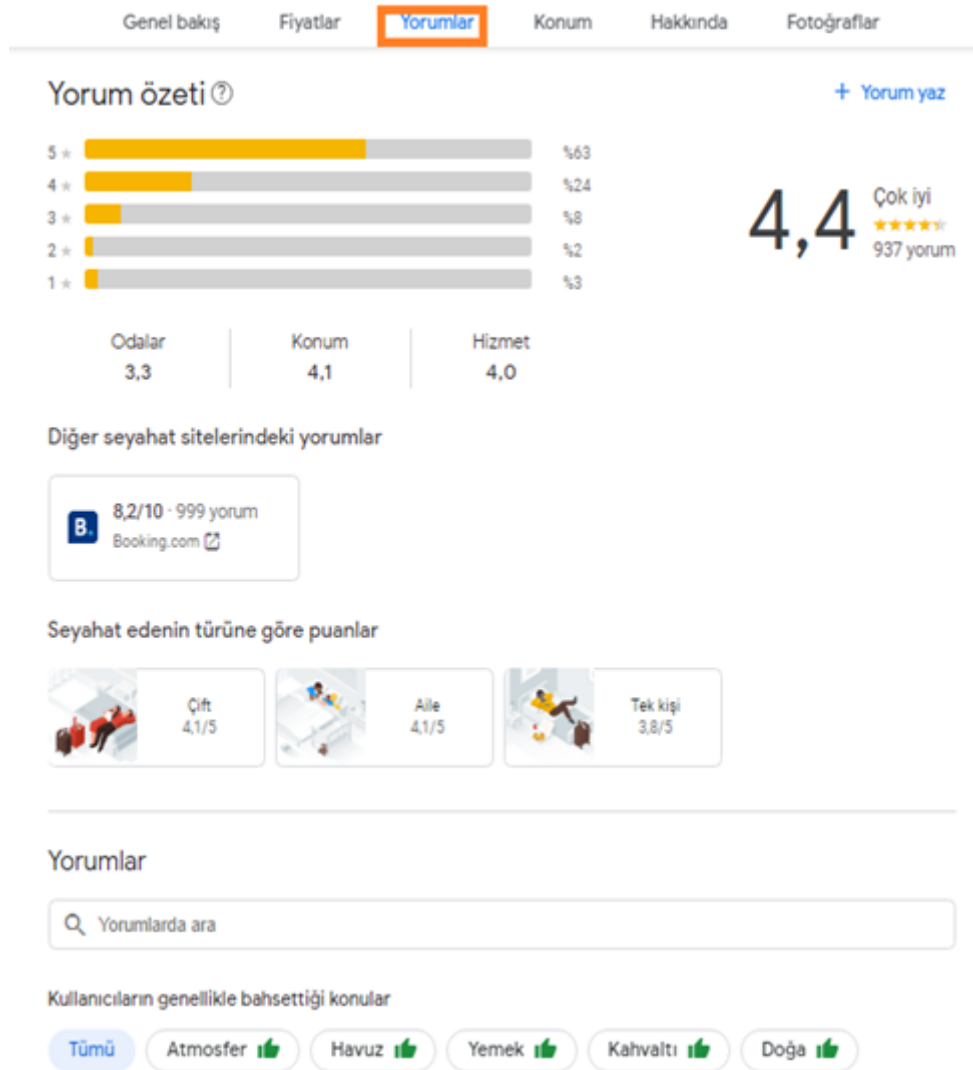
Reklamlar - Müsaitlik durumunu kontrol edin • Toplam gecelik fiyat

Giriş tarihi: 1 Mart Paz < > Çıkış tarihi: 2 Mart Paz < > Kişi: 2

Tripadvisor.com.tr	€6.636	Siteye git
Trip.com	€6.019	Siteye git
Otel.com	€5.782	Siteye git

(382) On this page, the same information presented in a summarized form on the previous screens (Figure 76, Figure 77) is displayed in more detail under the sections of “overview,” “prices,” “reviews,” “location,” “about” and “photos”. If the user clicks on the reviews tab, he can view opinions (ratings/reviews) left on different platforms (Google, Tripadvisor, Booking, etc.), filter these opinions based on date, rating, and the platform from which the comment was collected, and rank the results based on various criteria such as location, service, atmosphere, breakfast, cleaning, etc. At the same time, users can also conduct keyword searches among the reviews (such as reviews with the word “clean”) and can write a review for the relevant hotel. The figure below is the screenshot for the page displayed when clicking on the reviews option.

Figure 83: Screenshot of the Information Included under the Reviews Tab.



- (383) Clicking on the location tab at the top of the screen allows the user examine the map location of the selected hotel according to various criteria (activities, restaurants, public transport, distance from airport) and to get directions for the hotel.
- (384) Clicking on the prices tab lists price offers by the hotel operator, agencies, and platforms including Trivago and Tripadvisor, for the hotel during the relevant period. Clicking on this section directs the user to the website of the undertaking that gave the offer. The About and Photos tabs let the user access detailed information on the hotel (location and contact information, check-in/check-out times, amenities) as well as images.
- (385) As made clear by the images and explanations provided above, the way of displaying the Local Unit and its basic features vary for queries about accommodation, with comprehensive information presented to the user.
- (386) In a similar approach to the previous queries, the screenshots for the sample query of "Cyprus hotels" provided below are from the second most relevant result as determined by Google's own algorithms, namely Etstur, included here as a comparison between the service offered by Google through the Local Unit and those offered by its competitors.

Figure 84: Etstur Results for the “Cyprus Hotels” Query

The screenshot shows the Etstur website interface for searching hotels in Cyprus. The search criteria are 'Kıbrıs Otelleri' for the dates 01.03.2020 to 02.03.2020 for 2 people. The results are displayed in a grid format, showing four hotel options. Each option includes a rating, a photo, the hotel name, location, features, and a price with a discount rate. The hotels listed are:

- Nuhun Gemisi Deluxe Hotel & Spa** (Rating: 8.4, Price: 672 TL, Discount: %25)
 - Location: AYRUPA, Kıbrıs, Safes
 - Features: Ultra Her Şey Dahil - Tatil Köyü & Resort, Balayı Oteli
 - Offer: Bonus özel %43'e varan yaz fırsatı indirimi
 - Additional: 5 gece konaklamada 1 gece ücretsiz (01.04.2020 - 20.05.2020), +1 Fırsat Daha
- Concorde Luxury Resort & Casino & Convention & SPA** (Rating: 8.9, Price: 1.020 TL, Discount: %40)
 - Location: AYRUPA, Kıbrıs, Safes
 - Features: Luxury Ultra Her Şey Dahil - Tatil Köyü & Resort, Balayı Oteli
 - Offer: Bonus özel %40'a varan yaz fırsatı indirimi
- Cratos Premium Hotel Casino Port Spa** (Rating: 8.25, Price: 869 TL, Discount: %25)
 - Location: AYRUPA, Kıbrıs, Gine
 - Features: Tam Pansiyon Otuz - Tatil Köyü & Resort, Balayı Oteli
 - Offer: Bonus özel %50'ye varan yaz fırsatı indirimi
- Kaya Artemis Resort Casino** (Rating: 8.1, Price: 850 TL, Discount: %15)
 - Location: AYRUPA, Kıbrıs, Safes
 - Features: Ultra Her Şey Dahil - Tatil Köyü & Resort, Balayı Oteli
 - Offer: Bonus özel %35'e varan yaz fırsatı indirimi


The left sidebar contains filtering options for the search results, including:

- Sonuçları haritada göster
- Sonuçları filtrele 101 / 101
- Müesitlik Durumu
- Sadece uygun otelleri görüntüle
- Fiyat Aralığı (Min, Max)
- Puan (9.0 ve üstü (3), 8.0 ve üstü (43), 7.0 ve üstü (58), 6.0 ve üstü (87))
- Konaklama Tipi (Ultra Her Şey Dahil (8), Her Şey Dahil (1), Tam Pansiyon (8), Yarım Pansiyon (4), Sadece Oda (2), Oda Kalitesi (6))
- Bölge
- Temalar
- Otel Tipi
- Olanaklar
- Spor Eğlence Sağlık
- Çocuk
- Otel Zinciri


(387) The Etstur page displayed in response to the relevant query lists contracted hotels with summary information including price, discount rate, ratings, photos, location and main features (ultra all-inclusive, full board, honeymoon hotel, etc.) and locates them on a map. The options “popular,” “rating,” “price (increasing),” “price (decreasing)” and “discount rate” options at the top of the page allows listing the hotels according to various criteria. Similarly, using the detailed filtering options on the left side, hotels may be selected according to various criteria such as availability, price range, rating, accommodation type (ultra all inclusive, bed and breakfast, just bed, etc.), region (Girne, Lefkoşa, etc.), theme (honeymoon, meetings, aquapark, seaside, pet-friendly, etc.) type of hotel (resort, boutique hotel, apart, hostel, etc.) amenities (wireless, safe deposit box, airport transport, dry cleaning, etc.), sports/recreation/health (open pool, animations, Turkish baths, sauna, etc.) and children (kiddie pool, mini club, nanny, etc.).

(388) Selecting one of the listed hotels opens the following page:


Figure 85: The Page Displayed When Selecting a Hotel from the Etstur Results

Nuhun Gemisi Deluxe Hotel & Spa 


Befra, Heritada Gör









Canal Görünüm




Oda seçenekleri

 Özel Fiyatlar gösteriliyor. Diğer Kartların İndirim Oranları

GİRİŞ TARİHİ: 01.03.2020
 ÇIKIŞ TARİHİ: 02.03.2020
 YETİŞKİN SAYISI: 2 Yetişkin
 ÇOCUK SAYISI: 0 Çocuk
[ODA ARA](#)

ODA TİPİ	ŞARTLAR	1 GECELİK FİYAT
 Tatil Köyü Detaylı Bilgi	• Ultra Har Say Dahil	 90%25 indirim 880 TL 672,00 TL ODAYI SEÇ
 Ana Bina Deluxe Oda 1 Detaylı Bilgi	• Ultra Har Say Dahil	 90%25 indirim 820 TL 738,00 TL ODAYI SEÇ
 Ana Bina Deluxe Oda 2 Detaylı Bilgi	• Ultra Har Say Dahil	 90%25 indirim 1084 TL 813,00 TL ODAYI SEÇ

[FİYAT TABLOSU >](#)

 Şu anda bu otel 345 kişi inceliyor

Kıbrıs Otelleri'nde 299 TL'ye gidiş-dönüş ulaşım ve transfer fırsatı!

Kıbrıs'ta Pegasus'a özel indirimli fiyatlarla Oteli-Üçak rezervasyonu yapın!


[Bağendiklerime Ekle](#) [Paylaş](#)

8.4 Puan

Yaz için bir şey diyemem çünkü açık havuzdan ve denizi kullanmadım kapalıydı. Kepek havu...

[Yorumları incele >](#)

Fırsatlar ve İndirimler

-  Özel 94%a verilen yaz fırsat indimi
- ZUBUZU 2 kat puan kazandı: 15.01.2020 ile 31.10.2020 tarihleri arasındaki konaklamalarda 15.01.2020 ile 29.02.2020 tarihleri arasında yapılacak rezervasyonlar için geçerlidir.
- 5 gece konaklamada 1 gece ücretsiz: 01.04.2020 ile 15.05.2020 tarihleri arasındaki konaklamalarda geçerlidir.

[TÜM FIRSATLARI GÖSTER >](#)

Tesis Bilgileri

KIŞ SEZONU 01/11/2019 - 31/03/2020 arasında	YAZ SEZONU 01/04/2020 - 31/10/2020 arasında
▼ Öne çıkan özellikler	
▼ Otel Olanakları	
▼ Konum	
▼ Genel Tanıtım	
▼ Yeme/içme	
▼ Diğer Olanaklar	
▼ Balayı	
▼ Spor/Eğlence	
▼ Spa / Wellness	
▼ Çocuk/Bebek	

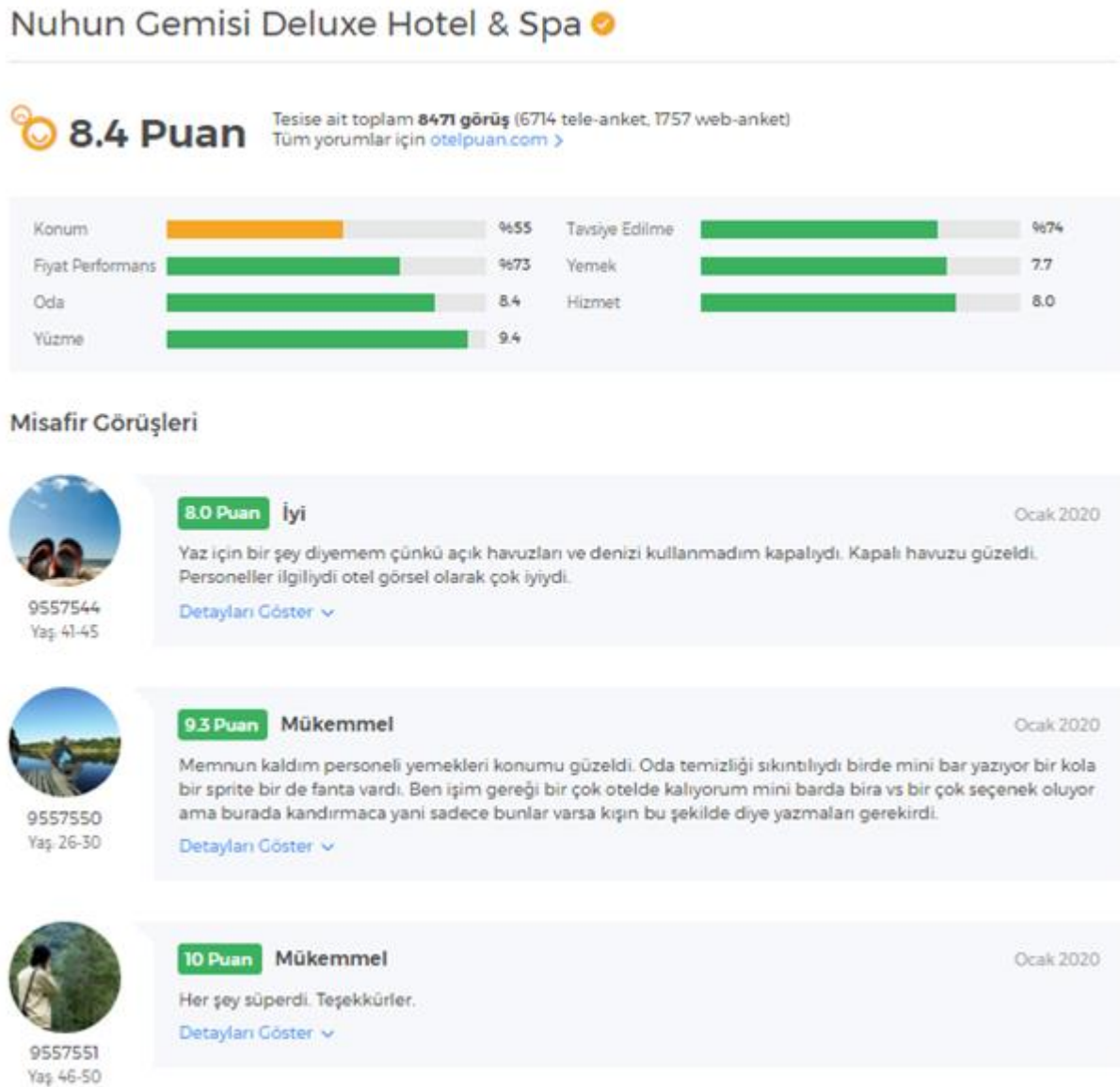
⚠ Genel Uyarılar

Villa Oda ve Ana Bina Deluxe odalarda 2+2 konaklamalarda iki çocuk aynı yatağı paylaşır. Girişte tüm misafirlere ekstra harcamaları için oda başı 500 TL depozito alınır.

Tesis içinde peten, scooter vb. aletlerin kullanımına çocukların güvenliği nedeni ile izin verilmiyor, 18 yaş altı misafirlere alkol sunulmaması için bilaklik uygulaması bulunuyor.

- (389) The first section of the page that opens includes images of the selected hotel, visitor ratings and reviews, deals and discounts on offer as well as prices for various types of rooms. Clicking on the prices table lists detailed room prices with room type, payment and installment options; and the room selection option allows the user to book a room by selecting additional campaigns, and filling out personal and payment information. After that there is detailed information about the hotel under the headings of prominent features for the winter and summer seasons, hotel amenities, location, a general introduction, foods/drinks, other amenities, spa/wellness and children/babies sections, as well as some general warnings for the users.
- (390) Clicking on the “see reviews” link on the top right opens the page in the following screenshot. This page includes user ratings for the selected hotel based on various criteria (location, price/performance, room, meals, etc.) and reviews from a large number of users.

Figure 86: Screenshot of the Information in the Reviews Section



- (391) An overview of the features of the service provided to the users within the context of the Google Local Unit and Etstur sample queries above show that both undertakings provide a rather comprehensive local search experience to the user.
- (392) In light of the information provided above, it is impossible to conclude that the local search services provided by the competing undertakings are inferior than the local search service provided by the Local Unit, and the other fields accessed through it, which (when displayed) is positioned by Google at the most valuable portion of the general search results page and with significant advantages in terms of images and area compared to its competitors. In addition, it is concluded that the competitors have the advantage in some areas, such as presenting more reliable comments, more options, and more granulated data to the consumers. This conclusion is also supported by some statements by Google in the documents collected during the on-site inspection, such as “Quality is increasing but we still have a long way to go,” “Google has limited user content in comparison to the rivals,” “Competitors are also offering a good local search experience,” and “Competing products have richer user content than Google.”

I.4.2.1.3. Assessment of the Claim that Google Did Not Include Competing Websites in the Local Unit

- (393) Within the context of the file, it is claimed that Google does not allow competing local search websites into the Local Unit, which is the box in which Google presents its local search services.
- (394) The complainant for the the relevant claim as well as other competing local search websites in Türkiye were asked if they made a request to Google for access to the OneBox and how important this issue was for the undertakings. The responses received from the undertakings other than Yelp make it clear that no such request was made. However, it seems one of the reasons for the lack of such a request is the fact that competing local search service providers were aware of the technical barriers before entry into the Local Unit. In fact, the response letter submitted by (.....) states:
- “Google has prevented online platforms from being shown in the Local Unit. According to the written rules announced by Google, it is mandatory to have a “full and correct address” in order to be included in this system. Google checks this address by posting a letter after the application. For instance, in order to be shown in a search for “(.....)” made for Çankaya, Ankara, you have to prove that you have a store or an office in that region. As a result, we are barred from the system as an online service platform.*
- (395) Even though Google does not allow competing local search websites in its own Local Unit, it can include comments/reviews from its competitors in the other fields where it provides local search services. According to the information in the file, the reviews Google shows in the local unit beside the local results are submitted by users to Google. However, Google started to offer a feature called “Reviews from the Web” globally in 2016. While this feature is not offered with every result, it allows for linking other local search websites with reviews about the business clicked by the user within the Local Unit. When the user clicks on the link “Reviews from the Web,” he is redirected to the website with the full comment.
- (396) According to the information provided by Google, websites can be included in the “Reviews from the Web” after giving their consent and may opt out of the feature on demand. Opting out of the feature has no effect on the display of the relevant content among generic results. At the same time, Google notes that the clickthrough rate for the links in the “Reviews from the Web” section is around (.....)%. This makes it clear that the feature in question provides a very limited amount of traffic, and cannot remove the detrimental situation against the competing content on its own, if this content is not treated equally with Google’s own within the Local Unit.
- (397) Moreover, the application submitted refers to the study conducted by Professor Michael Luca and Hyunjin Kim mentioned above, claiming that the inclusion of content from competing websites would increase the quality of the service offered to the users through this field as well as the clickthrough rates. The study in question suggests a tool called FOTUL (Focus on the User) which allows inclusion of the content from competing websites within the OneBox.
- (398) On the other hand, Google was asked why competing local search websites were not included in the OneBox. In response, Google noted that its own local search results included businesses and venues, and local search services could not be included in the same field, since they were not considered businesses or venues. Google explains

the grounds for this as follows: *“The technologies Google uses for local results are designed to find relevant local venues and businesses: to that end, factors such as location and business hours are taken into account. Google is unable to use these technologies to display local search services such as Yelp, since Yelp is not a local business with working hours and a physical location. If Google was forced to show local search services within the Local Unit, it will have to give up using the sophisticated technologies it developed to offer highly-relevant results for local venues and businesses.*

(399) Google provides the “Hospitals in İstanbul” query as an example, wherein a group of local results are shown about hospitals located in İstanbul, and notes that a local search service such as Yelp is not a hospital in İstanbul and therefore it would not be meaningful to show the results about Yelp among Google’s local results, emphasizing that Google would be unable to display local search websites among local results without reducing quality.

(400) At the same time, Local Unit results include geographical and location data Google uses for its map service and shows the location of the business concerned to the user. Google states that if it included local search websites in the Local Unit instead of local businesses and venues, the map technology would no longer be synchronized with the local results technology. It is also mentioned that if third-party local search websites had different types of geographical coding, then the user could face difficulties in finding the right location and the reliability of location information could not be guaranteed.

(401) On the other hand, Google made the following statements on the FOTUL tool, suggested by Yelp.

“FOTUL is a Chrome extension that can be downloaded from the Chrome Web Store. This extension normally replaces the local results on the venues Google would show within the Local Unit with the results Yelp gathers from among Google’s generic blue linked results. In order to populate the Local Unit, FOTUL runs a user query on Google’s general results page whereby general search results are restricted to certain third-party local review websites. Afterwards, the first ten pages of the results are analyzed to find those websites with star ratings and user reviews. This is how FOTUL identifies webpages for certain venues, in comparison to more general pages. FOTUL ranks these results according to its own methodology, and apparently, its own star ratings and reviews. Then it determines those pages it deems to be the most relevant and uses them to populate the Local Unit. However, it is very clear that this approach by Yelp displays results which are of significantly lower quality than Google’s local results. Yelp is unable to provide more relevant, location-based results based on specialized local technologies. As a result, the FOTUL extension depends on text matching to determine the type of the business, even for a simple query such as (hospital brussels), with the results including museums, a hospital in Kuala Lumpur, Malaysia, and a restaurant.”

(402) Based on its explanations above, Google claims that abandoning its advanced local technologies and adopting the solutions suggested by Yelp would lower service quality and lead to worse outcomes for the uses.

(403) Yelp was requested to provide information on the nature and operation principles of FOTUL. According to the information submitted, FOTUL is a Google extension designed by Yelp in March 2013 to show that the Local Unit could be designed to

include generic results for the relevant local query, which would allow users to reach more relevant results. In other words, FOTUL was created to prove the invalidity of Google's argument that it was technically impossible for Google to include local search websites in the Local Unit or that doing so would cause consumer harm by reducing the quality of service. The FOTUL add-on scans the generic results on the first ten pages of a particular local query in consideration of the star ratings and user reviews in particular, and results found to be the most relevant ones by Google's own algorithms are included in the Local Unit. According to the information provided, the extension is currently unusable due to updates Google made to its algorithms.

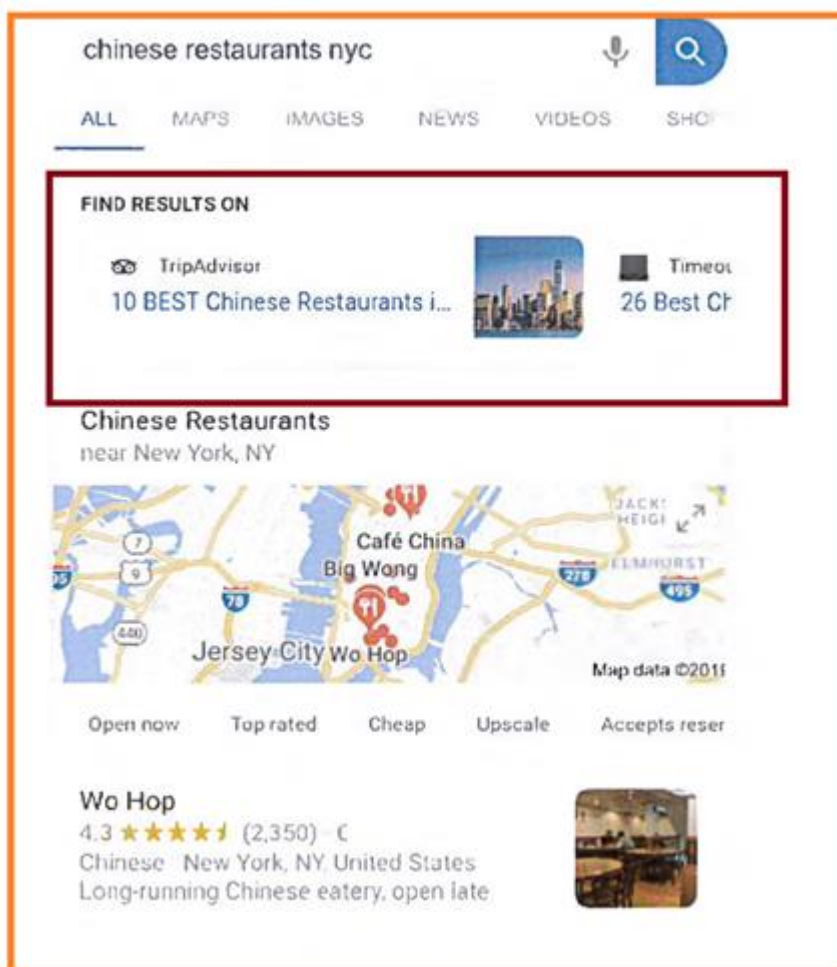
- (404) In summary, according to the complainant, it is possible for the Local Unit to include competing local search websites without affecting the quality of the service, which would benefit consumers by allowing them access to the most relevant results. Google, on the other hand, argues that such a scenario cannot be implemented without reducing service quality.
- (405) As shown by the explanations above, FOTUL is not proposed as an alternative to the Local Unit or as a local search service. It is simply a prototype created in order to show that the Local Unit could include competing local search services. In that context, it is not possible to conclude that allowing competitors providing local search services access the Local Unit would cause a reduction in service quality or that this implementation was not technically feasible, based on a number of individual wrong results displayed in searches made through the FOTUL extension. As a matter of fact, the case is not about whether FOTUL can be used as a tool in local searches.
- (406) The point of note at this juncture is that Google is not dependent on the tools suggested above if it chose to allow competing websites into the Onebox. It is reasonable to expect that, as a company with significant experience and power in the field of global general search services, Google can develop more technically sophisticated interfaces if it chose to show competing websites in its Onebox.
- (407) Accordingly, refusing competitors' direct access into the Local Unit, which is shown in a large space and with rich visual design at the top of the page, would cause more loss of traffic for those competing websites who have already been pushed below the Onebox in the general search page.
- (408) On the other hand, the Commission is currently conducting an investigation on Google's local search services, which contains similar claims to the subject matter of this file. In that framework, Google was asked to provide information on the measures it submitted to the European Commission after local search services issue entered into the Commission program, related to the date of submission as well as (i) detailed information on the relevant measures, including screenshots, (ii) whether the measures were implemented and if they were, (iii) which countries were covered by the measures.
- (409) The response by Google noted that it was at the testing stage for a new service concerning local search called "Local Carousel" in Europe. Google's explanations on the Local Carousel are included below:

"Google has launched the local carousel in certain European countries as a design feature that is currently at the testing stage. Google has developed this application independent of an investigation by or compliance negotiations with the Commission. In Europe, there is no ongoing investigation on local search results or an identification of infringement for the local. Neither has the

Commission requested a remedy for the local. To be clear, the local carousel by Google (.....).As explained in the previously submitted documents and as seen in Yelp’s disastrously low-quality FOTUL tool, Google is unable to show results from local search websites in the local units without causing significant quality issues. The local carousel is shown above the local unit.(.....)Thus, the local carousel works by artificially elevating a group of local search websites above other types of websites in the generic results, such as those for restaurants or local businesses. The Carousel is in operation for local queries in Spain, Germany and France since mid-December, 2019 (though the trials happened before), and is currently at the testing stage before launch for other countries in the European Economic Area.”

- (410) Below is the screenshot provided by Google for the Local Carousel launched in some EU countries.

Figure 87: Screenshot Provided by Google for the Local Carousel Launched in Some EU Countries.



- (411) As seen from Google’s explanations and from the screenshot above, the local carousel (.....). In other words, the local carousel allows competing local search websites to be shown in addition to the local results shown by the Local Unit, in a field above the Local Unit and in a different format of presentation.
- (412) In that sense, it is clear the the carousel, which is launched in certain countries in the EU in December 2019 and which is in testing for other European Union Countries, is a version of the Local Unit that includes competing local search websites, despite the different name.

- (413) This seems to confirm the assessments made under the case file and presented in this decision about the exclusion of competing local search websites from the Local Unit. In fact, the relevant section does not conclude that Google should show local search websites in the relevant field instead of local searches, and instead states that the presentation of the Local Unit on top of the search results with rich visuals and a large space without allowing access to competitors is to the detriment of the competitors.
- (414) Consequently, in consideration of the Local Carousel model for local search services, which Google launched in certain European Union countries and is preparing to launch in the near future in others, it is concluded Google's statements arguing that it is technically impossible for competing local search websites to be included in the Local Unit and that this would reduce the service quality are inaccurate.

I.4.2.1.3.a. Google's Justification Argument for Its Refusal to Allow Competitors into the Local Unit and Its Assessment

- (415) As known, the "Justification" section of the Guidelines on the Assessment of Exclusionary Abusive Conduct by Dominant Undertakings (Guidelines) notes that, in the application of Article 6 of the Act, the Board will also take into consideration the dominant undertakings justification claims concerning its conduct under examination. In that context, Google's justifications for refusing to display third party local search services in the Local Unit will be examined within the framework of justification under the competition law practice involving the assessment of unilateral conduct. Google offers two fundamental justifications for not allowing competing websites in the Local Unit:
- That displaying local search websites among the local results would significantly damage service quality,
 - That Google was not obligated to provide access to local search websites in the Local Unit.

The following section will present explanations and assessments concerning the justifications above.

Google's Statement That Displaying Competing Local Search Websites in the Local Unit Would Significantly Damage Service Quality

- (416) The letter sent by Google states that including local search websites within the Local Unit would significantly reduce the quality of service. The reasons given are that the local unit shows the most relevant and direct results for the local searches of the user, that the local search services are not a local business or venue, and that venue-specific technologies used to identify local businesses are not technically suitable for local search websites.
- (417) It is noted that Google algorithms take into account venue-specific signals such as location, working hours, etc. but that local search websites do not have working hours or a physical location; thus, if Google was forced to show local search services within the local units, it would have to give up the sophisticated technologies it uses to present the most relevant results for local venues and businesses.
- (418) According to Google, FOTUL is a system which ranks and displays local search websites within the Local Unit, based on the technology Google uses to rank the generic "blue link" results, and it reduces the quality of service by offering bad results to the user. It is emphasized that for the sample query of "hospital brussels," FOTUL identifies websites with the words "hospital" and "Brussels" even if they are not relevant

to the hospitals in Brussels, and that the results include museums, hotels, a hospital in Kuala Lumpur, Malaysia, and a restaurant. It is stated that the restaurant result is displayed because of the phrase “very hospital” in the comments section, which was probably used to refer to a waiter.

- (419) The main reasons for the failure of FOTUL are explained by the fact that the tool is based on text matching in Google’s generic ranking, while the local results are categorized according to the type of business (hospital, restaurant, etc.) and are associated with a real location. In that sense, it is argued that displaying the local search websites within the Local Unit would make it impossible to reliably determine the locations of the local businesses on the map, and thus the efficiency of Google’s advanced mapping technology would be lost.
- (420) In summary, the letter claims that it would be impossible for Google to include local search websites within the Local Unit without significantly reducing its quality, and that its present conduct did not constitute a competition law infringement.

Google’s Statement That It Is Not Obligated to Provide Access to Competing Local Search Websites within the Local Unit

- (421) Google states that it is not obligated to provide access to local search websites to the Local Unit. In fact, in order for such an obligation to be valid, all of the following conditions must be fulfilled: “(i) access should be indispensable for competition in the downstream, (ii) lack of access should have the potential to eliminate effective competition in the downstream, and (iii) lack of access should be likely to cause consumer harm.” However, since the Local Unit is not an “indispensable/essential” facility for the local search websites, an obligation to provide access cannot be in question.

Assessment of the Justifications Submitted by Google

- (422) As mentioned above, in the application of Article 6 of the Act no 4054, the justification claims submitted by the undertaking about its conduct must be taken into account. According to the Guidelines, when assessing justification arguments, criteria under the categories of objective necessity and efficiency must be considered.

Objective Necessity

- The conduct should protect a legitimate benefit and must be indispensable for achieving the relevant benefit,
- The conduct must be caused by factors external to the undertaking (e.g. health and safety requirements set out by relevant public authorities),
- The undertaking must not restrict competition more than what is necessary when protecting the benefit in question.

Efficiency

The efficiency justifications require the co-existence of the following four conditions:

- the efficiencies should be realized or likely to be realized as a result of the conduct,
- the conduct should be indispensable to the realization of those efficiencies,
- the likely efficiencies brought about by the conduct should outweigh any possible negative effects on competition and consumer welfare in the affected markets,
- the conduct should not eliminate effective competition by removing all or most existing sources of actual or potential competition.

- (423) Google's activities in the local search services and accommodation price comparison services markets cannot be assessed under the category of objective necessity. In fact, Google's activities in these markets are not caused by any factors other than itself. Thus, this section will examine Google's conduct within the scope of efficiency justifications.
- (424) Google holds that the most important efficiency created by the Local Unit is the fact that users can reach the most relevant results on a local business or service directly. The first point to note here is that a comparison between the features of the services offered by Google Local Unit and competing local search websites failed to conclude that the users saw a distinction between the services concerned in terms of quality. This is because there are no objective findings on how much importance a user submitting a query attaches to each element on the website. Thus, it is impossible to objectively evaluate if the results displayed for the user within the Local Unit are actually the most relevant websites for that user, as Google claims.
- (425) However, in light of the negative impact of the Local Unit's presentation on competing local search websites, it is not possible to consider this factor an efficiency argument, even under the assumption that Google does in fact display the most relevant results in the local units. In fact, the claimed efficiency does not purely stem from the relevancy of the results in the Local Unit. In other words, restrictive effects on competition are not solely about the relevancy of the local results, but about the disadvantage in which the location, area and presentation of the Local Unit puts the competitors.
- (426) In that sense, the current presentation of the Local Unit cannot be considered an essential facility for the same reason, either. In fact, the section titled "Assessment of the Behavioral Sanctions to Be Imposed on Google" presents remedies on how to most effectively re-establish competition. Also, as detailed above, the local carousel application launched in certain EU countries show that Google has more reasonable alternative methods available, where it does not completely exclude its competitors from this field. Consequently, it can be concluded that the conduct under examination is not indispensable for achieving the efficiencies in question.
- (427) On the other hand, Google also claims that including competing local search services in the Local Unit would significantly reduce the service quality of the local search, as indicated by the erroneous results FOTUL displays. It would not be rational to claim that FOTUL is inefficient based on a single example query (hospital brussels), without presenting general and objective data on the error rates of the searches conducted through FOTUL. At the same time, FOTUL is a prototype designed to show that competing websites can be included in the Local Unit and that this would increase consumer benefit. Thus, it would be misleading to think of it as a full alternative to Google Local Unit. In that context, it is not possible to talk about a necessity to exclude competing websites from the Local Unit in order to achieve the expected benefit from the service.
- (428) The section on the abuse assessment clearly found that Google's conduct led to market foreclosure to the detriment of the organic results and to a reduction in consumer welfare. Consequently, in light of the fact that Google's behavior is not deemed sufficient to compensate for the potential loss of competition and consumer welfare in the local search services and accommodation price comparison services markets and that Google's traffic is of vital importance for local search websites to operate in the market, the conduct in question are found to have caused the elimination of effective competition in the market by deactivating a significant portion of the

sources of actual and potential competition.

- (429) Another point raised within the framework of justification concerns the claim that the violation must be identified as a refusal to deal in order to be able to claim that the relevant conduct by Google as an infringement and/or to introduce a measure concerning the inclusion of competing local search websites within the Local Unit.
- (430) The Guidelines state: *“As well, the practice of refusal to supply may be aimed at those undertakings which are rivals to the dominant undertaking in the downstream market, or at those customers are not in competition with it. In this instance, the concept of ‘downstream market’ refers to the market for which the input demanded is needed for manufacturing a product or providing a service.”* Moreover, when identifying an infringement, the Guidelines look for the co-existence of the following three conditions in addition to an examination of the elements of market foreclosure:
- “The refusal should relate to a product or service that is indispensable to be able to compete in a downstream market,
 - The refusal should be likely to lead to the elimination of effective competition in the downstream market,
 - The refusal should be likely to lead to consumer harm.”
- (431) As shown by the provisions of the Guidelines given above, the refusal to deal theory requires a downstream/upstream relationship and opens the way for an undertaking in the downstream market to access an input in the upstream.
- (432) The current file considers the Local Unit and the competing local search websites in the same market. The suggested remedy intends to terminate Google’s behavior of favoring its own service in terms of presentation and location to the detriment of its competitors. Therefore, the request for fitting Google’s exclusive conduct into the refusal to deal theory by characterizing the Local Unit as an upstream market and taking its positioning on Google’s general search results page as a given is not found reasonable.
- (433) Within the context of the assessments explained above, it is concluded that the reasons presented by Google cannot be considered justifications.

I.5.2.1.4. Assessment of the Claim That Google Included User Comments from Competing Websites on Its Own Relevant Services without Authorization

- (434) Another issue raised under the file about the Local Unit concerns the claim that Google used user comments belonging to competing websites in its local search area without authorization. As explained in the relevant section, user comments are an important element of competition in the local search services market. For that reason, Google’s unjustified use of this content without the consent of the parties would harm the incentives of other websites to invest in this field, as well as the competitive process. In that context, Google’s behavior in this field are examined below:
- (435) On this subject, Yelp stated the following:
- In 2005, Google requested a license from Yelp to use some of Yelp’s content in local search results and the parties came to an agreement, however the license was terminated when Google added the “Write a review” button that is in direct competition with Yelp in 2007, and the data flow was stopped.
 - Between 2007-2009 Google tried to establish an independent ecosystem (data pool) but was unsuccessful.

- After Google failed to try and create its own review service, it tried to purchase Yelp.
- After allegedly failing to get a license, and to organically create or purchase reviews, Google started scraping⁸⁹ content from competing websites and used it as if it were licensed, without any references to the source.

(436) According to the information collected, Yelp brought this matter before the FTC in 2012, and claimed that Google unfairly used the other websites to improve its own product and engaged in search bias by excluding the results from competitors. As a result of the complaint, a settlement with a five-year duration was reached, under which Google's use of information and images from competing websites was subject to the authorization of the websites owning the content. At this juncture, in addition to the above, Yelp points out that the settlement period is about to expire and claims that instead of engaging in fair competition and investing to develop its own product, Google is once more utilizing the technique of scraping images from Yelp and adding those images in its own local search results.

(437) FTC includes the following explanation in its Recommendation Report dated 2012⁹⁰:

As described earlier, Google's "scraping" of the content of rival vertical websites has resulted in harm to these vertical websites and, more broadly, to the competitive process. Because Google scraped information over an extended period of time, it is difficult to point to declines in traffic that are specifically attributable to Google's conduct. However, Google's conduct has arguably lessened the incentives of vertical websites like Yelp, TripAdvisor, CitySearch, and Amazon to innovate.

...In sum, the evidence shows that Google used its monopoly position in search to scrape content from rivals and to improve its own complementary vertical offerings, to the detriment of those rivals, and without a countervailing efficiency justification. Google's scraping conduct has helped it to maintain, preserve, and enhance Google's monopoly position in the markets for search and search advertising. ..."

(438) At the present, according to the information provided by Yelp during the investigation process, Google is not using user comments owned by Yelp.

(439) On the other hand, in its first written plea, Google explains that it terminated displaying third party comments among local results in July 2011, in response to the complaints received from websites, including Yelp. Moreover, in its plea Google also notes that the comments it displays in the Local Unit together with the local results were only those sent by users to Google and that comments from third-party websites were not displayed side-by-side with local results within the Local Unit.

(440) Similarly, in its explanation Google states that websites can use the *opt-out* feature and choose to remain outside the scope of the content Google crawls and shows among the local results. The following image shows the details of this feature, which is reportedly in practice for more than 5 years.

⁸⁹ Google defines scraping as "The technique whereby one website uses a software program to take the content of another website without the latter's consent (or license) and then to copy and republish it without adding any original content or value".

⁹⁰ <https://graphics.wsj.com/google-ftc-report/img/ftc-ocr-watermark.pdf>, p. 92, 93. Accessed: 18.11.2019.

Translated into Turkish by the rapporteurs.

Figure 88: Opt-Out Feature

Search Console Yardım

Sorununuzu açıklayın

Oturum açın

Search Console Yardım forumu

Tarama ve dizine ekleme > Site içeriğinize erişimi engelleme > Google Yerel ve diğer Google mülklerinde görüntülenmeyi devre dışı bırakma

Site içeriğinize erişimi engelleme

- Google ile paylaştıklarınızı kontrol etme
- "noindex" ile arama dizinine eklemeyi engelleme
- Robots.txt hakkında
- Google Yerel ve diğer Google mülklerinde görüntülenmeyi devre dışı bırakma
- Sayfanızdaki resimlerin arama sonuçlarında görünmesini engelleme

Google Yerel ve diğer Google mülklerinde görüntülenmeyi devre dışı bırakma

Google'in sitenizden taradığı içeriklerin çeşitli Google mülklerinde görüntülenmesini devre dışı bırakabilirsiniz:

- Google Alışveriş
- Google Flights
- Google Hotels
- Google Yerel (yerel arama için kullanılan sorgulara karşılık döndürülen özel arama sonuçları sayfası)

Devre dışı bırakma seçeneğini belirlerseniz, Googlebot tarafından taranmış olan site içeriğiniz yukarıda listelenen mülklerin hiçbirinde görüntülenmez. Bu mülklerden herhangi birinde halihazırda görüntülenmekte olan içerik, devre dışı bırakıldıktan 30 gün sonra kaldırılır.

Devre dışı bırakma seçeneği alan adı temelinde uygulanır. Örneğin, `example.com` alanındaki tüm içeriğin devre dışı bırakmaya dahil edilmesi için bu alan adını belirtebilirsiniz. Başka alanlara sahipseniz (`example.org` veya `example2.com` gibi) ve bu alanlar, devre dışı bırakılmış bir alana içerik yayınlıyabiliyorsa, devre dışı bırakma seçeneğinin bu alanların her birindeki içeriğe uygulanması için bunları ayrı ayrı devre dışı bırakmanız gerekir. Salt bağımsız alt alanları (ör. `sub.example.com`) veya bir alan içindeki bağımsız dizinleri (ör. `example.com/sub`) belirtebilirsiniz.

Google Yerel'de bu devre dışı bırakma seçeneğinin genel olarak uygulandığına dikkat edin. Kapsam içindeki diğer mülklerde bu devre dışı bırakma seçeneği yalnızca google.com alanında üzerinde barındırılan hizmet için geçerli olur.

Search Console'daki devre dışı bırakma ayarınızı görüntüleyin ya da değiştirin

- (441) Examining the contents of the image above shows that when the opt-out feature is used, the website content crawled by Google (all content, not restricted to comments) would not be displayed within Google Shopping, Google Flights, Google Hotels and Google Local (Local Unit) results and the content currently displayed would be removed within 30 days after opting out. However, the sentence “*Google Yerel’de bu devre dışı bırakma seçeneğinin genel olarak uygulandığına dikkat edin*” (Note that for Google Local, this opt-out option applies globally) in the indicated section in the relevant image raises the question of whether the content and links belonging to the relevant website are removed from all Google results when the websites chooses to opt out. For that reason, Google was asked to prove that the content of the relevant website can be removed only from Google’s local search results without being removed from all Google results if the website uses the opt-out feature. The response to this question noted that the phrase “genel olarak” was used for the word “*globally*” in the English version, i.e. that there was a shift in the meaning due to the translation, referring to the following screenshot:

Figure 89: English Version of the Opt-Out Feature

The screenshot shows the Google Search Console Help Center interface. At the top, there is a search bar with the text 'Describe your issue'. Below the search bar, there are navigation links for 'Help Center' and 'Community'. The breadcrumb trail reads: 'Crawling and indexing > Block access to your content > Opt out of display on Google Local and other Google properties'. The main heading is 'Opt out of display on Google Local and other Google properties'. Below the heading, there is a paragraph explaining that users can opt out of having content displayed on various Google properties. A bulleted list includes: Google Shopping, Google Flights, Google Hotels, and Google Local (specialized search results pages that trigger in response to a local query). Another paragraph states that if the opt-out option is chosen, content will not be displayed on the listed properties and will be removed within 30 days. A third paragraph explains that the opt-out option applies on a domain name basis. A note with a lightbulb icon states: 'Note that for Google Local, this opt-out option applies globally. For the remaining covered properties, this opt-out option applies only to services hosted on the google.com domain.' At the bottom, there is a blue button that says 'View or change your opt-out setting in Search Console'.

- (442) In this context, while it is not clear what is meant by the indicated phrase and the following explanation, Google states that the opt-out feature is applied globally for the local search in practice and thus there was no need for concern on this matter; in other words, that the website can request Google to remove its content from local search results without being excluded from the generic results.
- (443) According to the information provided, another way websites can use to prevent the use content crawled by Google is the Robots Exclusion Protocol (REP). This system involves adding a short text file to the root of the website with the name robot.txt, which prevents crawling of the website in its entirety. However, completely preventing the website from being crawled by Google bots is clearly not a feasible and desirable method for all websites, since it would lead to competing websites trying to survive on the traffic they receive from the web being totally excluded from a source of traffic like Google, which is not substitutable.
- (444) On the other hand, when Google's local results were examined from this perspective, it was found that local search results concerning the hotel field included comments from competing platforms. Below is the details page for the Crowne Plaza Antalya result within those listed in the Local Unit in response to the query Antalya hotels:

Figure 90: Local Unit Results for "Crowne Plaza Antalya" (1)

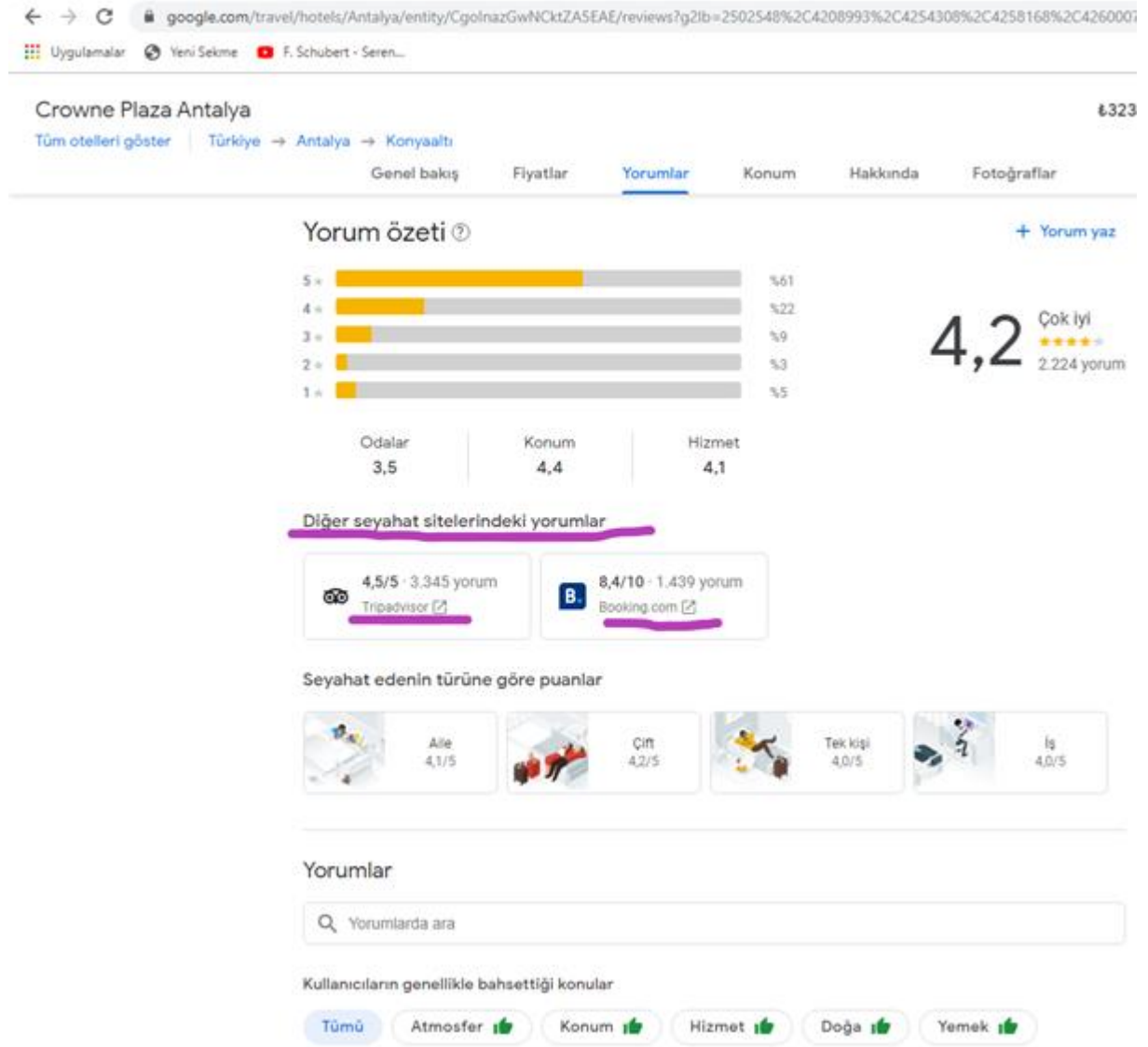


Figure 91: Local Unit Results for “Crowne Plaza Antalya” (2)

The screenshot shows the Crowne Plaza Antalya hotel page. The header includes the hotel name, location (Türkiye → Antalya → Konyaaltı), and navigation tabs: Genel bakış, Fiyatlar, **Yorumlar**, Konum, Hakkında, and Fotoğraflar. A filter menu is open, showing 'En faydalı' and 'Tüm yorumlar' with sub-options for Google, Tripadvisor, and Booking.com. Two review snippets are visible. The first is from 'Tripadvisor Yorumcusu' and the second is from 'jean can' on Google. The second review includes a response from the hotel management.

- (445) As seen in the screenshots above, the number of comments on the relevant hotel at the Tripadvisor and Booking platforms are shown under the heading “Reviews at the other travel sites,” with the rest of the page allowing the option to filter the comments according to platform. This is also where a portion of the comments owned by third parties are published and the user is redirected to the website of the relevant party for more information.
- (446) On this matter, Google was asked “... whether authorization was received from the content owner websites for Google’s use of their content and whether Third Parties had the option to prevent Google from using the relevant content in this field.”
- (447) In its response, Google stated the following:

“Reviews from the Web is a feature Google displays on the details page for an individual location⁹¹. This feature identifies websites with comments on the relevant venue or business with a snippet and webpage link, allowing users to go to those sites to read the comments. When the user clicks on the Reviews from the Web link, he is directed to the website where the comment was left.

⁹¹ “Reviews from the Web can also be seen in the Knowledge Panel section Google displays on the left side of the screen for each individual location.”

For a website to get ranked in the Reviews from the Web feature, the relevant website must authorize the feature to opt in and apply a rating markup to the website. Accordingly, a website would have to take additional steps to add lines of code to the website in order to appear in Reviews from the Web.⁹² By taking these active steps, the website authorizes and consents to Google displaying the snippets of the relevant reviews.

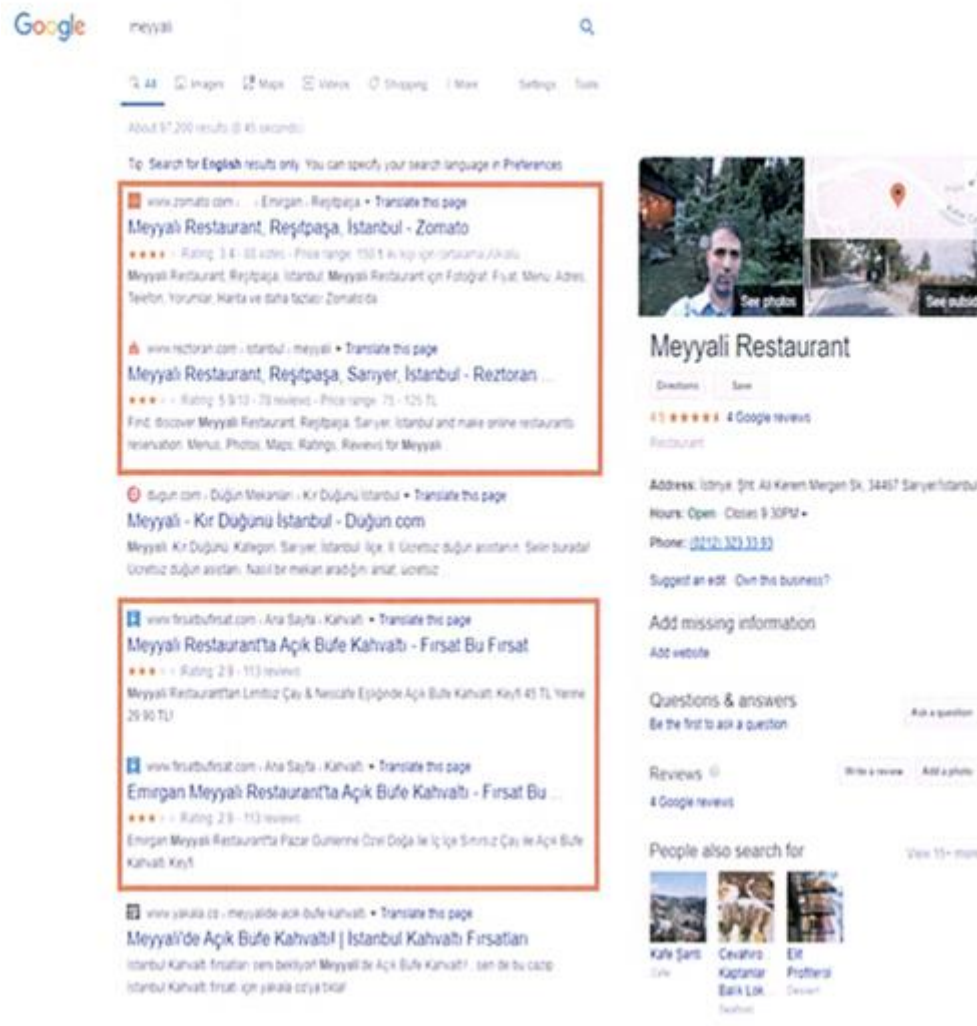
Thus, Google noted that the comments from the websites were not used without authorization, and also that those websites which were included in the *Reviews from the Web* feature could put an end to the sharing by removing the comments. In addition, websites can also use the aforementioned opt-out feature to prevent the use of their content.

- (448) On the other hand, an explanation was requested from Google on whether the authorization mechanism we emphasized that was mentioned in Google's statement above was different from the "*meta tag*" feature which allows a website to be included among search results with rich presentation. This question was intended to clarify whether a website who requested that Google not use its comments/content would be prevented from being displayed with a rich presentation among the search results. Below is an example for rich presentation⁹³, which is thought to be important for attracting the users' attention and can increase traffic to the website.
- (449) Google's response notes that a website could choose to be excluded from Reviews from the Web but could be shown among the rich results, or vice versa, and shared the following screenshots for the queries "Meyyali," "Altın Tabak Kaburga Sofrası" and "mikla İstanbul" as proof:

⁹² "These websites may still back out of using the feature even after adding the relevant lines of code."

⁹³ "For more detailed information see the page <https://support.google.com/webmasters/answer/7451184?hl=tr>."

Figure 92: Screenshot submitted by Google (1)



(450) The screenshot above shows Zomato and Reztoran with “meyyali restaurant” results are included in the search results with rich presentation, while the knowledge panel on the right of the screen does not have comments from these websites. The following screenshot was presented to show the opposite situation:

Figure 93: Screenshot submitted by Google (2)

The screenshot shows a Google search for "rise and shine erenköy". The search results on the left include:

- www.zomato.com** | istanbul | rise-shine-erenköy-istanbul
 - Rise & Shine, Erenköy, İstanbul - Zomato**
 - Rise & Shine, Erenköy, İstanbul, Rise & Shine için Fotoğraf, Fiyat, Menü, Adres, Telefon, Yorumlar, Harita ve daha fazlası Zomato'da.
 - Rise & Shine**
 - Rise & Shine, Erenköy için Menü
 - Görüntüle - Paket Servis, Al ...
 - zomato.com alanından daha fazla sonuç >
- pinterest.com** | alpmelisa | rise-shine-erenköy
 - 15 en iyi Rise & Shine Erenköy görüntüsü | İşikli tabelalar ...**
 - 27 Eki 2019 - Pinterestte alpmelisa adlı kullanıcının "Rise & Shine Erenköy" panosunu inceleyin. İşikli tabelalar, Neon aydınlatma ve Motive edici alıntılar ...
- pinterest.it** | pin
 - Rise & Shine Erenköy Coffee House / İstanbul - Pinterest**
 - Rise & Shine Erenköy Coffee House / İstanbul. ... House - Gıda: Rise & Shine Erenköy Coffee House / İstanbul Alkolü İçkiler, Kahve, House, Gıda. Kaynak: ...
- rise and shine erenköy ile ilgili görseller**
- kahve site** | rise-shine
 - Rise & Shine – Kahve Sitesi**
 - Rise & Shine, Erenköy'de bir kafe. Yol Tarifi, Direkt Mesaj, Profil, İncelemeler 0, Etkinlikler, İş İlanları, Mağaza 0, İnceleme, Favori, Paylaş, Doğrula - Yol Tarifi ...
- pinterest.ca** | pin
 - Rise & Shine Erenköy Coffee House / İstanbul - Pinterest**
 - Rise & Shine Erenköy Coffee House / İstanbul. ... Ev Dekorü: Rise & Shine Erenköy Coffee House / İstanbul Dış Mekan Mobilyaları, İstanbul, Kahve. Kaynak: ...

The knowledge panel on the right side of the screen provides detailed information about "Rise & Shine coffee":

- Rise & Shine coffee**
- Yol tarifi | Kuydet
- 4.1 ★★★★★ 37 Google yorumu
- Kafe
- Adres: Erenköy, Alpler Sk. no 6, 34738 Kadıköy/İstanbul
- Çalışma saatleri: Açık | Kapanış saati: 23:00+
- Telefon: (0216) 514 85 98
- Düzenleme önerin | Bu işletmenin sahibi misiniz?
- Eksik bilgileri ekle
- Web sitesi ekle
- Bu yeri biliyor musunuz? Kısa sorular yanıtlayın
- Sorular ve yanıtlar
- İlk soru soran siz olun
- Soru sorun
- Web'deki yorumlar
- Zomato: 4,4/5 (113 oy)
- Foursquare: 7,8/10 (34 oy)
- Popüler saatler
- 14:00: Genellikle çok yoğun değil

- (451) Examining the screenshot above shows that Zomato is among the search results for the query "Rise and Shine Erenköy" with a general presentation, while Google uses comments from this website in the knowledge panel on the right side of the screen. Thus, while the examples in question indicate that websites choosing not to have their comments used by Google in the Reviews from the Web section does not prevent their inclusion among the search results with a rich presentation, these limited examples do not allow arriving at a general conclusion.
- (452) According to the information above submitted by Google, the available tools with respect to Google's policy for using third party content/comments and the parties' disposal rights on the use of their own content may be summarized as follows:
- In response to the content Google acquires by crawling the web, websites can
 - Prevent or stop the use of crawled data by using the "Opt out of display on Google Local properties" feature shown in Figure 88.
 - Prevent Google from crawling the entire website with the Robots Exclusion Protocol.
 - Display of comments from the website under the Reviews from the Web feature is at the disposal of the relevant website and a website that wishes to have its content displayed in this field must activate the authorization

process. Websites that wish to stop Google from using their comments following the aforementioned authorization process can

- i) Stop sharing by removing the reviews.
- ii) Stop the use of their comments through the “Opt out of display on Google Local properties” feature.

(453) Since in addition to Yelp’s claims and Google’s explanations above, the opinions of the other competitors on the subject should be taken into consideration, the parties were asked to provide “*detailed information on whether Google includes user content (photos, comments, etc.) from your website(s) offering local search services in its Local Unit, whether Google asked for consent or authorization on this matter, and if there is a commercial relationship concerned, what were the conditions agreed upon with Google*”. A majority of the undertakings did not make a statement that could have an impact on the issue, however (.....), (.....) and (.....) submitted the following explanations:

(.....): Google had previously used bots to systematically clear comments and other content from the websites operated by the members of (.....) While (.....) knows that Google is no longer deleting comments from its own websites, Google does pull information from (.....). In particular, to be able to participate in the Google HPA tenders above (this is required to be visible to consumers that are looking for accommodation using Google’s general search service), (.....) must provide a live feed of its content database to Google. These databases have information on hundreds of thousands of hotels and other accommodation providers (including price lists, facilities and amenities, services and inventory). (.....) has made significant investment to acquire and maintain the information within these databases as well as the databases themselves from accommodation suppliers and consumers. Google uses the data it can access from the live feeds in its own local search services, and in light of Google’s market share (.....) cannot possibly prohibit their use.

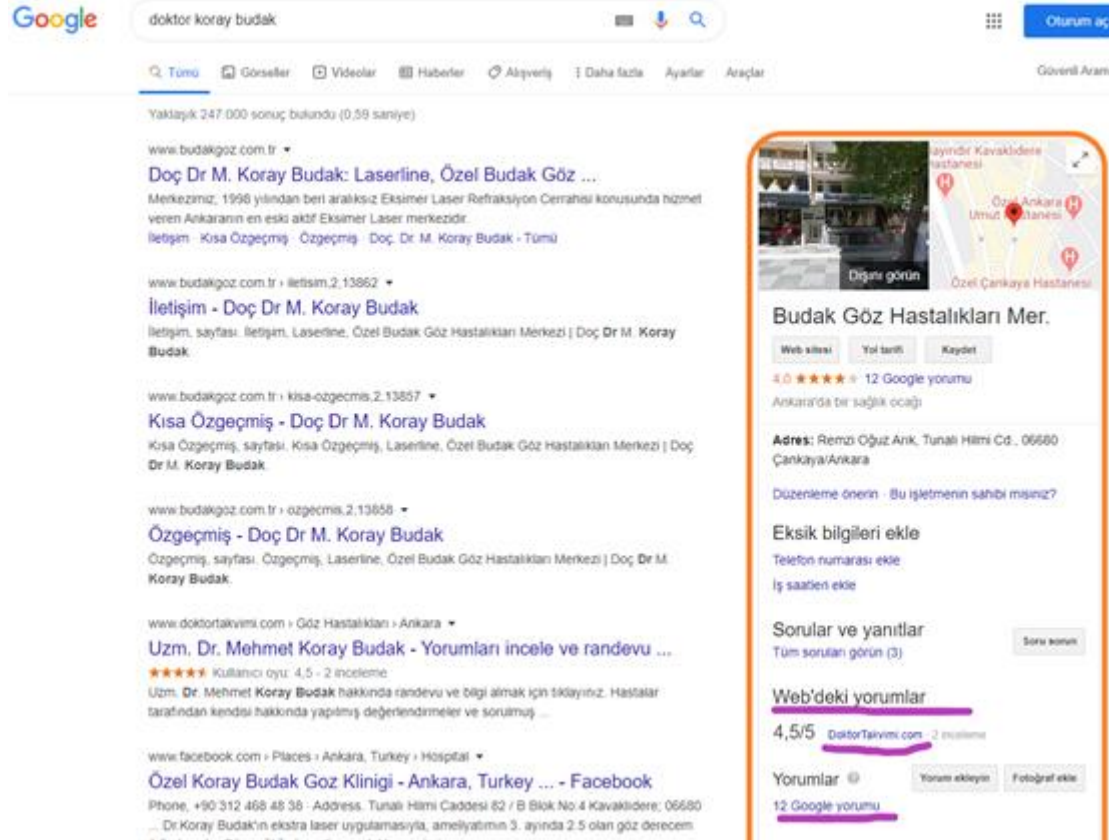
(.....): “We have no commercial relationship on this matter. Google uses the information it scrapes from our websites in its local unit and other properties. We have not given explicit consent to allow this.”⁹⁴

(.....): “It appears that when you search for a healthcare expert on Google, the OneBox application that appears to the right of the screen shows the rating of the relevant expert on his profile at “(.....)”. The Client Company did not have any negotiations with Google on including the ratings within OneBox and no authorization has been taken from the Client Company in that framework.”

(454) Within the context of these statements, it is known that the “live feed” issue mentioned by (.....) is actually a technical requirement for advertising on the GHA channel, i.e. as long as (.....) does not take out advertisement in this field, Google cannot access any content owned by (.....) through the live feed. (.....)’s statements, on the other hand, concern the knowledge panel displayed on the right side of the general search results page in case of a search made directly for doctors/hotels/restaurants, etc. For instance, the indicated area on the following screenshot shows the number of comments and ratings submitted by Doktortakvimi users under the “Reviews from the Web” title, and then the user is directed to the relevant website for detailed comments.

⁹⁴ Translated into Turkish by the rapporteurs.

Figure 94: Knowledge Panel Displayed in Response to the Query “Doctor Koray Budak”



- (455) Thus, the information on competitors highlighted in violet in the screenshot above are displayed not within the Local Unit where Google presents its local search service or in the other local search websites accessed via this field, but within the knowledge panel that displays information on a certain business.
- (456) A similar situation seems to be the case for (.....). When one conducts a search by facility name in the field of foods and beverages, the knowledge panel for the relevant facility shows the ratings for (.....) directly, but the comments are linked. Thus, the fields (.....) claims it did not give authorization seems to be referring to Google's knowledge panels. In light of the information submitted by Google with relation to the use of third party comments within the framework of the file, (.....) should have the right to prevent the use of the crawled data by either rescinding its authorization for the use of its comments by Google or by using the “Opt out of display on Google Local properties” feature.
- (457) In addition to the question above, the websites were also asked if the prevention of Google's use of their content affected their rankings in the general search results page. Among the responses received, those that can make a contribution to the assessment are included below:

(.....): “Google adds comments from the competitors for hotel products to the index. For instance, when users search for a single hotel, Google shows a “reviews” section on the right side of the results page. If the users interact with the comments, Google shows aggregated comments from all competitors, including those scraped from (.....) and other competitors. Google collects these comments by crawling (.....)’s hotel details pages.

Removing the comments from the hotel details pages could negatively affect the ranking of (.....)'s hotel pages in Google's general search results. This behavior started in December 2017."

(.....): "Preventing the use of our content would negatively affect our organic performance."

- (458) Among these statements (.....)'s claim that there was a change in Google's in December 2017 draws attention. In response to this claim by (.....), Google was asked to provide information on *"Whether there was a change in Google's policy for the use of third-party content at the end of 2017, whether the organic rankings of those third parties that demand Google not use their content were directly or indirectly affected within the framework of the relevant policy, and the operating principles of the algorithms which may cause such effects, if any"*.
- (459) The response to the question stated that there was no change to Google's policy at the end of 2017, and that websites' organic rankings would not be affected if they wished to prevent their content from being displayed within the local results.
- (460) Thus, while (.....) and (.....) stated that the organic rankings of their websites could be affected if they prevented Google from using their content, in light of the fact that this was not a widespread claim, it is impossible to conclude that websites' choices on this matter negatively affected their ranking.
- (461) Other than the aforementioned questions, the websites were also asked if they could opt out of displaying their comments under the "Reviews from the Web". The following are some of the responses received that can contribute to the assessment:
- (.....): "On the matter of whether the 'Reviews from the Web' feature offered by Google in response to local search queries can be deactivated by our Undertaking, being included in this field requires action and our Undertaking is not included."*
- (.....): "It is possible to opt out of sharing this content with Google. Google makes finding this option difficult. We are unable to find that function on Google Search Console."*
- (462) In light of the responses concerned, (.....)'s statements can be seen to support Google's explanation that the relevant website must give its consent to be included in the Reviews from the Web and (.....)'s statement indicates that the website can opt out of the use of its comments but that the visibility of this option is rather low. On the other hand, Google was asked to provide screenshots for the interface where websites can prevent Google's use of their content if they no longer wish to allow Google the use of their comments, but Google did not provide information on this matter.
- (463) Consequently, in light of the current findings collected under the file, it seems impossible to conclude that Google used the comments from websites without authorization, and that websites did not have alternative methods to prevent/stop Google from using the scraped content.
- (464) On the other hand, it is found that Google used the comments from websites without authorization and used its dominant position in general search services to provide advantage to its own local search services until July 2011, as indicated by Google. However, Google states that the unauthorized use of the comments was terminated in 2011, and this date brings to mind the statute of limitations. Article 20 of the Misdemeanor Law no 5326 includes the provision: *"Administrative fines cannot be imposed on the person for the misdemeanor in case the limitation period for the investigation is expired. (...) Misdemeanors that require proportional administrative*

finer have a limitation period of eight years. Limitation period starts when the act of the misdemeanor is committed or when the outcome is realized." This provision applies the principles of criminal law by analogy and the law-giver determines two starting dates for the limitation period, consisting of the date on which the act is committed for inchoate offenses and the date on which the outcome is realized for continuous offenses. Thus, the relevant provision indicates that the limitation period should start with the date on which the act was committed for inchoate offenses, and with the date on which the violation was terminated for continuous and repeating offenses.

- (465) For the current file, it is assessed that Google's unauthorized use of the websites' content was a continuous/repeating violation, in which case the start of the limitation period should be July 2011.
- (466) On the other hand, since there is no legal provision whereby the the launch of an investigation on a violation by the Board interrupts the limitation period, initiating an investigation within the limitation period of eight years is not sufficient to impose an administrative sanction, and the decision for the administrative sanction must be taken within eight years following the date on which the act was committed or the outcome was realized. Therefore, any potential decision to sanction the relevant violation should have been taken in July 2019 at the latest, which means the limitation period for the conduct in question has expired.

I.5.2.1.5. Assessment of the Claim That Certain Algorithm Changes by Google Led to a Drop in the Visibility of Its Competitors Offering the Services in Question But That These Changes Were Not Applied for Google's Own Services

- (467) Another main claim put forward by Yelp within the scope of the file suggests that the Panda 4.0 change Google made to its general search algorithms in mid-2014 demoted Yelp in the generic search results.⁹⁵ Yelp claims that this change caused an immediate and significant drop in its Google search rankings throughout Türkiye. The following chart was presented concerning the drop in question, which are stated to be Sistris⁹⁶ visibility data for Yelp's desktop website in Türkiye.

⁹⁵ Yelp noted that Youtube access was blocked in Türkiye starting from March 27, 2014, which encouraged users to start using virtual private networks (VPNs) to remove the block. As a result, users utilizing VPNs in Türkiye to submit comments to Yelp were not categorized by Yelp's traffic analysis service. Moreover, even though the Youtube block was removed on May 29, 2014, users continued using VPNs. As a result, it was difficult to define the effect of Panda 4.0 in Türkiye. At the same time, it was noted that the traffic reduction could also be observed from Google's total traffic which is based on the European countries.

⁹⁶ It is stated that Sistris is a third-party search engine optimization (SEO) tool which monitors the ranking of a website on Google's search engine result page (SERP), for searches involving a "basket" of around one million keywords. According to Yelps's statement, this ranking data is used to create an "index" intended to present an indicative table on the visibility of the website on Google. It is noted that Sistris has been calculating the desktop visibility index for Yelp in Türkiye since 2012, and the mobile visibility index of the site has been calculated since 2015. The visibility data presented in the chart are stated to be for desktop visibility, however that the desktop and mobile indices were very close. It is also pointed out that the increase before 2014 stemmed from Yelp's integration of Qtype into its system towards the end of 2013. Qtype was a European local search provider, which had expanded its operations to cover Türkiye shortly before it was acquired by Yelp in 2012. (.....).

(.....TRADE SECRET.....)

Source: Information Acquired from the Undertaking

- (468) Yelp states that Google made the Panda 4.0 change at a time Yelp started to expand its content, after which it continued the expansion of its volume of content as well. Thus, the Panda 4.0 changes, made at a time Yelp continued to contribute content, prevented users from discovering that content and the new version of Panda interrupted the operation of Yelp's two-way wheel, with the additional content unable to lead to additional traffic. At the same time, Yelp also emphasizes that while the engine optimization work in 2017 resulted in an increase in Yelp's search ratings for some countries, its visibility on Google's search engine remained significantly below its pre-2014 levels and could not be regained.
- (469) The application concerned states that Yelp's traffic was also affected from changes other than those concerning the Panda 4.0 algorithm. As an example, it is mentioned that in August 2011, Yelp observed a large drop in redirections from Google to its international domain names and contacted Google, and its traffic returned to the previous levels a short time after this complaint. It is stated that this indicated an algorithm change which demoted Yelp and that Google had to make a manual algorithm change to fix the situation.
- (470) It is claimed that the Panda 4.0 change had a larger impact on local search providers such as Yelp, which are the closest rivals of Google's local search services. This is because the facilities Yelp offers to users are more comprehensive than those by local search providers that are fully specialized, such as TripAdvisor. However, it is also noted that the panda 4.0 algorithm changes also affected these local search providers with a narrower focus, with the drop in TripAdvisor's share prices coinciding with the implementation of the Panda 4.0 changes given as an example to this type of effect.⁹⁷ In particular, following the Panda 4.0 changes, Google deprived Yelp of search traffic and rendered Yelp no longer able to attract users, convert them into registered members and create user content. This situation gradually worsened until in September 2016 Yelp decided to exit the Turkish market and stopped all of its investments in Türkiye.
- (471) In light of Yelp's claims summarized above, Google was asked to provide information on the scope of the Panda 4.0 update. Google stated that the original Panda algorithm launched in 2011 was based on user behavior and, in particular, evaluated repeated clickthroughs by the user as a quality signal.⁹⁸ However Google phased out the original Panda algorithm in May 2014, replacing it with the Panda 4.0 algorithm which comprises the main subject matter of the complaint. It is noted that the Panda 4.0 algorithm was also based on user behavior, similar to the original Panda algorithm, and that the Panda 4.0 algorithm (.....).
- (472) At this juncture, it is important to determine if the Local Unit was affected by the algorithm changes made by Google. Google argues that the Local Unit does not have

⁹⁷ TripAdvisor's share prices reached its historical high of \$110 in June 2014 and then gradually fell down to \$45.

⁹⁸ (.....)

a fixed location and is only shown on a particular position if it is more relevant than the generic blue links for a particular query; in other words, if Google finds generic results with a higher level of relevancy, it can demote or completely omit the Local Unit. On the contrary, if the generic results are found to produce results that are less relevant for venues and businesses than local results, the Local Unit may be promoted towards the top. Thus, since Google constantly changes its relevancy assessments, local units may be affected as well.

- (473) On the other hand, in order to conduct a more detailed examination of Yelp's claim that the Panda 4.0 algorithm change demoted its website in the generic results, Google was asked to provide information on whether the Panda 4.0 algorithm changes had an effect on the display and ranking of Google Local Unit and other competing local search websites. This matter was explained as follows by Google:

"..Since Panda 4.0 is based on user behavior, it does not know whether a website is a local search website or whether it has user reviews. Panda 4.0 was designed to solve quality problems in the generic results – quality problems that affect websites such as website owners having to do additional engineering for Google's recency signals – it is not applied to Google's local results. On the contrary, Google's local results show venues and businesses instead of websites and thus do not suffer from the same type of quality problems that affect the generic results. Instead, local results have their own quality protection and demoting mechanism based on local-specific signals, which is specifically designed to remove local results from the rankings or demote them. Additionally, local results are only shown if they are determined to be more relevant in accordance with a two-step ranking, explained in the previous two petitions submitted by Google."

- (474) Accordingly, Google's explanations on the matter show that the Panda 4.0 algorithm is not applied to Google's local results since they do not face the same type of quality problems with generic results. In that context, generic results that reportedly do not face the same type of quality problems include competing local search websites shown on Google's general search results page as well. As a matter of fact, according to Google, Yelp's demotion by Panda 4.0 means that the algorithm is working as intended. On the other hand, Google purports that it only shows its own local results group at a particular location if its relevancy is higher than those of the generic blue links. Thus, the fact that Google subjects the generic results concerned to the same relevancy test as its own local results raises some suspicions. This is because it does not appear reasonable to subject results facing different quality problems to the same quality test.
- (475) At the same time, information was requested from many domestic and foreign local search and accommodation price comparison service websites on whether any search algorithm update by Google, including the Google Panda 4.0 update, affected important parameters of their websites such as traffic and ranking since 2011, and the opinions of the undertakings on this matter are provided below.
- (476) (.....) and (.....) stated that they did not monitor the effects of algorithm changes, while (.....) and (.....) noted that they did not observe a positive or negative impact on their websites as a result of algorithm changes.
- (477) At the same time, of the undertakings which did not see a negative impact of the algorithm changes,
- (.....) stated that no effect was observed on May 19, 2014 when the Panda 4.0 update was launched, that Google made various changes from time to time

to the algorithm or the interface or to its own website, which were mostly impossible to explicitly connect with any differences in ranking due to data limitations,

- (.....) stated that (.....) categories did not see a sudden decrease in the number of users due to any Google algorithm update,
- (.....) stated that they did not experience Google related drops, which generally stemmed from reasons related to the website itself,
- (.....) stated that small changes were observed in the traffic to the platform coming from Google due to seasonal effects since 2015 when the local search feature was launched but that it generally trended upwards and any changes made by Google was not found to cause any sudden increase or decrease in the traffic redirected to the local search service,
- (.....) stated that changes to the algorithm used by Google was not observed to have a negative effect on the website since 2016 when the website offering local search services was launched, and that the traffic to the website continued to increase since the date of launch.

(478) Of the undertakings which reported both positive and negative effects,

- (.....) stated that Google made occasional algorithm updates for search results which could lead to changes in website traffic, that the larger algorithm changes by Google were Panda (February 2011), Penguin (April 2012), Hummingbird (August 2013), Pigeon (July 2014), Mobile (April 2015), RankBrain (October 2015), Possum (September 2016), Fred (March 2017), Maccabee (December 2017), Brackets (March 2018), Mobile Speed (July 2018), Medic (August 2018), that there was more than one variable and it was impossible to know the exact causes of changes in the traffic to a website,
- (.....) stated that after Google made an algorithm change on August 1, 2018, they saw an increase in their general search rankings on Google and traffic, while Google's update on March 2019 led to a drop in their rankings on general search, which later returned to the previous level without a need to take any action on their side.

(479) Of the undertakings which reported a negative impact and gave examples on the loss of traffic caused by the change concerned,

- (.....) stated that every algorithm change by Google caused significant changes in rankings, and that since Google made dozens of small changes every day and 4-5 larger changes every year, it was not possible to tabulate this change,
- (.....) stated that the drops in the relevant periods observed in the tables below were caused by the algorithm changes titled Florida (March 12, 2019) and Bert (October 19, 2019),

Chart 21:

(.....TRADE SECRET.....)

Source: Data provided by the undertaking.

- (.....) stated that Google Panda 4.0 algorithm was launched in May 2014 when (.....)'s search volume in Türkiye was less than (.....) daily searches, but (.....) websites outside of Türkiye experienced changes in Google search rankings as a result of Google algorithms,

- (.....) stated that they did not have data available since 2011, but examining the traffic from 2017 onwards showed the negative impact of the Core algorithm launched in 2018, and that the effect of the algorithm change concerned on the traffic and display were shown in the following chart:
Chart 22:

(.....TRADE SECRET.....)

Source: Data provided by the undertaking.

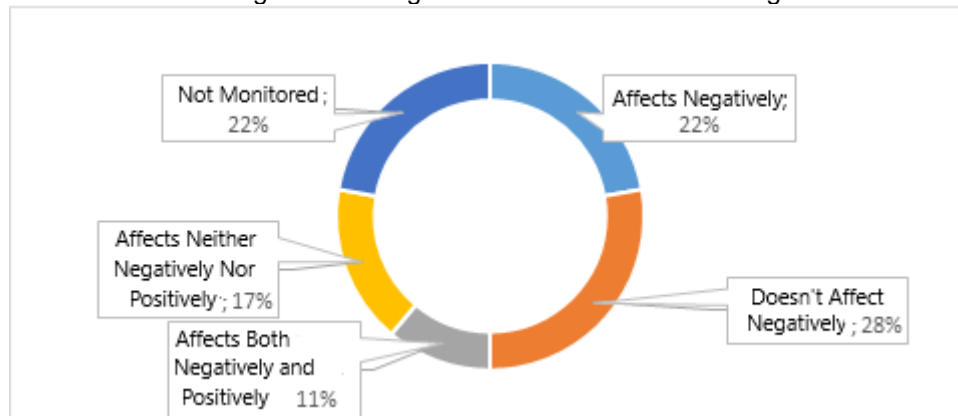
Chart 23:

(.....TRADE SECRET.....)

Source: Data provided by the undertaking.

- (480) As summarized in the chart below, of the websites which responded to the relevant questions, 28% believed they were not negatively affected by algorithm changes, 17% believed that were not affected negatively or positively, 22% did not monitor these changes, 11% believed they were affected both negatively and positively, and 22% believed they were affected negatively.

Chart 24: Effect of algorithm changes on the traffic and/or ranking of websites



Source: Data provided by the undertakings.

- (481) Besides the Panda 4.0 algorithm which comprises the basis of Yelp’s complaint, other major algorithm updates implemented on various dates by Google, believed to have a positive or negative effect by those websites offering local search and accommodation price comparison services are aggregated in the table below:

Table 12: List of the Changes Made by Google (2011 – 2019)

Period	Update	Effect
12.02.2014-27.03.2014	Panda 3	Google’s content algorithm change which caused a significant drop in (.....)’s traffic.

19.05.2014	Panda 4.0	Caused significant drops (.....)'s traffic and a loss of (.....)% in (.....)'s search engine traffic on 25.08.2014.
23.09.2014	Panda 4.1	(.....) regained the traffic lost due to Panda 4.0.
17.07.2015	Panda 4.2	On 31.07.2015, (.....)'s traffic decreased by (.....)% due to Panda 4.0.
12.11.2015	Panda 4.2	(.....) regained most of the ranking it lost with Panda 4.2 (an increase of (.....)%).
3.04.2018	Core Update	Caused a drop in (.....)'s visibility.
27.09.2018	Birthday update	Caused a reduction in the traffic of the domain names of (.....), but an algorithm change by Google on October 1, 2018 regained the lost pages.
12.03.2019	Florida	Caused a significant drop in (.....)'s traffic and a loss of around (.....)% in the traffic of (.....).
19.10.2019	Bert	Caused a loss of (.....)% in (.....)'s traffic.
Source: Information provided by the undertakings		

(482) On the other hand, Google's explanations on the major algorithm updates pointed out by undertakings are given in the table below for each update.⁹⁹

Table 13: Names, Purposes and Dates of the Large-Scale Updates by Google

Name of Update	Date	Purpose
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
Source: Google		

(483) At this juncture, for the purposes of the assessment under the file, it is important to measure the effects of the algorithm changes Google made on websites offering local

⁹⁹ Google was unable to provide information on the scope and dates of some of the algorithm updates mentioned by the undertakings, which was explained by stating that some third-party commentators or SEO marketers speculated about Google algorithm changes and gave them their own names. As a result, the relevant algorithm changes indicated the opinion of the third parties rather than an actual update by Google.

search services and accommodation price comparison services. To that end, undertakings were asked to provide traffic data coming from Google's organic results for the period of 2011-2019, however the relevant data could only be procured from some of the websites offering local search and accommodation price comparison services. As a result and with an aim to conduct a more comprehensive examination under the file, impact analyses will be conducted concerning the traffic undertakings receive from Google, first based on the data provided by the undertakings, and then on the data provided by Google.

- (484) At the same time, in order to better understand the impact in the field of local search services, two separate assessments were made at the outset on websites, concerning local search services offered in the field of accommodation and in other fields. These websites are presented in separate charts below to better clarify the traffic changes for those undertakings which receive relatively less traffic from Google. Before evaluating the charts below, one point of note is that the charts do not allow a direct causality link between the traffic changes on the dates when the algorithm was updated and the relevant algorithm updates themselves. On the other hand, the charts are useful in analyzing whether the algorithm updates led to a systematic impact on the markets that were effected by Google's fields of activity falling under the file, in terms of examining whether they overlap with fluctuations in the undertakings' traffic in the same direction.

21-20/248-105

Chart 25: Change in the Organic Traffic Volume from Google for Websites Offering Local Search Services

(.....TRADE SECRET.....)

Source: Data provided by the undertakings.

Chart 26: Change in the Organic Traffic Volume from Google for Websites with Relatively Less Traffic

(.....TRADE SECRET.....)

Source: Data provided by the undertakings.

Chart 27: Change in the Organic Traffic Volume from Google for Websites Offering Local Search Services

(.....TRADE SECRET.....)

Source: Google

Chart 28: Change in the Organic Traffic Volume from Google for Websites with Relatively Less Traffic

(.....TRADE SECRET.....)

Source: Google

- (485) The charts presented above show, first of all, that there may be movement in various directions in the traffic of those websites offering local search services during the period when algorithm updates included in the charts were made by Google. In other words, following algorithm changes including Panda 4.0, some of the websites offering local search services saw their organic traffic increase, while others lost traffic instead. Secondly, when examined based on individual undertakings, the traffic increased after some algorithm updates, while it decreased after others.
- (486) The charts presented below for the 2011-2019 period, on the other hand, show the relationship between the traffic websites offering local search services in the field of accommodation received from Google's organic results and the algorithm changes implemented.

Chart 29: Change in the Organic Traffic Volume from Google for Websites Offering Local Search Services in Accommodation

(.....TRADE SECRET.....)

Source: Data provided by the undertakings.

Chart 30: Change in the Organic Traffic Volume from Google for Websites Operating in the Field of Accommodation with Relatively Less Traffic

(.....TRADE SECRET.....)

Source: Data provided by the undertakings.

Chart31: Change in the Organic Traffic Volume from Google for Websites Offering Local Search Services in Accommodation

(.....TRADE SECRET.....)

Source: Google

Chart 32: Change in the Organic Traffic Volume from Google for Websites Operating in the Field of Accommodation with Relatively Less Traffic

(.....TRADE SECRET.....)

Source: Google

- (487) The charts presented above show that while the algorithm changes led to various

results in the traffic to the undertakings throughout the years, local search services in the field of accommodation in particular, displayed an increase in their traffic in those seasons when users prefer to take a vacation (especially from May to September), and in that sense variations in the traffic of local search providers in the accommodation field were quite similar to each other. Thus, it is believed that the data collected within the scope of the file do not constitute strong enough evidence to conclude that Google's algorithm updates on their own had a significant impact on the traffic to the undertakings, for accommodation services in particular.

- (488) At the same time, (.....) notes that an algorithm update implemented by Google in April 2018 caused a significant drop in the visibility of the website. On that date, instead of a drop, (.....)'s traffic shows an increase that is thought to be seasonal. As such, it may be beneficial to look at (.....)'s display rate and average ranking trends through the years.

Chart 33:

(.....TRADE SECRET.....)

Source: Google

Chart 34:

Source: Google

- (489) The charts above shows that while (.....)'s display rate and average ranking changes through the years, in comparison to the other years, its display rate increased and average ranking decreased (was shown at a higher position) in 2018 when the relevant algorithm change was implemented. On the other hand, in light of the myriad factors affecting (.....)'s significant parameters such as traffic, display rate and ranking, it is not possible to arrive at a definite conclusion concerning how (.....) was affected from the algorithm changes, based on the data available.
- (490) As mentioned in the previous sections, another issue that must be examined is whether websites providing accommodation price comparison services were affected by the relevant algorithm changes. In that context, the following charts include the traffic data relevant websites received from Google's organic results.

Chart 35: Organic Traffic Volume from Google for Websites Offering Accommodation Price Comparison Services

(.....TRADE SECRET.....)

Source: Data provided by the undertakings.

- (491) Since accommodation price comparison service providing undertakings Kayak and Momondo submitted data for a relatively narrow time frame, the traffic change in the chart above is hard to observe. Thus, they are presented separately in the chart below,

to allow a better analysis of the data.

Chart 36: Organic Traffic Volume from Google for Websites Offering Accommodation Price Comparison Services

(.....TRADE SECRET.....)

Source: Data provided by the undertakings

Chart 37: Organic Traffic Volume from Google for Websites Offering Accommodation Price Comparison Services

(.....TRADE SECRET.....)

Source: Google

- (492) Data from websites that provide accommodation price comparison services and have relatively less traffic are provided separately in the chart below for better analysis.

Chart 38: Organic Traffic Volume from Google for Websites Offering Accommodation Price Comparison Services

(.....TRADE SECRET.....)

Source: Google

- (493) Traffic to the websites offering accommodation price comparison services vary depending on the holiday seasons when users use accommodation services more frequently, similar to the yearly traffic trends of those websites offering local search services in the accommodation field. In that sense, seasonal ups and downs in the websites' traffic make it very difficult to show the impact of Google's algorithm updates on websites.
- (494) To address Yelp's claim that the Panda 4.0 update also affected websites that offer narrower local search services like TripAdvisor, examining TripAdvisor's traffic trends throughout the years from the chart above shows that there is no significant change with the exception of holiday seasons and therefore, despite the fluctuations observed, there is no distinct drop suggesting a negative impact in TripAdvisor's organic traffic after 2014 when Panda 4.0 was launched.
- (495) In that context, the charts above make it clear that websites' traffic fluctuate independent of the launch of a major algorithm update. At the same time, a website may also gain or lose traffic during the launch of various algorithm updates, as mentioned by the undertakings. Thus, while websites are observed to have lost traffic in parallel with some algorithm changes, it is very difficult to determine the source of these drops, especially in light of the numerous factors that affect undertakings' traffic.
- (496) On the other hand, it is stated that another channel directing traffic to Yelp was Bing, that traffic received from Bing and Google started to split at the start of 2014, that traffic

from Google decreasing after 2014 while traffic from Bing increased until the start of 2018, when there was a sudden drop. Accordingly, Yelp provided the following chart, which shows the trend of the organic traffic volume it acquired from Google and Bing during the 2012-2019 period.

Chart 39: Organic Traffic Volume of Yelp from Bing and Google

(.....TRADE SECRET.....)

Source: Information provided by the undertaking.

- (497) In that context and to better understand the reasons for the changes in their traffic, websites offering local search services and making accommodation price comparisons were asked to provide information on whether there were significant changes to their rankings in various general search engines during the relevant period. A large portion of the undertakings ((.....) and (.....)) stated that a significant part of the traffic to their websites was from Google, with traffic from the other search engines comprising a very small fraction, due to which they did not monitor their rankings on the other search engines.
- (498) Websites (.....) and (.....), on the other hand, declared no significant change in the rankings for other search engines. However, of those undertakings which observed a change in their search engine rankings and stated that this change could result from many factors,
- (.....) noted that significant changes could occur in nearly all search engines in time,
 - (.....) noted that the traffic from Yandex to the local search website saw a significant proportional decrease between the months of March-August 2018 but not much attention was paid to this in the relevant period since it had a very small share in total traffic and its reasons were not examined,
 - (.....) noted that rankings for various search engines offering general search services such as Yandex, Google, Yaani and Bing could be monitored instantaneously, that such a change was dependent on factors including thousands of keyword searches, algorithm changes, etc., and that rankings in keyword based searches could decrease or increase in that way,
 - (.....) noted that rankings of websites could vary between different search engines; as an example, for the query “car rental” Google used the location of the user as a basis while Bing showed a general car rental page; in other words, if a user in Denver searched for “car rental” on Google he could display (.....)’s “car rentals in Denver page,” while the same search on Bing brought a car rental page. However, for flight searches such as “cheapest flights” (.....) could generally rank higher on Google than on Bing, taking the first or second rank in Google but ranking (.....) on Bing; at the same time, (.....)’s ranking on Google changed but it stayed fixed at Bing; in fact, when Google made an algorithm change this caused indexing or de-indexing for many pages which did not happen with Bing.
- (499) The statements from the undertaking referenced above show that there can be occasional changes in websites’ rankings at various search engines, and that search engines can take different factors into consideration when ranking websites with each search engine following its own specific internal dynamics for rankings. In that sense,

it is determined that using websites' ranking in other search engines as a tool to determine the sources of Google's algorithm changes could lead to erroneous results.

- (500) In line with all of the information above, and in light of the numerous internal and external (such as the competitor's website performing better) factors affecting websites' Google rankings and their eventual traffic, it seems impossible to conclude that the changes in the rankings observed after algorithm updates were direct results of the updates in question. On the other hand, a natural outcome of Google's general search results page is that any change in ranking leads to a better position for one website and a worse one for another. In other words, an algorithm change affecting the ranking of one website positively means another website has lost its ranking.
- (501) In light of these observations, under the current situation and within the framework of the findings of the file, it is impossible to conclude that Google used the algorithm changes evaluated above to systematically foreclose the market to local search engines and undertakings offering accommodation price comparison services which were operating in the same market with Google.

I.5.2.2. Abuse Assessment concerning Accommodation Price Comparison Services

- (502) As mentioned before, the claims in the application submitted by Yelp and the subsequent claims in the information acquired from the undertakings in the sector concerned two separate relevant product markets, and therefore the claims under the file must be addressed separately for each market. However, of these claims
- those concerning Google's inclusion of user comments from competing websites in its local search results without authorization,
 - those concerning drops in the visibility of Google's rivals in the field of local search as a result of certain algorithm changes, which were not applied to Google's own service

did not require an assessment for the particular market and thus were addressed within the framework of the assessment of the local search services market. Consequently, to avoid repetition, those claims are not included here. Accordingly, the claims that

- GHA was located and displayed more favorably than rivals,
- the service quality offered by the GHA was low and therefore Google's favoring of its own product led to a decrease in consumer welfare

are addressed below.

I.4.2.2.1. Assessment of the Claims concerning GHA's Location and Presentation

- (503) As explained previously, in addition to a service aimed at searching for accommodation facilities in a specific geographical region, relevant reviews, map location and photos, in the accommodation sector, Google also offers price comparison services for a selected facility through a separately designed additional screen/box.¹⁰⁰ In fixed channels Google calls the box it displays on the right side of the screen for searches with a specific business name the "Knowledge Panel". Different from other sectors, in the field of accommodation services this knowledge panel also includes price offers from parties that can or cannot take reservations for a facility. The comparison service

¹⁰⁰ Google calls the box where it provides local search services for accommodation facilities "Google Hotel Unit", and the advertisements it displays in the box where it provides price comparison services "Google Hotel Ads-GHA".

presented in the knowledge panel with GHA can also be accessed indirectly through the Local Unit, as explained in detail above. One of the main reasons differentiating the service offered in this area from local search services is that, as detailed above, consumers who have already decided on an accommodation facility are one step closer to the purchasing stage. While local search services provide many options for businesses operating in the same sector, the GHA offers the ability to compare many offers for one selected facility.

- (504) According to the information in the file, while Google is unable to definitively determine the date on which it launched hotel ads in Türkiye, it estimates this happened between 2010 and 2012. However, it notes that it did not generate appreciable amounts of revenue from hotel ads before (.....) and does not have reliable clickthrough data for hotel ads before that date.

Location and Presentation of the GHA

- (505) With the relevant service, Google is competing with websites known as MSS, which allow comparisons between multiple offers for a single facility. Since the complaint included all of Google's hotel services, it must be examined whether the location and presentation of the GHA, which is positioned within a box among the general search results, provides some advantage against the competitors.
- (506) First of all, Google was asked if knowledge panels with the GHA were subject to a classification different from hotel knowledge panels without the GHA in terms of perception due to location and ads. The response to this question includes the following statement:

“Google can display the Knowledge Panel on the right side of the general search results page of the desktop view in response to user queries searching for a specific hotel. If eligible advertisers have made offers to show ads for the relevant hotel on the queried dates, Google can additionally show advertisements for the relevant hotel within the Knowledge Panel. The decision to display the Knowledge Panel has nothing to do with displaying ads in the Knowledge Panel. The decision on whether to display the Knowledge Panel is a part of Google's search function. On the other hand, the display of ads depends on whether Google has received offers from sufficiently high-quality advertisers to show high quality ads for the relevant hotel on the queried dates.

- (507) This response by Google clarifies that where Google includes advertisement price offers within the knowledge panel it displays on the general search results, it does not classify knowledge panels with this content (knowledge panels with the GHA) as ad results. In this context, Google places the GHA at the top of the search results page above the organic results, and it is not subject to the ad space restrictions Google calls maximum ad area. Therefore, it is thought that Google gains significant advantage before its competitors by automatically displaying the GHA above them, as if it is an organic result, despite its advertisement nature.
- (508) The figure below shows positioning and display of the relevant box in the fixed channel. Figure 95: Screenshot of the Knowledge Panel with the GHA (Marked in Red) on the First Page of the

General Search Results (Fixed Channel)

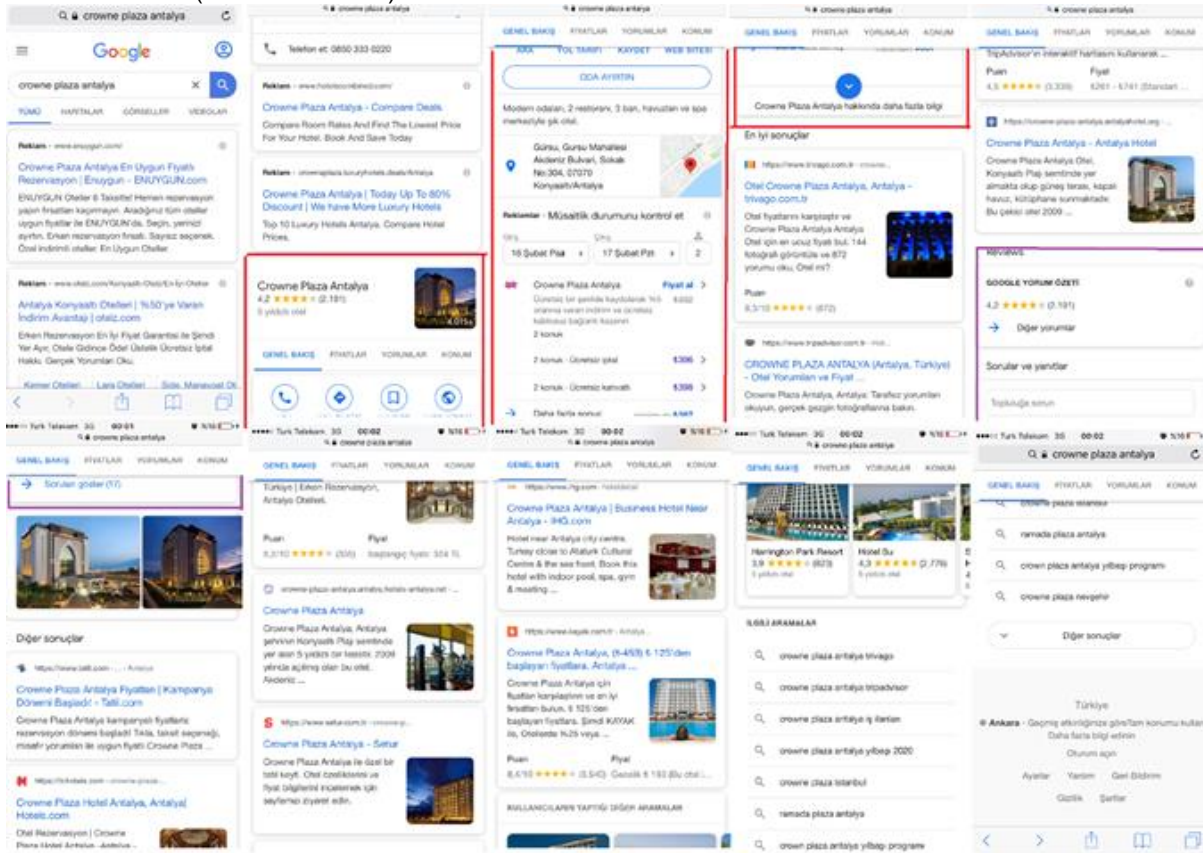
The image shows a Google search results page for "porto bello hotels". The search bar at the top contains the text "porto bello hotels". Below the search bar, there are several search results from various travel websites like Hotels.com, trivago.com, and jolytur.com. A prominent feature is a "Knowledge Panel" on the right side of the page, which is highlighted with a red border. This panel provides detailed information about the "Porto Bello Hotel Resort & Spa", including its address, telephone number, and a list of amenities. Below the knowledge panel, there are more search results and a "More results" link. At the bottom of the page, there is a "Go" button and a "Sıralama" dropdown menu.

(509) As in the image above, and according to the information presented by Google, the knowledge panel for a specific accommodation facility is shown on the top right of the screen on the fixed channel (desktop and laptop computers). The relevant knowledge

panel covers a vertical area with a size that almost reaches the full extent of the page. Moreover, the feature shown in the area marked in green is called the price chart. It is noted that the chart concerned is indicative of the prices of a room on different rates with relation to navigational queries submitted for a specific hotel (apparently showing the lowest prices on the GHA for the relevant date). This area was implemented on the desktop in May 2019. Clicking on the chart concerned redirects the user to the “Overview” tab for the relevant hotel on Google’s travel page (shown in Figure 97).

(510) For the mobile channel, Google states that the GHA knowledge panel, when displayed, is always shown at the top of the organic search results, and that if text ads are displayed in response to the query this area is shown just below the text ads and above the organic results once more. The location and presentation of the relevant box in the mobile channel is shown below:

Figure 96: Screenshot of the Knowledge Panel with the GHA (Marked in Red) on the First Page of the General Search Results (Mobile Channel)

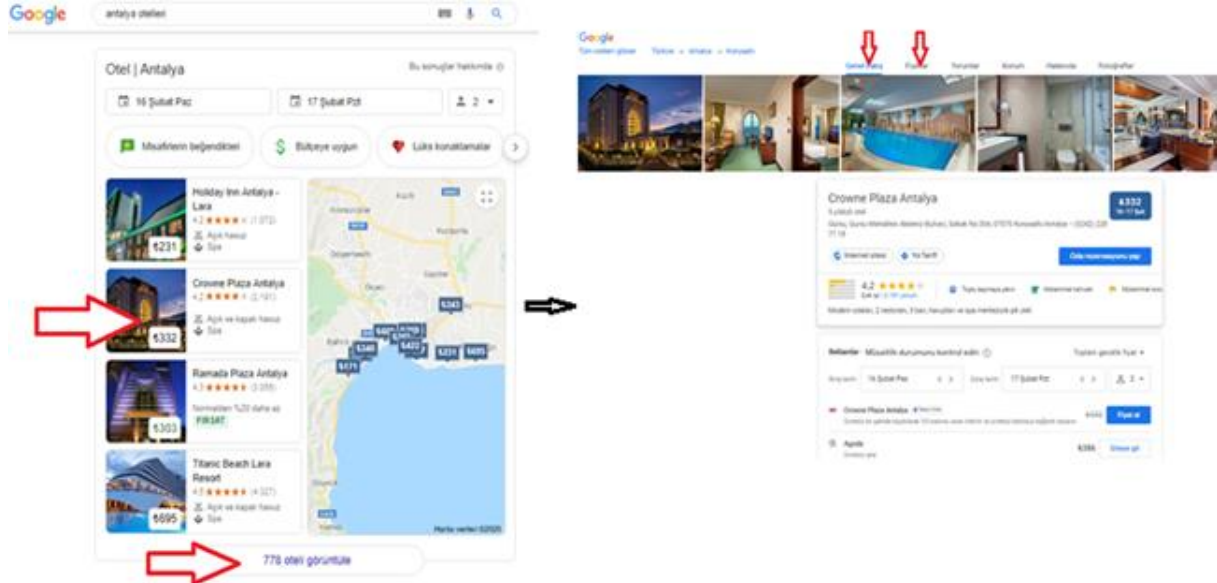


(511) From the screenshots above, it can be seen that the knowledge panel displayed for searches with specific hotel name is displayed after four text ads (around 1.5 screens), in an area of around two screens, up to around where the results in the first page in the fixed channel (around 10 mobile screens and 9 scroll-downs). Secondly, Google lists organic results in the mobile channel as “Best results” and “Other results,” with the first category including three and the second category including six non-Google organic results. Thirdly, between the organic results in these two categories (the area marked with violet in the figure), there are “GOOGLE REVIEW SUMMARY,” “More reviews,” “Questions and Answers” and “Show the questions” links as well as photos. Clicking on the links and photos in question redirects the user to Google’s travel page.

(512) The GHA can also be accessed from the knowledge panel shown at the right side of

the screen for a search made using a specific business name, and it can also be accessed through the Local Unit that is displayed on the general search results page for a local search query. The areas indicated with a red arrow below can access the GHA either directly or through a few steps. Google provides price comparison services on its travel page, both on the “Overview” tab and the “Prices” tab.

Figure 97: Alternative Methods for Accessing the GHA from the General Search Results



- (513) It is believed that the location, space and access methods of the GHA shown above makes it more advantageous than competing MSS, which is appreciable in the mobile channel particularly in terms of location. In light of the effect a website’s ranking on Google’s general search results page has on its traffic, it is concluded that this makes it harder for rival MSS to receive traffic.
- (514) As shown in the screenshots above, the price comparison service Google offers in the accommodation area within the general search results is more advantageous, not only in terms of location, but also in terms presentation. This is because competing MSS are only included in the search results with generic links and without photos, while Google’s relevant knowledge panel provides rather detailed information (photos, prices from various platforms, ability to choose a date, amenities, address, review summary in the fixed channel, etc.), reinforcing the users’ preference for this area.
- (515) Moreover, Google has added links redirecting to the travel tab in many places within the knowledge panel. Especially in the mobile channel, as shown in Figure 97, Google continues to show the “OVERVIEW,” “PRICES,” “REVIEWS” and “LOCATION” links at the top of the page on every screen below these links. These links constricts the space on the page, and they can mislead the users into thinking that they were redirected to competing organic results. For that reason, displaying the aforementioned links at the end of the panel is not seen as a reasonable implementation, making it harder for users to access alternative organic results if they intend to see them while negatively affecting traffic to the competitors.
- (516) In light of the observations above, it is concluded that Google has been favoring its own accommodation price comparison service against its competitors in terms of location and presentation on the general search results page.

The Share of the Traffic Received from Google within the Traffic of Competing MSS

- (517) In order to assess the effects of the presentation of Google’s knowledge panels with GHA on the traffic of the other websites competing with Google in this field and offering accommodation price comparison services and thus on the market in general, it is necessary to examine what portion of the traffic to the relevant sites comes from Google as well as the effect of the GHA on the aforementioned traffic. In this context, the traffic data according to sources demanded from websites providing local search services were also asked from the MSS. While the relevant data was requested from the websites’ launch onwards, not all of the websites had the data for the relevant periods available. Moreover, some websites failed to provide any data at all.
- (518) In light of this information, the following chart shows the share of the traffic from Google (paid+free) within the total traffic of the the limited number of MSS which had data available for the relevant period, based on number of sessions:

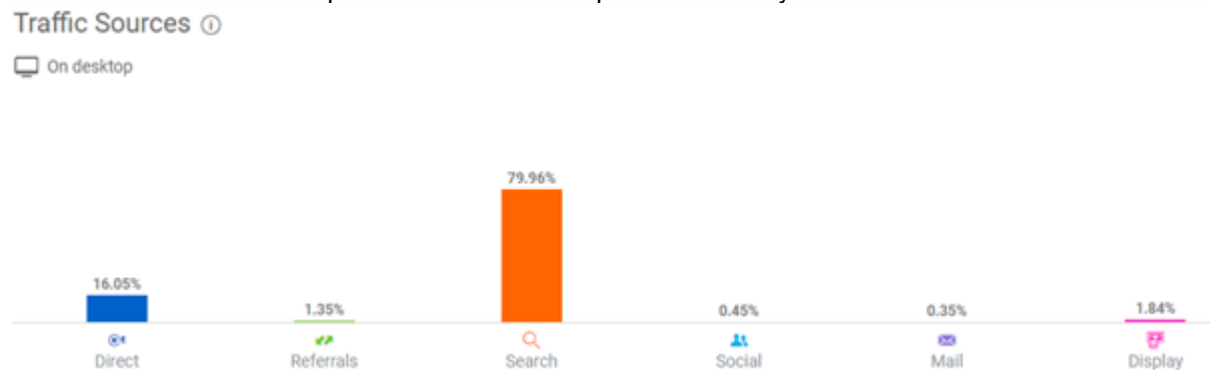
Chart 40: The Share of Google Traffic within the Traffic of Rival MSSs

(.....TRADE SECRET.....)

Source: Calculations based on data received from the undertakings

- (519) The chart above shows that the share of the traffic from Google within the total traffic Neredekal received in the 2011-2019 period (January-August) varied between (.....)% to (.....)%, while this ratio was around (.....)%-(.....)% for Kayak and Momondo. Examining the traffic data of the websites taking into account the other channels reveal that Google and the mobile application is the primary source of traffic for Momondo, while for Kayak the primary source of traffic is Google, the mobile app, and direct clickthroughs in some months. On the other hand, since traffic volumes for Kayak and Momondo are rather low in comparison to their rivals Google and Neredekal, it is thought that Neredekal traffic distribution may be a better indicator.¹⁰¹
- (520) Trivago and Tripadvisor were also asked to provide traffic data according to sources, however this data could not be procured. Instead, the distribution of the desktop traffic for these undertakings according to sources was acquired from Similarweb. The distribution in question is as follows:

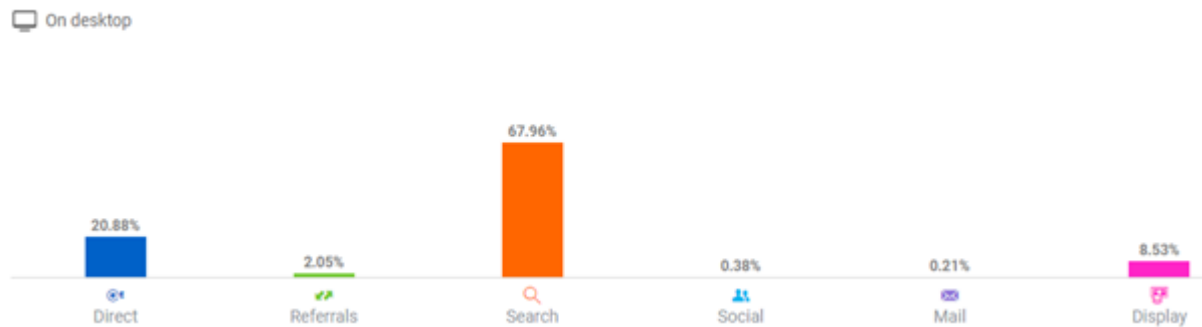
Chart 41: Distribution of Tripadvisor.com’s Desktop Traffic Data by Sources



Source: <https://www.similarweb.com/website/tripadvisor.com.tr>

¹⁰¹ Based on 2019 January-August monthly total traffic volume (number of sessions) Neredekal 2.938.949, Kayak 198.736, Momondo 140.274.

Chart 42: Distribution of Trivago.com.tr's Desktop Traffic Data by Sources
Traffic Sources



Source: <https://www.similarweb.com/website/trivago.com.tr>

(521) An examination of the traffic sources of the relevant websites above show that Tripadvisor and Trivago acquire respectively 79.96% and 67.96% of their total desktop traffic from search.

(522) In accordance with this data, it is concluded that Google is a source of traffic for its competitors that is currently very difficult or impossible to substitute.

Competitors' Access to the GHA and Presentation within the GHA

(523) This section examines the access of competitors in the accommodation price comparison services market to the GHA, and on determining that the competitors can be included in this area, looks at how competitors are displayed within the GHA.

Competitors' Access to the GHA

(524) According to the information in the file, Google has been allowing access to competing websites offering accommodation price comparison services to the GHA since 2017. Hotel owners, online travel agencies and meta search engines can advertise through the GHA, provided they ensure compliance with hotel advertisement policies and meet the required technical requirements.

(525) According to the information provided by Google, in order to take out hotel advertisements, an advertiser must set up a Google Hotel Center Account and link this account with a Google Ads Account. Another obligation for advertisers is to provide certain information on their Google Hotel Center Accounts (hotels they want to advertise, price lists for different travel programs, outlet set-up). Advertisers can manage this process on their own but they mostly work with an authorized integration partner to send the data to Google. The screenshots of the Local Unit results for the sample query "Rixos Downtown Antalya" are provided below.

Figure 98: Google Local Unit Results for the Query “Rixos Downtown Antalya”

The screenshot displays the Google Local Unit results for the query "Rixos Downtown Antalya". The left side shows the hotel's profile, including a map, photos, and a 4.4-star rating with 3,067 reviews. The right side shows a list of search results for the hotel, including prices from various providers. The results are sorted by price, with Odamax.com at the top at €702 and Trip.com at the bottom at €639. The results include the following information:

Provider	Price	Action
Odamax.com	€702	Siteye git
TatiBudur.com	€860	Siteye git
Agoda	€700	Fiyat al
Rixos Downtown Antalya	€788	Siteye git
Tatilsepeti.com	€860	Siteye git
Tripadvisor.com.tr	€620	Siteye git
Hotels.com	€709	Siteye git
Airbnb.com.tr	€1.087	Siteye git
trivago.com.tr	€640	Siteye git
ZenHotels.com	€698	Siteye git
Trip.com	€639	Siteye git

- (526) As seen, hotel owners, travel agencies and MSS can be included in the Local Unit by taking out advertisements. At the same time, Google was asked to provide information on whether sales/reservation feature is mandatory for websites to be included in the Local Unit with ads. Google’s response makes the following points:

“Hotel providers (that is, hotel owners), online travel agencies and meta-search engines can all take part in hotel ads. Thus, websites do not need to offer direct sales or bookings to their users to take part in hotel ads. Meta-search websites with no direct reservation features can participate in hotel ads since the fourth quarter of 2017. Meta-search websites with direct reservation features, on the other hand, were always able to participate in hotel ads through their own direct reservation inventories.

- (527) Google has been including competing local search websites in local searches for accommodation services since the last quarter of 2017. However, it is believed that Google’s practices before that date would have an effect similar to those in the local search services.

Presentation of Google and Rivals within the GHA

- (528) While Google has been allowing competing websites access to the GHA since the end of 2017, the presentation of the relevant parties in this area is important in terms of ensuring the expected competitive environment. Thus, to determine in what ways competitors can access this area, the screenshot below includes the knowledge panel with GHA, displayed in response to a query with a specific accommodation facility:

Figure 99: Knowledge Panel with GHA for a Query with a Specific Accommodation Facility

The screenshot shows a Google search for "porto bello hotel resort & spa". The search results include several advertisements and a Knowledge Panel. The Knowledge Panel features a map, photos, and a list of booking options from different platforms. A price comparison table is also visible, showing prices from Hotels.com, Odamax.com, Tatilsepeti.com, and Trivago.com.tr. A bar chart at the bottom left shows the price history for the hotel.

Reklam - www.trivago.com.tr
Porto Bello Hotel Resort & Spa, Antalya - trivago.com.tr
 Uygun Antalya Otelleri. Dünya Çapında 200+ Siteyi Karşılaştır! Daha az öde. Ara. Otelleri Karşılaştır. Otel mi? Trivago®. Hızlı ve kolay. Ameniteler: WiFi, 24-hour room service, Sauna, Spa, Hairdresser, Gym, 24-hour reception, Jacuzzi, Airport shuttle.
 Son Dakika Kampanyaları - 3* Oteller - Merkezi Oteller - 4* Oteller

Reklam - www.hotels.com/Otel/Antalya
Porto Bello Hotel Resort & Spa | Loved by Guests 2020 Kazanarı
 Porto Bello Hotel Resort & Spa, Antalya Rezervasyonu. Fiyat Garantisi. Size Yardımcı Olması İçin Müşteri Hizmetleri Ekibimize Gece ve Gündüz Ulaşabilirsiniz. Ucuz Oteller, Lüks Oteller, Misafir Yorumları, Fotoğraflar ve Yorumlar. Fotoğraflara Bakın. Son Dakika Fırsatları.
 Şimdi Rezervasyon Yap - Güvenli Rezervasyon - Yakındaki Oteller - Otel İndirimleri

Reklam - www.jollytur.com • 444 0 544
Porto Bello Hotel & Spa | Özel İndirimler ve 12 Taksitle
 0-6 Yaş 1 Çocuk Ücretsiz ve World'a Özel Ekstra İndirim Fırsatı ve 12 Taksitle Jolly'de. Tarih...
 9 Gençlik Mah. Işıklar Cad. No: 57, Muratpaşa, Merkez/Antalya

Reklam - www.portobello.com.tr • (0242) 255 55 80
Porto Bello Hotel Resort & Spa | Konyaaltı - Antalya
 Porto Bello Resort Hotel Farkıyla 5 Yıldızlı Mükemmel Bir Tatil Sizleri Bekliyor. Porto Bello...
 www.portobello.com.tr •
Porto Bello Hotel Resort & Spa
 Antalya da Lüks bir Otel olan Porto Bello Hotel Resort & Spa Misafirlerini şımartmanın ve unutulmaz tatil yaşatmanın gururunu duyar.
 İletişim - Galerî - ETKİNLİKLER | Porto Bello ... - Essen Porto Bello

Porto Bello Hotel Re... | Tarihlerinizle ilgili fiyatları kontrol edin
 1 gecelik konaklama için Google'daki fiyatlar
 En düşük fiyat: **₺475**
FIYATLARI GÖSTER

Porto Bello Hotel Resort & Spa
 Web sitesi | Yıl tanıtı | Kaydet
 4.3 ★★★★★ 3 156 Google yorumu
 5 yıldızlı otel
ODA AYIRTIN
 Adres: Liman, Akdeniz Blv., 07070 Konyaaltı/Antalya
 Telefon: (0242) 259 40 41
 Reklamlar • Müsaitlik durumunu kontrol et
 2 Mart Pzt | 3 Mart Sal | 2

Hotels.com	Gerçek Misafir Yorumları	₺493
Odamax.com		₺400
Tatilsepeti.com		₺400
trivago.com.tr		₺479

 Diğer fiyatları görüntüle | minimum **₺453**
 Otel bilgileri
 Özel plajının karşısındaki bu modern otel, 3 kemerli bir Roma kapısı olan Hadrianus Kapısı'na 10 km, Roma Hıdırlık Kulesi ve Antalya

(529) The screenshot above shows that Google displays platforms that can directly sell/book through the GHA in the same way as the price comparison websites operating with the same model as Google itself. In that context, Google's competitors and sales agencies that can bid at those competing websites are displayed in the same way. This is a positive development for competitors since it allows them to attract traffic to their own websites directly. However, Google allows agencies which bid directly through Google the ability to redirect traffic with a single click, while agencies that bid through competitors receive an indirect traffic channel. Below is the screen displayed when the user clicks on Trivago:

Figure 100: Screen Displayed When the User Clicks on Trivago in the GHA

The screenshot shows the Trivago search results for 'Porto Bello Hotel Resort & Spa'. The search bar at the top contains the hotel name, dates (2 Mar. Pzt to 3 Mar. Sa), and room type (Çift kişilik oda). The search results are filtered by 'Otel' and 'Misafir Puanı'. The main result for Porto Bello Hotel Resort & Spa is highlighted with a pink box. It shows a 5-star rating, a location in Antalya, and a price of 479 TL. The recommended price is 480 TL. Below this, there are suggestions for other hotels: Hotel Ozkaymak Falez (5-star, 297 TL) and Sealife Family Resort (5-star, 368 TL).

(530) Through the area market in pink, Trivago redirects to the offers submitted by travel agencies for the relevant facility. This can also be done as follows on the screen displayed when the user clicks on the facility:

Figure 101: Screen Displayed When Clicking on a Specific Facility on Trivago

The screenshot shows the Trivago search results for Porto Bello Hotel Resort & Spa. The main information includes the hotel name, location (Antalya, 0.1 km from the beach), a 4.5-star rating, and a price of 479 TL per night. A highlighted section shows a recommended price of 480 TL with free cancellation. Below this, there are five promotional cards for different booking options, each with a price and a 'Göster' button.

En düşük fiyatımız	Önerilen fiyat Ücretsiz iptal Her Şey Dahil	Ücretsiz kahvaltı ile en düşük fiyatımız	her şey dahil ile en düşük fiyatımız	Ücretsiz iptal ile en düşük fiyatımız
479 TL /gece Trip.com	480 TL /gece odamax.com	479 TL /gece Trip.com	480 TL /gece odamax.com	480 TL /gece odamax.com

(531) Thus, travel agencies can get one step closer to the user if they provide traffic over Google. This advantage Google offers to travel agencies in comparison to its rivals can become a reason for the agencies concerned to prefer Google as a comparison platform, and a potential reason to click on those results for the users. In that context, it leads to Google gaining an advantage before its competitors in the GHA field, since it is not included with a link that redirects to travel agencies that make offers to Google, unlike competitors.

I.4.2.2.2. Assessment of the Claim That the Lower Quality Service Was Provided Through the GHA

- (532) It is separately examined whether Google provides a higher quality accommodation price comparison service through the GHA than other competitors.
- (533) In that framework, the query “Porto Bello Otel Antalya” was submitted as an example below, with an aim to draw a comparison between the knowledge panel with the GHA and the result pages displayed by the competitors in terms of the price comparison service.

Figure 102: Screenshot of the Google Local Unit for the Query “Porto Bello Otel Antalya”

The screenshot displays a Google search for "porto bello otel antalya". The search results are organized into a knowledge panel on the right and a list of search results on the left. The knowledge panel for "Porto Bello Hotel Resort & Spa" includes a "ODA AYIRTIN" (Book Now) button, a 4.3-star rating from 3,133 Google reviews, the address "Liman Akdeniz Evi, 07079 Konyaaltı/Antalya", and a phone number "(0242) 239 40 41". Below the knowledge panel, a "Reklamlar" (Ads) section lists four hotel/room prices offered by different platforms: Odamax.com (₺480), Hobito.com (₺441), Agoda (₺443), and Trivago.com.tr (₺431). The main content area on the left contains several search results for the hotel, including a price comparison chart at the bottom.

- (534) The Google hotel knowledge panel is positioned on the right side of the screen in response to the relevant query, and shows an option to book a room (“oda ayırtın”) at the top, together with images and map location for the hotel, star ratings and reviews link, address and contact information. As shown in the screen below, the area marked as an ad lists four hotel/room prices offered by different platforms (Odamax, Trivago and Tripadvisor):

Figure 103: Screenshot of the Hotel Ads

Porto Bello Hotel Resort & Spa

Web sitesi | Yol tarifi | Kaydet

4.3 ★★★★★ 3.133 Google yorumu
5 yıldızlı otel

ODA AYIRTIN

Adres: Liman, Akdeniz Blv., 07070 Konyaaltı/Antalya
Telefon: (0242) 259 40 41

Reklamlar - Müsaitlik durumunu kontrol et

1 Mart Paz	2 Mart Paz	2
Odax.com Uygun Fiyatlı Oteller - Son Dakika Fırsatları	€480	>
Hotels.com	€441	>
Agoda	€440	>
Tripadvisor.com.tr	€445	>
Diğer fiyatları görüntüle		minimum €390

Otel bilgileri

Özel plajının karşısındaki bu modern otel, 3 kemerli bir Roma kapısı olan Hadriyanus Kapısı'na 10 km, Roma Hıdırlık Kulesi ve Antalya Müzesi'ne ise 12 km uzaktadır. ... **DAHA FAZLA** ~

- Kablosuz ağı
- Ücretli park
- Erişilebilir
- Açık ve kapalı havuz
- Klimalı
- Çamaşır yıkama hizmeti

(535) Clicking on the “oda ayırtın” (book a room) option in the image above, or the “diğer fiyatları görüntüle” (view other prices) option at the bottom takes the user to the following screen:

Figure 104: Screenshot for the Price Offers Presented under the “Prices” Tab

The screenshot displays a hotel booking interface with a navigation bar at the top containing tabs: Genel bakış, **Fiyatlar**, Yorumlar, Konum, Hakkında, and Fotoğraflar. Below the navigation bar, there is a section for 'Reklamlar' (Ads) with a sub-header 'Müsaitlik durumunu kontrol edin' and a dropdown for 'Toplam gecelik fiyat'. The main content area shows a list of offers from various platforms, each with a price and a 'Siteye git' button. The offers are:

Platform	Price (TL)	Action
Odamax.com Uygun Fiyatlı Oteller · Son Dakika Fırsatları	6480	Siteye git
Hotels.com	6441	Siteye git
Agoda	6443	Siteye git
Tripadvisor.com.tr	6445	Siteye git
ZenHotels.com Ücretsiz iptal	6390	Siteye git
Trip.com	6480	Siteye git

- (536) The Hotel Ads screen displayed under the prices tab lists the prices offered by a much larger number of platforms. When the user clicks on the “*siteye git*” (go to website) link, he is redirected to the relevant website that submitted the offer. In other words, once the user decides which channel he will use to make the purchase, he cannot complete this transaction on Google.
- (537) The same query was submitted to Trivago as well, which is perceived as the second best organic result by the Google algorithms.

Figure 105: Trivago Results for the Query "Porto Bello Otel Antalya"

The screenshot displays the Trivago search results for "Porto Bello Hotel Resort & Spa" in Antalya. The search parameters are: "Porto Bello Hotel Resort & Spa", check-in "01.03.20", and check-out "02.03.20". The price per night is 3,300 TL+. The hotel is located in Antalya, 0.1 km from the beach, and has a rating of 8.0 based on 3567 reviews. The current price is 481 TL per night, with a recommended price of 445 TL. The interface also shows a list of price offers from various providers, including Agoda, Odamaz, and Hotels, with prices ranging from 412 TL to 481 TL per night. The offers include options for free cancellation, free breakfast, and all-inclusive packages.

Provider	Price (TL)	Per Night	Special Offer
Agoda	412	/gece	En düşük fiyatımız
Odamaz	481	/gece	Önerilen fiyat Ücretsiz iptal Her Şey Dahil
Hotels	445	/gece	Ücretsiz kahvaltı ile en düşük fiyatımız
Hotels	481	/gece	her şey dahil ile en düşük fiyatımız
Hotels	481	/gece	Ücretsiz iptal ile en düşük fiyatımız

- (538) As shown in the screenshot above, the top of the screen displayed in response to the query shows images of the hotel, map information, user reviews, hotel ranking and hotel/room prices from various providers (Agoda, Odamaz, Hotels) in a summarized format. After that the user is provided different offers/choices with options consisting of the cheapest price, recommended all-inclusive price, cheapest price with free breakfast and cheapest price with free cancellation.
- (539) Clicking on the price tab lists more price offers than those listed under the overview option. Price offers listed can be filtered according to criteria such as all-inclusive, free cancellation, installment payments, etc.

Çok iyi (300+ değerlendirmeye)
Çok iyi yemekler · Çok temiz

481 TL
odamax [Göster >](#)

Genel Bakış Bilgi Fotoğraflar Yorumlar **Fiyatlar** [Bağlantı ile paylaş](#) x

Çok beğeneceğiniz fırsatlar

En düşük fiyatımız 412 TL /gece agoda	Önerilen fiyat Ücretsiz iptal Her Şey Dahil 481 TL /gece odamax.com	ücretsiz kahvaltı ile en düşük fiyatımız 445 TL /gece agoda	her şey dahil ile en düşük fiyatımız 481 TL /gece odamax.com	ücretsiz iptal ile en düşük fiyatımız 481 TL /gece odamax.com
---	---	--	---	--


Tüm fırsatlar

Şu fırsatları göster:
Herhangi bir seçenek

agoda	Economy Room Kahvaltı hariç 4 fırsat göster (Ücretsiz kahvaltı dâhil)	412 TL /gece	>
Trip.com	Economy Room Ücretsiz kahvaltı Diğer 1 fırsatı göster (Ücretsiz kahvaltı, Otele Öde dâhil)	480 TL /gece	>
odamax.com	%20 indirim Çift Kişilik Yandan Deniz Manzaralı, Bu oda 2 kişiliktir Her Şey Dahil · Ücretsiz iptal 2 fırsatı göster (Her Şey Dahil, Ücretsiz iptal dâhil)	481 TL /gece	>
tatilsepeti	Herşey Dahil Yandan Deniz Manzaralı Standart Oda Her Şey Dahil · Taksitle Ödeyin 2 fırsatı göster (Her Şey Dahil, Taksitle Ödeyin dâhil)	541 TL /gece	>

[Bağlantı ile paylaş](#) [Kapat](#)

Bu oteli beğendiyseniz aşağıdaki oteller de ilginizi çekebilir:

	Sealife Family Resort Resort Antalya, Porto Bello Hotel Resort & Spa 1.7 km uzaklıkta	En düşük fiyatımız 386 TL Agoda Önerilen fiyat
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(540) To better contrast the hotel price comparison services provided by the GHA and the competitors, the same query ("Porto Bello Otel Antalya") was submitted to a different local search website (Neredekal).

Figure 106: Neredekal Results for the Query "Porto Bello Otel Antalya"

neredekal.com Uçak Bileti Araç Kiralama Havaalanı Transferi Keşif Rehberi Popüler Yerler GİRİŞ YAP KAYIT OL **TESİS EKLE**

Konyaaltı » Antalya Otelleri » Konyaaltı Otelleri » Porto Bello Otel Resort Spa Porto Bello Otel Resort Spa, Konyaaltı

Porto Bello Otel Resort Spa

Tatil Oteli Haritada Göster Akdeniz Blv. 6 Sk. Konyaaltı / Antalya

10 yorum 9.0 puan

0 850 600 30 30 Rezervasyon için Jolly Tur'u Arayın Online Rezervasyon Yap Kaydet Paylaş Görüşlerinizi Paylaşın

Gecelik En Uygun Fiyatlar

01 Mart 2020 - 02 Mart 2020 arasında geçerli.

otelz.com	479 TL	İncele >
Gecelik ortalama oda fiyatı		
Jolly	480 TL	İncele >
Gecelik ortalama oda fiyatı		
odamax.com	480 TL	İncele >
Gecelik ortalama oda fiyatı		

[Daha Fazla Fiyat Göster](#)

İlgi için Jolly Tur çağrı merkezi
0 850 600 30 30

Tüm Fotoğraflar (45)

Haritada Göster

01-03-2020 02-03-2020 2 Yetişkin **En Uygun Fiyatı Bul**

Tesis Konaklama Fiyatları

1 Mart 2020 - 2 Mart 2020 tarihleri arasında geçerli gecelik en uygun ortalama oda fiyatı.

otelz.com	Standart Kısmi Deniz Manzaralı	Hergiz Dahil %20 İndirim	479 TL	Oda fiyatı	>
Jolly	Standart Oda Yandan Deniz Manzaralı	Hergiz Dahil	480 TL	Oda fiyatı	>
odamax.com	Çift Kişilik Yandan Deniz Manzaralı	Hergiz Dahil	480 TL	Oda fiyatı	>
tatill	Yandan Deniz Manzaralı Standart O...	HMS Tatil Çağrı Merkezi 0 850 600 40 00	480 TL	Oda fiyatı	>
tatill	Junior Suit Deniz Manzaralı	HMS Tatil Çağrı Merkezi 0 850 600 40 00	600 TL	Oda fiyatı	>
odamax.com	Triple Yandan Deniz Manzaralı	Hergiz Dahil	648 TL	Oda fiyatı	>
Jolly	Aile Odası	Hergiz Dahil	720 TL	Oda fiyatı	>
tatill	Aile Odası	Hergiz Dahil %20 İndirim	720 TL	Oda fiyatı	>
odamax.com	Aile Odası Deniz Manzaralı	Hergiz Dahil	864 TL	Oda fiyatı	>
etatur	Fiyat Bulunamadı	Bu tarihte rezervasyon istenilen fiyat alınmamaktadır.			>
tatibudur	Fiyat Bulunamadı	Bu tarihte rezervasyon istenilen fiyat alınmamaktadır.			>
Setur	Fiyat Bulunamadı	Bu tarihte rezervasyon istenilen fiyat alınmamaktadır.			>

Fiyatlar Hakkında Önemli Bilgi
Yükarıdaki fiyatlar bilgidenme amaçlıdır. Takas ve operasyonla değişebilir.

300 TL

Sunis Hotel Su

Antalya - Konyaaltı

[GÖSTER](#)

Benzer Oteller

Zel Hotel
18 - 4 misafir değerlendirildi
592 TL - [Göster](#) 50 m

Suntalia Hotel
8.8 - 2 misafir değerlendirildi
[İncele](#) 480 m

My New Hotel
112 TL - [Göster](#) 478 m

Tunalı Apart
19 - 3 misafir değerlendirildi
224 TL - [Göster](#) 400 m

Paradise's Apple Hotel
7.8 - 2 misafir değerlendirildi
[İncele](#) 422 m

Bölgede Son Yorumlananlar

Sava Hotel
8.8 - 10 misafir değerlendirildi
170 TL - [Göster](#)

Lavin Garden Butik Hotel
10 - 1 misafir değerlendirildi
98 TL - [Göster](#)

Golden Spark Hotel & Apart
10 - 2 misafir değerlendirildi
125 TL - [Göster](#)

Saklıköy Evleri
8.8 - 5 misafir değerlendirildi
250 TL - [Göster](#)

Gündüz Otel
8.8 - 10 misafir değerlendirildi
140 TL - [Göster](#)

Konyaaltı Hakkında

- (541) Similar to the Trivago example, the screen displayed in response to the relevant query has hotel photos, user reviews, hotel ranking, map location, contact information for sales/reservations and best nightly prices in a summarized format. The bottom of the screen lists more price offers than those summarized at the top, including different alternatives for filtering (all inclusive, sea view, family room). Clicking on the price offers redirects the user to the website where the sale/reservation is made (Otelz, Odamax, Etstur, etc.)
- (542) As a result, in terms of accommodation price comparison services, both Google and the other local search websites examined as examples above provide the user with a comprehensive opportunity to compare prices, but the competing websites do have more detailed filtering options and more information for the offers presented.
- (543) In light of the observations above, even though the exact operation principles of Google’s ranking algorithms are not known, it is not possible, at first sight, to conclude that Google offers a more comprehensive service than one of its competitors in the organic results, either in the local search services market, or in the accommodation price comparison services market. Besides, when knowledge panels with GHA are displayed, they are positioned at the top of those results without being subject to the same relevancy test as the organic results.
- (544) At the same time, the following internal correspondences collected during the on-site inspections conducted at Google within the framework of the file confirm the above assessments on the service quality of Google and competitors.

“... Google is not known for providing reviews, prizes or better offers/prices. In local search, users identify such features with Google’s competitors.”
“Competitors are providing a good local search experience as well.”
“Competing products have richer user content than Google’s.”

<i>“Scope</i>	<i>Difficulty</i>	<i>What Approach to Take?</i>
<i>1. Product/Content Quality</i>	<i>Quality is increasing but we have a long way to go</i>	<i>.....</i>
<i>2. Usage</i>	<i>Local search discovery interaction is limited due to strong competing products.</i>	<i>.....</i>
<i>3. User Content</i>	<i>Google has limited user content compared to competitors</i>	<i>.....”</i>

- (545) The statements above do not allow an inference that Google is offering a higher quality local search service than its competitors. On the contrary, Google accepts that its competitors have been providing richer user content and emphasizes that more work must be done on that subject.
- (546) On the other hand, even though Google claims that the Local Unit is subject to relevancy standards and is only displayed where more relevant than the other results, in light of the Local Unit’s advantages in terms of visuals and space, it would not be a realistic approach to subject it to the same quality assessments with the services provided by the competitors. In addition, Google has continued to display the Local Unit above the organic results without subjecting it to the maximum ad space limitations it set for the top of the results page, even after it began to display ads in that area. Google claims that its ad algorithms work independent of its organic search algorithms and use different quality signals. In that case, using the same relevancy tests for two separate results identified by algorithms that work on different principles

is not considered to be technically possible, if Google's statements are taken as fact.

- (547) As examined in detail in the relevant sections, in light of the Local Unit's location and presentation, display rate and the importance of Google rankings of undertakings offering local search services for their traffic, it is likely that Google could lead to consumer harm by providing these services that cannot be objectively proven to have higher quality than organic results in this important section of the search results. Therefore, as a result of the information collected under the file, it is concluded that the presentation of Google Local Unit in its current format and position could artificially affect consumer choice and cause a reduction in consumer welfare.
- (548) Moreover, this field carries the features of a multi-sided market where, on one side, consumers prefer the results towards the top, and on the other side, make positive contributions to the content and quality of the website through the reviews, ratings, Q&As they leave, which indirectly leads to a higher ranking for the relevant website. Secondly, businesses are expected to prefer to be displayed by a website that ranks higher and therefore to invest in a field where they would receive more clickthroughs, particularly due to the other payments made to advertisement and local search websites. Therefore, the effect of Google's conduct in the market is enhanced by the mutually reinforcing structure of the different parts of this market.

I.4.3. Assessment of the Documents Collected during the On-Site Inspections

- (549) Those parts of the documents collected during the on-site inspection deemed to be significant for the purposes of the file will be evaluated below.¹⁰²
- (550) Document-1 titled "Local Search Ads," collected from the undertaking employee (.....)'s computer with the hash method, includes information explaining Google's local search service and the advertising activities within the framework of that service. It is stated that users conducting local searches on Google's general search engine (Google.com) or on Google Maps are provided ads related to the location they were looking for. Accordingly, Google also provides ad services on all of the channels where it provides the relevant services.

¹⁰² The original decision includes the Turkish translations of the relevant sections of the documents, done by the Department of External Relations, Training and Competition Advocacy of the Competition Authority.

Genel Bakış

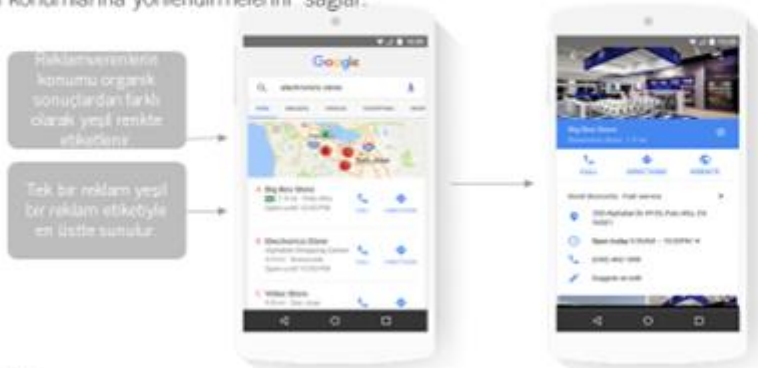
Yerel Arama Reklamları reklam verenlerin Google.com ve Google Haritalarda fiziksel yerle ilgili arama yapan tüketicilere ulaşmasını sağlar. Yerel arama reklamları şu anda aşağıdaki platformlarda kullanılabilir:



- (551) The rest of the presentation states that 84% of the users conduct local searches. The first image shows that when users conduct a search on Google.com, advertisers are positioned at the top section, with a different green label separating them from organic results. The second image shows the section listing the search results, where clicking on a search redirects to a new section called "Local Action," with direct links to certain information about the the business operator such as call, directions and website. Clicking on the directions option shows the location of the business on Google Maps.

Google.com Yerel Birim (Mobil)

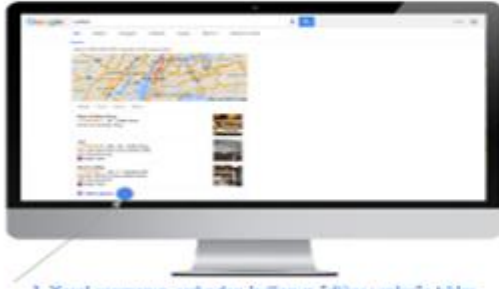
Tüketicilerin %84'ü yerel arama yapıyor. Google.com reklamverenlerin tüketicilerle temas kurmasını ve onları konumlarına yönlendirmelerini sağlar.



- (552) In the local searches conducted through Google.com, when users click on the "more places" option at the end of the local results list they can see more results on a map. Similar to the mobile app, ad results are displayed at the top of the page.

Google.com Genişletilmiş Haritalar Sonuçları (Masaüstü)

Google.com yerel birimi "diğer yerler" tıklamaları kullanıcıları genişletilmiş harita sonuçlarının gösterildiği Google Haritalara yönlendirir.



1. Yerel aramanın ardından kullanıcı "diğer yerler"e tıklar



2. Kullanıcıya reklam içeren Haritalar sonuçları sunulur.

Google

44yık

https://www.google.com/maps/@40.748817,87.629793,15z/data=!3m1!1e3!3m1!1s0x880e2c3e0e30800000:0x880e2c3e0e30800000

0/21 ve 1/21

- (553) Users can conduct searches on Google.com, or they can perform a local search using the Google Maps menu. Ads are shown at the top of the results page where the business related to the search conducted on Google Maps are shown, with a violet label separating them from the organic results.

Google Haritalar (masaüstü)

aktif kullanıcıyla Google Haritalar Uygulaması reklamverenlerin googlemaps.com'da arama yaptıkları zaman kullanıcılara ulaşmasını sağlar.



Google

0/21 ve 1/21

- (554) Advertisers in Google's local search service can view a report with information on how many users have clicked on the ads or the "local actions".

Uygulama ve Raporlama (2/2)

- **Google Place Sayfasında Raporlama Raporlama:**
 - Raporlama Google Place sayfasında "Yerel Eylemler" olarak reklam tıklamaları ve gönderi tıklamaları için kullanılabilir.



- (555) The complaint submitted by Yelp to the FTC in 2012 claims that Google used Yelp's content (user reviews, images, etc.) in its local search results. Yelp notes that Google, in order to develop its own product, treated other websites unfairly and biased the searches by excluding competitors' results. The complaint submitted to the FTC resulted in Google providing an option to allow scraping information and images from third party websites to be used in Google's own search results for a period of five years. Document-1/30 titled "*Policy / Legal Snippets - September 17*" states that Yelp made a complaint to FTC with the claim that Google failed to comply with the 2013 commitments. The document also notes that Google checked the compliance of local search features within that framework, that the discussions with FTC were initially positive, and that the outcome of the investigation would be monitored.
- (556) Document-1/33 titled "*EMEA | Legal Weekly | Two Weeks ending May 11, 2018*" reveals that Yelp's complaint to the European Commission included the claim that Google favored its own local search results and demoted Yelp in the results list with the change it made to the general search algorithms in 2014, known as Panda 4.0. Also, it is stated that, similar to the "*Shopping*" case, Yelp requested a remedy for local search as well. It is known that the Commission is currently conducting an investigation on local search services.
- (557) Document-1/36-39 titled "*Local Search Preferences*" shows that a survey has been conducted on the services offered to users within the framework of local search. In this framework, the four primary local search categories are stated to be restaurants, hotels, events and shopping. After listing the undertakings operating in each category, there is an assessment of which characteristics stand out for the competitors in question. It is also noted that Google is the second choice for users in restaurant searches after Yelp, as well as in hotel searches after Hotels.com.

Websites/Applications Preferred in Local Search

(.....TRADE SECRET.....)

- (558) The studies, which were apparently conducted on a particular sample of users, show that users searching for restaurants chose Yelp because of user reviews and reliability, while they preferred Google local search because everything they were looking for was available and they could find the restaurants in the neighborhood they searched. Similarly, users searching hotels stated that, unlike other competitors, they could find everything they were looking for on Google and could see hotels in a region, while its competitor in this category, Hotels.com offered awards/campaigns¹⁰³ and better prices/deals.
- (559) It is also stated that Google is competitive in four local search categories, that Google was mostly known to users in local search for ease of use, providing many options and being informative, but was not that well known for user reviews, awards/campaigns or good prices/deals, that the users more more frequently associated the latter features with the competing local search websites.
- (560) Document-1/64, 68-71, 72, 74-75, titled "*Local Search in Turkey*" includes information on local search in Türkiye. It is pointed out that Türkiye is a strong market for search while falling behind competitors in local search due to young users mostly preferring competing services. In fact, it is emphasized that there are more users creating content for competing products than for Google. In that context, it is stated that competitors provide richer content for a better local search experience.
- (561) It is suggested that in order to improve local search in Türkiye, the number of the "local guides" who contribute to the creation of content must be increased, user habits must be developed, and the number of operators must be increased through Google My Business (GMB) as well as Small Medium Business (SMB) acquisitions and hero stories.

(.....TRADE SECRET.....)

- (562) Local search services involve network effects. On one side, the number of businesses using the platform increases depending on the number of users, while on the other side the increasing number of businesses on the platform may become a reason to choose the relevant platform. Another point of note is the amount of content created by the users for the local search services (user reviews, images, etc.). The more content is created by the users on local businesses, the higher the quality of the platform will be and the more attractive it will become for new users. Google seems to aim at increasing the number of the businesses with its My Business and Small Medium Business applications, while using the Local Guides application to increase user content. Thus, the documents are found to be in support of this point.

(.....TRADE SECRET.....)

- (563) (.....) titled "*Local Search in Turkey*" states that user penetration is high in Türkiye in the search market but that the same is not true for the local search market, with a local

¹⁰³ Hotels.com has a *Rewards* program wherein users get a free one night accommodation if they purchase 10 nights.

search volume of around (.....)%, which is behind Italy with a market structure similar to Türkiye.

(.....TRADE SECRET.....)

(564) Document-1/65,79 list the vertical categories in local search services in Türkiye. It is noted that local search services are provided in many fields including shopping, foods&drinks, healthcare, education, transportation and accommodation, and that the fields of foods&drinks, accommodation and events/entertainment categories are showing a higher tendency for growth.

(.....TRADE SECRET.....)

(565) In Document-1/68-71,78-79, it is stated that most users in Türkiye use Google.com (%(.....)) or Google Maps (%(.....)) to find addresses or phone numbers when doing a local search. In particular, young users use competing local search services such as Instagram (%(.....)) or Swarm (%(.....)). Similarly, in the foods&drinks category, young users frequently prefer local search services like Instagram, Foursquare, Swarm and Zamoto. It is noted that Facebook, which is claimed to be a competitor, is actually a medium where users create a social perception of the local business and share their opinions with their friends, while Instagram intends to allow businesses to establish a visual identity and users to see photos shared by businesses and other users. In that framework, it becomes clear that users prefer social media websites to share local information with their friends. Moreover, “Yaani” general search engine launched by Turkcell has made an entrance into the local search market as a new competitor.

“Close Examination of Local Search in Türkiye

Almost all of the internet users in Türkiye use Google as a source of local information but mainly utilize it to find addresses and phone numbers.

High levels of utilization for the competing platforms leads to lower Google interactions as well.

(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)
(.....)	(.....)	(.....)

Shopping and Foods&Drinks are the top 2 search sectors. Foods&Drinks explorations **are more common in İstanbul and amongst the Mobile Youth.**

(.....)

(.....)			(.....)		
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
(.....)	(.....)	(.....)	(.....)	(.....)	(.....)

Source: Local Search TR Research IPSOS™

(566) Document-1, titled “Press FAQ - Place Search,” taken from the computer of the undertaking personnel (.....) with the hash method includes general information on Google’s local search services as well as answers to frequently asked questions. The document in question specifies that more than (.....)% of the searches on Google were local searches on doctors, hotels and parks, and that local information is an important part of search in that respect. The document from 2010 suggests that Google had launched a new product aimed at local search services, and that the product concerned made searches quicker and easier by presenting a list of the venues with the most relevant sites in response to a user query. (.....)

(567) Moreover, the document states that the product in question did not allow users to write reviews for local businesses. In that framework, it is emphasized that Google’s local search included links to reviews sites such as Yelp and CitySearch that have user comments and reviews about local businesses, and thus Google local search has a complementary nature with other review websites. In this context, it is seen that when launching the relevant product in 2010, Google did not have user reviews for local businesses and took advantage of comments on other review sites instead. It is thought that this had an impact in Google’s creation of network effects for its local search service. However, FTC report for 2012 shows that the relevant websites later demanded that the reviews be removed, in response to which Google started to “scrape” content from the undertakings concerned without consent. In response, Yelp, Tripadvisor and CitySearch complained to Google about the practice in question and demanded the removal of their content from Google Places.

“(.....)”

(568) “The relevant document also states that (.....).

“(.....)”

(569) As a response to the question of whether Google unfairly redirected traffic to its own service by significantly increasing the number of links to Google Maps with its newly-launched local search product, it is stated that local search results used to include links to the pages known as Google Places in the past as well and therefore there was no change in this respect. Thus, it may be inferred that the presentation of Google’s local search products is in direct relationship with Google Maps.

“(.....)”

- (570) On the question of whether this feature by Google was developed in response to Facebook Places, it is noted that Facebook Places is an application by Facebook that allows local search but was very different from the service provided, since Facebook Places was a service intended to allow users to share their local information with their friends easier. In that context, it becomes clear that the purpose of the local search service provided by Google is not the same with that of Facebook Places.

“(.....)”

I.5. General Assessment

- (571) Within the scope of the case, the main claim in question is that Google complicated the activities of its competitors offering similar services by means of its practices regarding local search services and accommodation price comparison services. Google's each behavior that is related to the said services and constitutes a part of this main claim is analyzed above. This section makes a general evaluation of the main claim by considering the conclusions made above.
- (572) Before moving on to the assessment, it should be noted that Google, especially the first results page and the top of that page are vital for websites which try to gain traffic from Google general search results on one hand and compete with Google's vertical services on the other. This fact risks the legitimacy of Google's activities to increase its own vertical services' traffic. Google's special responsibility for not distorting competition is becoming more and more important in a digitalized world.
- (573) As known, digital platforms provide services to the end user at zero price model, as a result of which quality is the basic competition parameter. Local Unit, thanks to which Google has advantages in terms of position and display compared to its competitors, and hotel knowledge panel with GHA were examined in a general sense; it was not possible to conclude that Google always provides better quality services to consumers in those areas. Therefore, no finding was obtained showing that the areas, where Google provides its vertical services and which cover a large part of the general search results page and foreclose a significant part of the first page to competitors, improve consumer benefits.
- (574) The OECD¹⁰⁴ lists the basic quality criteria for consumers who do not make payments in a monetary sense as follows: privacy and data security, ads, options, innovations and product quality¹⁰⁵. Thus, there is a closer relationship between innovation and quality in digital markets compared to all other markets. It cannot be proven that Google's practices improve public welfare. Even they restrict consumer choice by covering the first page. Those practices' possible effects on innovation level should also be considered. In the literature, it is widely accepted that when digital platforms confront more competition, innovations will be accelerated¹⁰⁶. In another words, there is a risk that the rate and incentive of a platform holding whole or a large part of the

¹⁰⁴ OECD (2018b), Quality considerations in digital zero-price markets, [https://one.oecd.org/document/DAF/COMP\(2018\)14/en/pdf](https://one.oecd.org/document/DAF/COMP(2018)14/en/pdf), p. 6.

¹⁰⁵The Report argues that the quality of the products offered via the platform is not an essential quality element in digital platforms but focuses on the elements that measure the functioning performance of the platform. .

¹⁰⁶ George J. Stigler Center for the Study of the Economy and the State The University of Chicago Booth School of Business (2019), Committee for the Study of Digital Platforms Market Structure and Antitrust Subcommittee Report, p. 53, <https://research.chicagobooth.edu/-/media/research/stigler/pdfs/market-structure---report-as-of-24-june-2019.pdf?la=en&hash=872E4CA6B09BAC699EEF7D259BD69AEA717DDCF9>.

market may be lower than those of a platform with more competitors and alternatives. It is expected that competition and variety will provide a better innovation level compared to a situation where a firm is left alone.¹⁰⁷ It is systematically accepted in Commission's recent decisions that higher number of competitors in any market ensures that consumers will be provided with more options and innovations¹⁰⁸. Commission states in its Google Android decision that consumers will be directly or indirectly harmed because they see fewer mobile web browsers.¹⁰⁹ As a result, Google's anticompetitive conduct in a growing market will harm consumers by affecting negatively both Google's and its competitors' incentives to innovate and dissuading new entries.

(575) As a result of the assessments made on the basis of the claims, it is not observed that Google used its competitors' evaluations without permission. In addition, according to the information provided by Google, competing websites' evaluations are used after a pre-approval stage and competitors have a right to prevent the use of such evaluations in Google local search services without affecting any other area in Google search results. It is not observed that Google has used the content that is critical for websites providing local search services under these conditions and that affect the service provided and the ranking in Google search results without permission.

(576) In addition, no evidence was found showing that Google's search algorithm updates target competitors, complicate the activities of competing websites or deteriorate their traffic volume.

(577) However, Google's certain practices examined under the scope of the file are considered unreasonable and anticompetitive. Those practices are given below:

In local search services market:

- Local Unit was positioned and displayed more favorably than competitors,
- Google did not allow competing websites to access the Local Unit,

In accommodation price comparison services market:

- GHA was positioned and displayed more favorably than competitors in general search results page.

(578) At this stage, it is necessary to examine (possible) effects of Google's unreasonable practices in the market to decide whether those practices have violated the Act no 4054. According to the Guidelines, the basis of an evaluation on exclusionary conduct is the examination of whether the behavior of the dominant undertaking leads to actual or potential anticompetitive foreclosure.

(579) Anti-competitive foreclosure is the obstruction or prevention of access to sources of supply or markets for actual or potential competitors as a result of the conduct of the dominant undertaking, to the detriment of the consumers. Consumer harm may occur in the form of increased prices, decreased product quality and level of innovation, and reduced variety of goods and services. The Guidelines list the points to be taken into account when examining the presence of anti-competitive foreclosure as follows:

- The position of the dominant undertaking

¹⁰⁷ Auer, D. (2018), Competition Policy International Antitrust Chronicle, *Structuralist Innovation: A Shaky Legal Presumption In Need Of An Overhaul*, p. 47.

¹⁰⁸ Ibid, p. 46.

¹⁰⁹ Case AT.40099, 2018, para. 971.

- The conditions in the relevant market
- The position of the dominant undertaking's competitors
- The position of the customers or suppliers
- The scope and duration of the conduct examined
- Possible evidence of actual foreclosure
- Direct or indirect evidence of exclusionary strategy

(580) The first three factors are mentioned in the section on dominant position assessment. As stated before, Google is dominant in general search services market and there are high indirect network effects in search services market that has a multi-sided platform structure. This is the case for also local search services and hotel offer comparison services. As explained above, being used by more users lead to more contents and this leads to attracting more users and in addition affects the ranking in Google search results; finally the platform in question is demanded by more businesses. Since local search sites and MSS gain a significant amount of their traffic volume from organic results or Google via Google Adwords, they are in a vertical relationship with Google on one hand and there is a horizontal overlap on the other. Moreover, competitors in local search services market try to compete with Google on a sector basis generally. Therefore, Google has important advantages versus its competitors because it carries out activities in both vertically and horizontally related market. Moreover, with Google Maps, Google provides local search services similar to the final service provided by Local Unit. It is possible to access GHA service by means of the screens reached through Google Local Unit, which contributes to advantages created in local search services as a result of Google's complicated structure in search area.

(581) As understood from the documents collected during the on-site inspection, Google aims to grow in local search area by using other services it provides. Google seems to aim at increasing the number of the businesses with its "My Business" and "Small Medium Business" applications, while using the Local Guides application to increase user content.

(582) In addition, offering Local Unit and GHA on a large area generally above the competitors with a rich visual design provides Google with important advantages to the detriment of its competitors. Google does not allow the competitors to access Local Unit, which it offers in a more advantageous way.

(583) This section looks into (possible) anticompetitive effects created by Google's practices in each market examined in the file.

I.5.1. General Assessment of the Local Search Services Market

(584) In line with the data and information obtained within the scope of the file, the evaluation of the possible and actual effects of Local Unit, where Google provides local search services, both on a micro scale on the basis of websites and on a macro scale in terms of the overall market is given below.

The Number of Displays

(585) The scope of the practices in question should be examined in order to understand their possible effects. Thus, one of the criteria to consider is how large and how frequent Google displays Local Unit on general search results page.

(586) The chart below compares the number of total general search queries, the number of local unit displays and the ratio of those displays to the total number of queries.

Table 14: Comparison of the Number of Google General Search Queries and the Number of Local Unit Displays (January 2015 - August 2019)

Month	Total Google Search Queries	The Number of Local Unit Displays	The Ratio of Local Unit Displays to Total Queries (%)
Jan.15	(.....)	(.....)	(.....)
Feb.15	(.....)	(.....)	(.....)
Mar.15	(.....)	(.....)	(.....)
Apr.15	(.....)	(.....)	(.....)
May.15	(.....)	(.....)	(.....)
Jun.15	(.....)	(.....)	(.....)
Jul.15	(.....)	(.....)	(.....)
Agu.15	(.....)	(.....)	(.....)
Sep.15	(.....)	(.....)	(.....)
Oct.15	(.....)	(.....)	(.....)
Nov.15	(.....)	(.....)	(.....)
Dec.15	(.....)	(.....)	(.....)
Jan.16	(.....)	(.....)	(.....)
Feb.16	(.....)	(.....)	(.....)
Mar.16	(.....)	(.....)	(.....)
Apr.16	(.....)	(.....)	(.....)
May.16	(.....)	(.....)	(.....)
Jun.16	(.....)	(.....)	(.....)
Jul.16	(.....)	(.....)	(.....)
Agu.16	(.....)	(.....)	(.....)
Sep.16	(.....)	(.....)	(.....)
Oct.16	(.....)	(.....)	(.....)
Nov.16	(.....)	(.....)	(.....)
Dec.16	(.....)	(.....)	(.....)
Jan.17	(.....)	(.....)	(.....)
Feb.17	(.....)	(.....)	(.....)
Mar.17	(.....)	(.....)	(.....)
Apr.17	(.....)	(.....)	(.....)
May.17	(.....)	(.....)	(.....)
Jun.17	(.....)	(.....)	(.....)
Jul.17	(.....)	(.....)	(.....)
Agu.17	(.....)	(.....)	(.....)
Sep.17	(.....)	(.....)	(.....)
Oct.17	(.....)	(.....)	(.....)
Nov.17	(.....)	(.....)	(.....)
Dec.17	(.....)	(.....)	(.....)
Jan.18	(.....)	(.....)	(.....)
Feb.18	(.....)	(.....)	(.....)
Mar.18	(.....)	(.....)	(.....)
Apr.18	(.....)	(.....)	(.....)

May.18	(.....)	(.....)	(.....)
Jun.18	(.....)	(.....)	(.....)
Jul.18	(.....)	(.....)	(.....)
Agu.18	(.....)	(.....)	(.....)
Sep.18	(.....)	(.....)	(.....)
Oct.18	(.....)	(.....)	(.....)
Nov.18	(.....)	(.....)	(.....)
Dec.18	(.....)	(.....)	(.....)
Jan.19	(.....)	(.....)	(.....)
Feb.19	(.....)	(.....)	(.....)
Mar.19	(.....)	(.....)	(.....)
Apr.19	(.....)	(.....)	(.....)
May.19	(.....)	(.....)	(.....)
Jun.19	(.....)	(.....)	(.....)
Jul.19	(.....)	(.....)	(.....)
Agu.19	(.....)	(.....)	(.....)
Source: Google			

- (587) It is understood from the table above that the number of Google's local unit displays increased by about (.....) fold in the relevant period (about 4.5 years). Meanwhile, local unit's share in general search queries increased by approximately (.....) fold. Therefore, it is also observed that the increase in the number of local unit displays was rapid and stable compared to Google's other search results.
- (588) The chart below shows the change in the number of monthly Local Unit displays between January 2015 and August 2019:¹¹⁰

Chart 43: The Number of Local Unit Displays

(.....TRADE SECRET.....)

Source: Google

- (589) It is understood from the chart above that Google displayed Local Unit increasingly on the general search results page as of 2015 (except the period between September 2018 and April 2019).
- (590) Google was also asked for submitting its display rates limited to only local queries. However, Google submitted a data set prepared according to the explanations and method given below:
- (.....)
 - (.....)
 - (.....)
 - (.....)¹¹¹

¹¹⁰ Google stated that it was not possible to collect reliable data pertaining to the period before January 2015.

¹¹¹ Upon request, Google provided data on the basis of the following websites:

bulurum.com	zomato.com	mekan360.com	fultrip.com
enuygun.com	hotels.com	tatilsepeti.com	yelp.com
tripadvisor.com	armut.com	tatilbudur.com	agoda.com.tr
doktortakvimi.com	find.com.tr	tatil.com	wego.com

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- (.....)
- Because of the difficulties to reach them, the relevant data are obtained by sampling the queries made on the second Wednesday in each month between January 2015 and December 2019.

(591) The display rates calculated according to the explanations above are shown in the table below:

Table 15: The share of Local Unit Displays in Proxy Local Queries (%)

Date	Local units display rate in proxy local search number data sub-set
January 14, 2015, Wednesday	(.....)
February 11, 2015, Wednesday	(.....)
March 11, 2015, Wednesday	(.....)
April 8, 2015, Wednesday	(.....)
May 13, 2015, Wednesday	(.....)
June 10, 2015, Wednesday	(.....)
July 8, 2015, Wednesday	(.....)
August 12, 2015, Wednesday	(.....)
September 9, 2015, Wednesday	(.....)
October 14, 2015, Wednesday	(.....)
November 11, 2015, Wednesday	(.....)
December 9, 2015, Wednesday	(.....)
January 13, 2016, Wednesday	(.....)
February 10, 2016, Wednesday	(.....)
March 9, 2016, Wednesday	(.....)
April 13, 2016, Wednesday	(.....)
May 11, 2016, Wednesday	(.....)
June 8, 2016, Wednesday	(.....)
July 13, 2016, Wednesday	(.....)
August 10, 2016, Wednesday	(.....)
September 14, 2016, Wednesday	(.....)
October 12, 2016, Wednesday	(.....)

etstur.com	odamax.com	jollytur.com	hotelscombined.com.tr
foursquare.com	kolayrandevu.com	doktorsitesi.com	findhotel.net
trivago.com.tr	otelpuan.com	expedia.com	etrip.net
zingat.com	reztoran.com	ustanerede.com	momondo.com.tr
neredekal.com	kayak.com.tr	trip.com	
skyscanner.com.tr	kurs.com	istanbulfirmarehberi.com	

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November 9, 2016, Wednesday	(.....)
December 14, 2016, Wednesday	(.....)
January 11, 2017, Wednesday	(.....)
February 8, 2017, Wednesday	(.....)
March 8, 2017, Wednesday	(.....)
April 12, 2017, Wednesday	(.....)
May 10, 2017, Wednesday	(.....)
June 14, 2017, Wednesday	(.....)
July 12, 2017, Wednesday	(.....)
August 9, 2017, Wednesday	(.....)
September 13, 2017, Wednesday	(.....)
October 11, 2017, Wednesday	(.....)
November 8, 2017, Wednesday	(.....)
December 13, 2017, Wednesday	(.....)
January 10, 2018, Wednesday	(.....)
February 14, 2018, Wednesday	(.....)
March 14, 2018, Wednesday	(.....)
April 11, 2018, Wednesday	(.....)
May 9, 2018, Wednesday	(.....)
June 13, 2018, Wednesday	(.....)
July 11, 2018, Wednesday	(.....)
August 8, 2018, Wednesday	(.....)
September 12, 2018	(.....)
October 10, 2018	(.....)
November 14, 2018	(.....)
December 12, 2018	(.....)
January 9, 2019, Wednesday	(.....)
February 13, 2019	(.....)
March 13, 2019	(.....)
April 10, 2019	(.....)
May 8, 2019, Wednesday	(.....)
June 12, 2019	(.....)
July 10, 2019	(.....)
August 14, 2019	(.....)
September 11, 2019	(.....)
October 9, 2019, Wednesday	(.....)
November 13, 2019	(.....)

December 11, 2019	(.....)
Source: Google	

(592) Considering only the local queries in the table, it is seen that Local Unit display rate is very high and this rate has increased rapidly and constantly. Local Unit display rate reached (.....)% during 2019 summer, when competition increased.

(593) The chart below shows the number of Local Unit displays and the number of competing websites' displays. The Chart is prepared for making a comparison rather than giving individual information on a website basis.

Chart 44: Number of Displays for Local Search Sites

(.....TRADE SECRET.....)

Source: Data provided by Google.

(594) As seen, during the period between 2015 and 2018, the number of Google Local Unit displays increased very rapidly compared to its competitors.

Traffic Volume

(595) Google submitted Local Unit's traffic data regarding the period January 2017 and August 2019. The table below shows Local Unit's monthly traffic data:¹¹²

Table 16: Local Unit Traffic Volume (2017-2019)

Month	Clicks on Local Units				Total Clicks
	Desktop		Mobile and Tablet		
	Clicks	Share in total clicks (%)	Clicks	Share in total clicks (%)	
Jan.17	(.....)	(.....)	(.....)	(.....)	(.....)
Feb.17	(.....)	(.....)	(.....)	(.....)	(.....)
Mar.17	(.....)	(.....)	(.....)	(.....)	(.....)
Apr.17	(.....)	(.....)	(.....)	(.....)	(.....)
May.17	(.....)	(.....)	(.....)	(.....)	(.....)
Jun.17	(.....)	(.....)	(.....)	(.....)	(.....)
Jul.17	(.....)	(.....)	(.....)	(.....)	(.....)
Agu.17	(.....)	(.....)	(.....)	(.....)	(.....)
Sep.17	(.....)	(.....)	(.....)	(.....)	(.....)
Oct.17	(.....)	(.....)	(.....)	(.....)	(.....)
Nov.17	(.....)	(.....)	(.....)	(.....)	(.....)
Dec.17	(.....)	(.....)	(.....)	(.....)	(.....)
Jan.18	(.....)	(.....)	(.....)	(.....)	(.....)
Feb.18	(.....)	(.....)	(.....)	(.....)	(.....)
Mar.18	(.....)	(.....)	(.....)	(.....)	(.....)
Apr.18	(.....)	(.....)	(.....)	(.....)	(.....)
May.18	(.....)	(.....)	(.....)	(.....)	(.....)

¹¹² Google stated that there were not any data pertaining to the period before 2017.

Jun.18	(.....)	(.....)	(.....)	(.....)	(.....)
Jul.18	(.....)	(.....)	(.....)	(.....)	(.....)
Agu.18	(.....)	(.....)	(.....)	(.....)	(.....)
Sep.18	(.....)	(.....)	(.....)	(.....)	(.....)
Oct.18	(.....)	(.....)	(.....)	(.....)	(.....)
Nov.18	(.....)	(.....)	(.....)	(.....)	(.....)
Dec.18	(.....)	(.....)	(.....)	(.....)	(.....)
Jan.19	(.....)	(.....)	(.....)	(.....)	(.....)
Feb.19	(.....)	(.....)	(.....)	(.....)	(.....)
Mar.19	(.....)	(.....)	(.....)	(.....)	(.....)
Apr.19	(.....)	(.....)	(.....)	(.....)	(.....)
May.19	(.....)	(.....)	(.....)	(.....)	(.....)
Jun.19	(.....)	(.....)	(.....)	(.....)	(.....)
Jul.19	(.....)	(.....)	(.....)	(.....)	(.....)
Agu.19	(.....)	(.....)	(.....)	(.....)	(.....)
Sep.19	(.....)	(.....)	(.....)	(.....)	(.....)
Oct.19	(.....)	(.....)	(.....)	(.....)	(.....)
Nov.19	(.....)	(.....)	(.....)	(.....)	(.....)
Dec.19	(.....)	(.....)	(.....)	(.....)	(.....)

Source: Google

(596) It is possible to see the development in Local Unit’s traffic data given in the table above more clearly in the chart below.

Chart 45: Local Unit Traffic Volume

(.....TRADE SECRET.....)

Source: Google

(597) Two conclusions can be made depending on the table and the chart. First is that Google’s traffic volume in local search shows a rapid growth except seasonality effects. Second indication in the chart is that mobile traffic volume surpasses desktop traffic and the main source of traffic growth is the mobile. In fact, competitors that provided information pointed out that the ratios of mobile traffic to total traffic are approximately (.....)%, (.....) %, (.....)%, (.....) and (.....)%. Moreover, within the scope of the file, it is argued that Local Unit shown in the mobile channel invades a more significant area; thus, increasing use of the mobile channel leads to advantageous conditions for Google. Google’s data show that Google takes (.....)% of Local Unit’s total traffic from the mobile channel as of December 2019.

(598) The charts below show the growth in total traffic volumes of Local Unit and competing local search websites. In order to make a sounder comparison regarding that growth, the traffic of Google and the traffics from Google of certain competing websites that could provide data are shown together. In addition, there is a distinction between accommodation sector and other sectors because the number of websites is high.

Chart 46: Traffic Volumes of Google and Competitors in Accommodation Sector

(.....TRADE SECRET.....)

Source: Data provided by Google and undertakings.

Chart 47: Traffic Volumes of Google and Websites Providing Local Search Services in Other Areas

(.....TRADE SECRET.....)

Source: Data provided by Google and undertakings.

- (599) It is clear from the chart above that Google obtains significant traffic volume compared to its competitors and the increase in this traffic is rapid.
- (600) The charts below show in detail the change in total traffic volume of competitors whose data could be obtained. Google's traffic is not shown on the charts because it is much higher than its competitors.

Chart 48: Total Traffic Volume of Competing Local Search Websites (Accommodation)

(.....TRADE SECRET.....)

Source: Data provided by Google and undertakings.

Chart 49: Total Traffic Volume of Competing Local Search Websites (Other)

(.....TRADE SECRET.....)

Source: Data provided by Google and undertakings.

- (601) Depending on the charts, it is observed that competing local search websites could not attain a stable growth rate similar to Google whereas Google obtained a larger share in this growing market. The competitors with the highest traffic (.....) and (.....) have not reached a growth similar to Google in their traffics. During the period for which the three undertakings could provide data (January 2017 - August 2019), the total traffic volume of (.....) and (.....) increased (.....) and (.....) times approximately while Google's local search traffic raised to (.....) fold.
- (602) In addition, according to the available information, Google provides local search services for many sectors. In order to understand whether Google's growth can be attributed to a certain sector, Google was asked for submitting monthly traffic data for each sector regarding the period between 2013 and 2019. Google answered that there were no data regarding the period before 2018 and submitted data for the period after

2018. The said data are reflected on the following chart taking into account Google's own sectoral classification¹¹³:

Chart 50: Google Local Unit's Traffic Volume on the Basis of Sector

(.....TRADE SECRET.....)

Source: Data provided by Google.

- (603) The chart above shows that Google's local search traffic increases in every sector except seasonality effects. While "Shopping", "Services" and "Food and Drinks" are the largest three sources of Local Unit clicks, Google receives significant traffic from all other sectors (varying between (.....) monthly) except "Complex" and "Geopolitic". Therefore, it is concluded Google's practices are not focused on certain sectors but systematically applied in all sectors.
- (604) On the other hand, Google argued in its written plea that the traffic volume from Google to its competitors increased; thus, Google's practices did not lead to an anticompetitive effect. In order to evaluate that claim, first the change in each competing local search website's traffic from Google is examined by considering the source of the traffic (organic, Google Adwords, Hotel Ads.)

Chart 51: Competing Local Search Website's Google Traffic Sources

(.....TRADE SECRET.....)

Chart 52: Competing Local Search Website's Google Traffic Sources (Accommodation)

(.....TRADE SECRET.....)

- (605) According to the charts above, as of the second half of the year 2019, of 18 websites whose data are shown, for six websites ((.....)), the primary Google traffic source is Google Adwords, for one website Google Hotel Ads. Adwords and organic traffics of two websites are very close ((.....)). For two websites ((.....)), the primary traffic source is organic and this traffic is decreasing gradually. The organic traffics of four websites ((.....)) have a regular increasing tendency although there are small fluctuations. Therefore, depending on the data shown above, obviously, it cannot be concluded that competing local search websites continue to receive regular or increasing traffic from Google or competitors are not affected. As a result, the observations in Google's plea regarding the assessment of the effects on competitors' traffics are erroneous.
- (606) Besides examining websites' total traffic (organic+ad) individually, organic traffic volume, which is considered to be affected by Google's practices most, is analyzed as

¹¹³ The sector submitted by Google under "Unknown" category is ignored. In addition, Google made the following explanations related to the sectors whose category names are unclear:

- Geopolitic sector: Geopolitic query can mean a city, region or country rather than a geopolitical agency.
- Entertainment sector: Entertainment local query can mean a local query with an entertainment element such as theater or movie.
- Sector unrelated to consumers: Local query unrelated to consumers may mean a local search such as a state building or construction site.
- Shopping sector: Shopping local query may mean a shopping mall or a supermarket.

a whole. To this end, the chart below compares the total organic traffic that competing local search websites¹¹⁴ receive from Google and Local Unit traffic.

Chart 53: **Competing Local Search Websites' Total Google Organic Traffic and Local Unit Traffic.**

(.....TRADE SECRET.....)

Source: Data provided by Google

- (607) First, it is understood from the chart that while the sum of 30 local search websites' organic traffics coming from Google has increased about (.....)% in the last three years, Local Unit traffic has increased (.....)%. Secondly, as of January 2017, the sum of the traffic received by the relevant competing websites from Google organic results is nearly (.....) times bigger than Local Unit traffic. However, at the end of three years, Local Unit could receive traffic higher than even the sum of the organic traffics of thirty competitors.
- (608) In addition, undertakings operating in local search services market and accommodation price comparison services market were asked for submitting paid and free traffic rates in mobile and desktop channels separately. For almost all of the undertakings who submitted such information ((.....)), paid traffic rates in the mobile channel are higher. This shows that the effects of Google's practices are felt more in the mobile channel, the primary traffic source, due to the limited area.
- (609) Considering the data above together, it is understood that Google is getting a bigger slice in the cake compared to its competitors. The fact that the cake is getting bigger does not mean that competitors are not affected. The observations showing that most of the competitors cannot receive regularly increasing traffic from Google organic traffic or lose traffic also indicate that competitors are affected actually. Moreover, Google's practices are likely to create stronger effects due to market characteristics such as Google's and its competitors' position in the market and network effects.

Clickthrough rates

- (610) Google suggested in its letters that there has been an increase in the traffics that websites providing local search services received from Google in time and Local Unit does not affect the relevant parties negatively. In order to evaluate that argument, Traffic Volume section given above examines the course of change in organic/paid

¹¹⁴ The organic traffic data provided by Google of the following websites are used in the said chart.

agoda.com.tr	foursquare.com	reztoran.com
armut.com	fultrip.com	skyscanner.com.tr
bulurum.com	hotels.com	tatilbudur.com
doktorsitesi.com	istanbulfirmarehberi.com	tatil.com
dokortakvimi.com	jollytur.com	tatilsepeti.com
enuygun.com	kayak.com.tr	trip.com
etrip.net	kolayrandevu.com	ustanerede.com
etstur.com	kurs.com	yelp.com
expedia.com	odamax.com	zingat.com
find.com.tr	otelpuan.com	zomato.com

traffic volume/rate that websites receive from Google general search results. It is thought that the course of the clickthrough rates are also important for evaluating this argument; thus, the changes in Local Unit's clickthrough rates in time will be examined by using different parameters from different perspectives.

(611) The first table below shows clickthrough rates according to Local Unit's location¹¹⁵.

Table 17: Clickthrough rates according to Local Unit's location (%)

Month	Local Unit's Average Clickthrough Rates	
	On the first rank	On the second or lower ranks
Dec.18	(.....)	(.....)
Jan.19	(.....)	(.....)
Feb.19	(.....)	(.....)
Mar.19	(.....)	(.....)
Apr.19	(.....)	(.....)
May.19	(.....)	(.....)
Jun.19	(.....)	(.....)
Jul.19	(.....)	(.....)
Agu.19	(.....)	(.....)
Source: Google		

(612) It is inferred from the table above that there are serious differences between (%(.....) and (.....)%) clickthrough rates of the Local Unit on the first rank and the Local Unit on the second rank or lower among the organic results, which indicates that first there is a close relationship between Local Unit's location and traffic; second although Local Unit is offered in a visually favorable manner but consumers also choose organic results that can be displayed at upper ranks.

(613) Local Unit's clickthrough rates for each location where text ads are not displayed are given below:¹¹⁶

Table 18: Local Unit's clickthrough rates for each location in terms of the results where text ads are not displayed (%)

Location of the Local Unit	Local Unit's Average Clickthrough Rate for the Queries Where Text Ads Are Not Displayed
1	(.....)
2	(.....)
3	(.....)
4	(.....)

¹¹⁵Although Google was asked for data belonging to the period between 2013 and 2019, it was possible to obtain data only for the period between December 2018 and August 2019. It is stated that the clickthrough rates are submitted for the first and the second or lower ranking local units among organic results on Google's general search results pages.

¹¹⁶Google made the following explanations about the data in question:

- (.....). As a result, the data given covers average clickthrough rate in terms of the period between September 14 and November 9, 2019.
- As extracting the relevant data from Google's systems is a complicated process, clickthrough rate is calculated by taking 1% of user logins during the relevant period as a sample.

5	(.....)
6	(.....)
7	(.....)
8	(.....)
9	(.....)
10	(.....)
11	(.....)
Source: Google	

- (614) The table shows that the clickthrough rate of the Local Unit, which is displayed at the first rank among the results where text ads are not displayed is (.....)%. Thus, the reason why clickthrough rates of the Local Units that are on the second rank in July and August in the previous table is high is the text ads displayed during that period.
- (615) The table below shows how clickthrough rates of organic results change in each slot on the first general results page when ads are not displayed.¹¹⁷

¹¹⁷ Google made the following explanations regarding the said data:

- (.....).
- As extracting the relevant data from Google's systems is a complicated process, the sample is limited to the queries made on the second Wednesday every month between November 2018 and October 2019.

Table 19: Clickthrough rates of organic results on Google’s general search results page in terms of the queries where no ads are displayed on the first page (%)

Clickthrough rates of organic results on Google’s general search results page in terms of the queries where no ads are displayed on the first page											
Date	Slot 1	Slot 2	Slot 3	Slot 4	Slot 5	Slot 6	Slot 7	Slot 8	Slot 9	Slot 10	Slot 11
November 14, 2018, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
December 12, 2018, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
January 9, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
February 13, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
March 13, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
April 10, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
May 8, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
June 12, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
July 10, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
August 14, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
September 11, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
October 9, 2019, Wednesday	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Source: Google											

- (616) It is seen on the table that clickthrough rates significantly fall with the ranks going down on the search result page. According to October 2019 data, while the clickthrough rate of the result on the first rank on a result page without ads is (.....)%, this rate is respectively (.....)% and (.....)% for the results on the second and third ranks. Results that are on the sixth and lower ranks may receive clicks under (.....)%. When the data on the table above are considered together with the previously mentioned data, the following conclusions are made: (i) Local Unit is mainly displayed at the first slot (Table 18) mostly, (ii) Local Unit on the first slot receives more than (.....)% of the traffic in terms of the queries where no text ads are shown (Table 19) generic blue links lose significant amount of clicks. In terms of the results where no ads are shown, the clickthrough rate of the result on the first rank is generally above (.....)% whereas the clickthrough rate of Local Unit on the first slot is about (.....)% in cases where no ads are shown. In this case, whether consumers want to see Local Unit, which Google argues to be better quality, instead of the competitors shown with generic links is doubtful.
- (617) Since Google displays its own local search services upper than its competitors on a wider area and in a more favorable format compared to its competitors as mentioned above, some of Google's competitors say that they cannot receive clicks even if they are located on the first page or at the top among the blue links. In order to evaluate that argument, the display rates, average rankings and clickthrough rates of competitors are examined together in the table below:

Table 20: The display rates, average rankings and clickthrough rates of competitors (%)

Clickthrough rates ¹¹⁸																
Date	armut	doktorsitesi	enuygun	Etstur	foursquare	hotels	jollytur	kayak	neredekal	otelpuan	skyscanner	tatilbudur	tatilsepeti	tripadvisor	trivago	zingat
2010	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Display Rate																
Date	Armut	Doktorsitesi	Enuygun	Etstur	Foursquare	Hotels	Jollytur	Kayak	Neredekal	Otelpuan	Skyscanner	Tatilbudur	Tatilsepeti	Tripadvisor	Trivago	Zingat
2010	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)

¹¹⁸ In terms of both markets examined in the case, Google made the following explanations about its competitors' clickthrough rates. Arithmetic average of monthly data is taken into account while the data submitted for only one day in every month are converted to annual rates:

- (.....).
- Due to the difficulty in extracting the said data from Google's systems, those data are obtained by sampling the queries made on the second Wednesday every month during the period between December 2009 and December 2019.

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2019	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Average Ranking																
Date	armut	doktorsitesi	enuygun	etstur	foursquare	hotels	jollytur	kayak	neredekal	otelpuan	skyscanner	tatilbudur	tatilsepeti	tripadvisor	trivago	zingat
2010	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)

Source: Data provided by Google

(618) It is seen in the table above that in terms of each website, during the entire or a significant part of the period between 2010 and 2019, although display rate increases and/or average ranking decreases (being displayed on an upper slot), clickthrough rate decreases. Consequently, even if websites' efforts to be displayed on a better slot bring them to higher ranks and providing better user experience increases display rates, those efforts cannot prevent losing clicks. This consequence, together with other observations under the file, shows that Google affected competitors negatively by offering its own local search service on a wide area, mostly on top and in a visually rich manner.

Analysis Submitted by the Undertakings

(619) Some of the undertakings which were asked to provide information shared their studies and analyses on the effect of their ranking loss in Google general search results on their traffics. Those studies are given in part below. First, the study presented by (.....) covers the following findings:

"...as of November 2012, evaluated how Google's OneBox (and being not included in OneBox) affected. For instance, they made tests comparing the effects of "changing the place" on the screen (or being pushed down to lower ranks) on CTR. In short, those studies showed that being pushed down to third and fifth rank from the first rank affected the traffic seriously. When the same content moved to the third rank from the first rank, traffic decreased by (.....)% whereas when it moved to the fifth rank from the first rank the traffic decreased by (.....)%.

(.....TRADE SECRET.....)

As shown clearly in the screenshot below, OneBox's current positioning on search engine result pages changes natural search results significantly (the one in the red frame is the first natural search result) - this first natural search result is at a lower rank than the fifth rank used in (.....)'s test (closer to tenth rank).

The image shows a Google search for "hotels rome". The search results include several sponsored links from Booking.com, Hilton.com, and Hotels.com. Below the search results is a map titled "Hotels near Rome, Metropolitan City of Rom..." showing various hotels with their names, ratings, and prices. The map also includes a "View 1,000 hotels" button. Below the map, there is a link to "THE 10 BEST Hotels in Rome for 2019 (from 540) - TripAdvisor".

Google
hotels rome

About 1,030,000,000 results (1.06 seconds)

Hotels in Rome, Italy | Best Price Guarantee | booking.com
www.booking.com/Rome-Italy/Hotels
Book your Hotel in Rome, Italy now. Quick, Easy Booking. No Reservation Costs. 24/7 Customer Service. No Booking Fees. Hotels, Motels, Hostels. Secure Booking. Villas. Best Price Guarantee. Best and Breakfasts. Support in 42 Languages. Types: Hotels,...

Book apartments and more
Bookings instantly confirmed!
Instant confirmation, 24/7 support

Homes, apartments, & more
Book now, stay tonight!
Comforts of home, wherever you are

Hilton Hotels in Rome | Book Your Rome Hotel Today | hilton.com
www.hilton.com/Hotels/Rome
Book on the Official Website for Best Price Guarantee and Free Wi-Fi. No Booking Fees. Free WiFi. Instant Confirmation. Best Rate Guaranteed. Great Locations. Outstanding Service. Earn Hilton Honors Points, Amenities, Family Facilities, Fitness Room, Meeting...

Hotels in Central Rome | Up to Half-Price on Hotels | hotels.com
www.hotels.com/Rome/Central-Hotels
Book your Hotel in Central Rome. Price Guarantee. No Reservation Costs

Hotels in Rome | Rome Deals of the Month | trivago.com
www.trivago.com/Hotels/Rome
trivago™ Find Your Ideal Hotel in Rome. Compare Prices and Save on your Stay!

Hotels near Rome, Metropolitan City of Rom... About these results

Sun, 17 Feb Mon, 18 Feb 2

TOP CHOICES
Based on your search, price & quality

GUEST FAVORITES
Rated 4.0+

BUDGET OPTIONS
Lowest-price hotels

Palazzo Montemartini
Rome, A Radisson ...
4.5 ★★★★★ (1420)
Free WiFi
197 €

Radisson Blu es. Hotel,
Rome
3.7 ★★★★★ (1,542)
Free WiFi
91 €

Atlanta Star Hotel
4.1 ★★★★★ (1165)
Great and nice rooms, service, view
56 €

Sheraton Roma Hotel &
Conference Center
3.3 ★★★★★ (2,303)
Free WiFi
101 €

MUNICIPIO XV
MUNICIPIO II
MUNICIPIO VIII
MUNICIPIO XI

View 1,000 hotels

THE 10 BEST Hotels in Rome for 2019 (from 540) - TripAdvisor
https://www.tripadvisor.com/Hotels-g187791-Rome_Lazio-Hotels.html
The #1 Best Value of 6806 places to stay in Rome. Free WiFi, Restaurant, Special offer.
Hotel website, Hotel Artemide. Show Prices. #2 Best Value of 6806 ...
Rome Luxury Hotels - Rome Hotel Deals - Rome Downtown Hotels - Rome Map

(.....) also made an impact analysis regarding the inclusion of Google's properties to search engine result pages (taking into account OneBox is only one of the formats adopted by Google to display its products on search engine result pages as of 2012). (.....)'s regression analysis shows that displaying Google's OneBox (and its equivalent) above the first algorithmic result decreases the first algorithmic result traffic between 22% and 49% depending on the size of OneBox (or its equivalent).

As shown clearly by those results, including OneBox in search engine result pages decreases the traffic to (more relevant) algorithmic results considerably. Therefore, it is important for local search service providers to be displayed in OneBox if they want to keep their visibility in search engine result pages. Moreover, since Google uses OneBox as HPA tenders for hotel local searches and Google's local search competitors may pay more than they gain for each reservation made in tenders, joining to OneBox may have a minus/negative effect on turnover for those competitors. Reservations are made because relatively fewer entries are displayed (since the tender is "won") and this

fact boosts the negative impact explained before. The charts presented in the answer to question 4 shows the effect of OneBox's presentation - it raised Google's paid traffic from (.....)% in 2013 to (.....)% in 2018 on desktop and from (.....)% in 2013 to (.....)% in 2018 on the mobile network.

- (620) The analysis above shows that when the undertaking changes a position in the results in its own page, the result loses a huge amount of traffic. Moreover, the regression analysis made about displaying Local Unit above the first result shows that the traffic of the first organic result decreases between (.....)% and (.....)% depending on the size of the Local Unit. The undertaking concerned showed that as a result of Google's practices tested above, the rate of paid traffic from Google increased by about (.....) fold (from (.....)% to (.....) %) especially in the mobile channel between 2013 and 2018.
- (621) Another study that argues that Local Unit's launch by Google increased the traffic from ad channel belonged to (.....). The undertaking shows the proportional breakdown of the traffic from Google depending on Google channels in the charts below.

(.....TRADE SECRET.....)

- (622) It is seen in the charts submitted by the said website that organic traffic which is the first Google source in 2013 (search engine optimization -SEO) was replaced by ad traffic in time (*Search engine marketing-SEM*). In addition, the traffic of GHA, which is Google's other paid channel, increased constantly. The switching trend between channels has the same course in desktop and mobile. According to undertakings' data, while organic traffic corresponded to (.....)% of Google's traffic for desktop and (.....)% for mobile channel in 2013, this rate fell to (.....)% in the mobile channel in 2018. Highlighting this change, the undertaking argues that Google urges websites to use its paid channels in order to protect their visibility in general search results.
- (623) Another study shows that displaying Google's hotel unit on the first rang causes the website's traffic to fall suddenly and steeply on the basis of a certain query. The findings of the impact assessment are given below:

"In addition, since Google monopolizes more search engine results pages (SERP), algorithmic results are pushed to the end of the page. In this way, it attracts the traffic different ways from its competitors to vertical services and promotions which it provides and gains revenues from. Figure 1 shows the temporal granular interaction between the Client Company's listing rank and Google's promotion and location of its vertical services since they were first introduced in 2012.

Figure 1: Traffic Changes as a Result of the Existence of Google Services

(.....TRADE SECRET.....)

- (624) *Moreover, more than 10,000 screenshots of Google Search Engine Result Pages and the effect of the promotion of Google vertical search service on the Client Company's organic search results' clickthrough rates were analyzed. For instance, in "Las Vegas hotels" query, positioning Hotel Finder above natural search results decreased the*

traffic by (.....)% whereas positioning Google Places above the ordinary search results decreased the traffic by (.....)%.

Figure 2: Regression Analysis show the significantly negative effect of Google's favorable positioning of its products compared to its competitors¹¹⁹

(.....TRADE SECRET.....)

- (625) The second chart in the study above shows the negative effects on a website's traffic caused by Google's positioning its product on top of general search results and the positive effects created by displaying more links under the organic results related to the website.
- (626) Therefore changes made by Google concerning both its vertical services and organic results may affect seriously how search traffic will be shared among the search traffic and the amount of traffic to be taken. The examples given above shows how this is reflected to individual cases from competitors' perspective.
- (627) In light of the assessments given above, it is understood that Google's general search services are an important traffic source that cannot be substituted for the competitors in local search services; being displayed widely in the most valuable area of Google general search results together with maps and visuals and in a way to block competitors' entry (even if requested), Local Unit has acquired an important position in the market. Moreover, beside being in a position directing traffic to websites in local search services market, Google, which is dominant in general search services market (vertical relation), competes with those websites through Local Unit. This increases the effects of Google's alleged practices related to Local Unit. This structure limits the ability of competitors in the downstream market to develop and apply strategies against Google's practices.

1.5.2. General Assessment of the Accommodation Price Comparison Services Market

- (628) Another market affected by Google's practices in question is the accommodation price comparison services market. Unlike local search websites which list the accommodation facilities in a specific geographic region and provides their features and reviews about them, in accommodation price comparison services market, price offers by different platforms for a specific hotel are compared. Google developed a separate box that is designed different from Local Unit, which provides local search services and a page for that market. Websites work with a similar business model under a group called MSS. They compete with Google's service called GHA. Google provides access to this service directly through the knowledge panel it provides in response to navigational queries for a specific accommodation facility in general search results and indirectly through the travel tab through the clicks on its local search service, Local Unit.
- (629) The effects of Google's practices on websites providing the same services and on the relevant market are examined considering different parameters. Of the MSS that were requested to provide information, Neredekal's traffic data and Kayak's and Momondo's

¹¹⁹ Basis arrangement form: (.....) is algorithmically on upper rank. Google Hotel Finder is not displayed three or more algorithmic links above Google Places (see the left side)

data belonging to a very limited time could be obtained. Therefore, Google's data are used in a large part of the examination.

Display rates

- (630) The table below shows Google's and its competitors' display rates and clickthrough rates in 2019 comparatively.

Table 21: Google's and its Competitors' Display Rates and Clickthrough Rates (%)

Website	Average Clickthrough Rates	Average Display Rates
kayak	(.....)	(.....)
neredekal	(.....)	(.....)
tripadvisor	(.....)	(.....)
trivago	(.....)	(.....)
Google Hotel Knowledge Panel ¹²⁰	(.....)	(.....)

Source: Calculations with the data provided by Google

- (631) It is seen from the table that Google's hotel knowledge panel is displayed less than Neredekal and Tripadvisor¹²¹ and at a similar rate with Trivago, still its clickthrough rate is much higher than all its competitors listed in the table ((.....)%). This shows that Google's location and display advantages weaken its competitors' change to attract clicks.

Traffic Volume

- (632) The charts below show the course of proportional distribution of different Google sources (organic, adwords, GHA) in MSS's Google traffics in light of the data provided by the relevant parties.

Chart 54:

(.....TRADE SECRET.....)

Source: Data acquired from the undertaking

Chart 55:

(.....TRADE SECRET.....)

Source: Data acquired from the undertaking

¹²⁰ The data in the table reflects the arithmetic mean of the monthly data provided by Google.

¹²¹ Tripadvisor's high display rates should not be attributed to only accommodation price comparison services. The website provides not only price comparison services but also services related to local search, flight tickets, cruises, trips, rental cars, etc. in many sectors.

Chart 56:

(.....TRADE SECRET.....)

Source: Data acquired from the undertaking

- (633) It is seen on (.....)'s chart that there has been a decrease in organic traffic since 2015. Organic traffic has been replaced by traffic from text ads. According to the data given by Google, it is stated that the revenues obtained from hotel ads before (.....) were not significant. As of (.....), while hotel ads gained importance, (.....)'s organic traffic started to fall. The primary Google traffic source of another undertaking that could provide data, (.....), is text ads. There was no regular increase in (.....)'s and (.....)'s organic traffics during the period for which they provided data.
- (634) The chart below shows the course of organic traffic which competing MSS¹²² obtained from Google according to the data provided by Google.

Chart 57: **Competing MSS' Google Organic Traffic Volume**

(.....TRADE SECRET.....)

Source: Data provided by Google

- (635) In order to understand better the chart above showing the development of the traffics of Kayak, Momondo, Hotelscombined and Wego, which gains less traffic than Google compared to their competitors, those websites' Google organic traffic volumes are shown separately below:

Chart 58: **Google Organic Traffic Volume of MSS with Small-scale Traffic**

(.....TRADE SECRET.....)

Source: Data provided by Google

- (636) It is seen from the charts above that (.....) and (.....) are the websites that have traffic from Google in the most stable way. (.....) is losing traffic and other competitors have a very low organic traffic. They cannot keep and grow organic traffic volume constantly. At this point, it should be noted that price comparison is only one of (.....)'s activity

¹²² In addition to accommodation price comparison services, Google's competitors Kayak and Momondo are active in flight, expedition and car rental areas, Hotelscombined is active in flight and car rental services and Wego is active in flight services. Thus, it should be noted that the traffics in the charts are not coming from only the relevant price accommodation services.

fields. Therefore, it is not possible to interpret that (.....) is not at a disadvantageous position versus knowledge panels with GHA because its total traffic is increasing.

(637) The chart below shows the traffic volume on the basis of clickthrough number of hotel ads on the knowledge panel that Google shows for a specific hotel, and all hotel ads.

Chart 59: Clickthrough Number for Google Hotel Ads

(.....TRADE SECRET.....)

Source: Data provided by Google

(638) Considering that chart, unlike competitors’ traffic course, Google’s traffic is increasing stably and rapidly regardless of seasonal effects. It is seen that GHA traffic volume increased more than (.....) fold ((.....)) between the period February 2015 and November 2019. Even only the clicks to knowledge panel are taken into account, the increase in the traffic is more than (.....) fold.

(639) As a result of those analyses, taking into account GHA traffic volume provided by Google and MSS’s organic traffic volumes, annual growth rates in the said traffic volumes are calculated. Calculation results are shown in the table below (those in orange are negative values):

Table 22: Growth in GHA Traffic and MSS Google Organic Traffic (%)

Year	Neredekal	Tripadvisor	Trivago	GHA ¹²³
2011	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)

Source: Calculations made with the data provided by Google

(640) It is understood from the table above that Google’s GHA traffic has grown more compared to MSS’s annual Google organic traffic since (.....), the year which Google stated that it started to gain significant GHA traffic, and its competitors have not been able to reach the same rate.

Clickthrough rates

(641) Whether competitors can attract clicks when they are located on the first page among blue links because Google displays its own accommodation price comparison services well above its competitors, on a wider area and in a more favorable format compared to its competitors is examined. The table below shows competitors’ average display rates, clickthrough rates and ranking together.

Table 23: Competitors’ Average Display Rates, Clickthrough Rates and Ranking (%)

Average Clickthrough Rates- MSS

¹²³ The traffic in January is not available in the data for 2015. As the traffic in December is not given in the data for 2019, the traffic for that month is included in the calculation by adding the traffic in November.

Date	Kayak	Neredekal	Tripadvisor	Trivago
2010	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)
Average Display Rates- MSS				
Date				
2010	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)
Average Ranking-MSS				
Date	Kayak	Neredekal	Tripadvisor	Trivago
2010	(.....)	(.....)	(.....)	(.....)
2011	(.....)	(.....)	(.....)	(.....)
2012	(.....)	(.....)	(.....)	(.....)
2013	(.....)	(.....)	(.....)	(.....)
2014	(.....)	(.....)	(.....)	(.....)
2015	(.....)	(.....)	(.....)	(.....)
2016	(.....)	(.....)	(.....)	(.....)
2017	(.....)	(.....)	(.....)	(.....)
2018	(.....)	(.....)	(.....)	(.....)
2019	(.....)	(.....)	(.....)	(.....)

Source: Calculations made with the data provided by Google

(642) In terms of each website shown in the table above, throughout the entire or a part of the period between 2010 and 2019, clickthrough rates fell. In addition, even if Neredekal's and (.....)'s average ranking decreased (being displayed at a higher place), clickthrough rates fell. In respect of (.....) and (.....), even if there was no regular decrease in the ranking, clickthrough rates increased and decreased contrary to the events (in terms of the impacts on traffic). This consequence, together with other observations made in the case, show that Google's competitors are affected negatively because Google offers its own product on a wide area, mostly on top and in a visually rich manner.

Analysis Submitted by the Undertakings

(643) Within the scope of the file, a competing MSS ((.....)) presented a study showing that they were negatively affected by Google's practices examined. Within the scope of the said study, it is said that ranking among organic results may increase and decrease compared to Google and other competitors, which is reasonable in an environment considering quality and user needs. However, the undertaking argued that its clickthrough rates for each position in Google organic ranking fell as a result of the tests it made in all organic results on a global scale. The alleged fall in clickthrough rate per position is shown in the chart below and the data used by the undertaking in calculation are also given:

(.....TRADE SECRET.....)

(644) It is inferred from the chart above that the results in the top ten position have attracted less clicks in time. For instance the result on the first rank attracted (.....)% clicks two years before whereas this rate fell down to (.....)% at the end of 2019. It is suggested that the reason why there is a loss in clickthrough rates is that Google displays its services above more search results and shares more and more area for its services.

(645) In light of the evaluations above, it is understood that the knowledge panel with GHA, which Google locates on the most valuable part of the general search results widely together with prices and visuals, has an important advantage compared to the competitors and this affects competitors negatively. Moreover, beside being in a position enabling it to direct traffic to websites in accommodation price comparison services market, Google, which is dominant in general search services market, competes with those websites through GHA. This increases the effects of Google's examined practices; at the same time, limits the ability of competitors in the downstream market to develop and strategies against Google's practices.

(646) One of the claims examined under the file is that Google's competitor Yelp, which provides services that can compete with Google in terms of scope and scale, exited the market as a result of Google's practices regarding Local Unit. As known, for the evaluation of anticompetitive foreclosure, actual effects stemming from the conduct in question are taken into account. Thus, Yelp's exit from Turkish market should be taken into account. Depending on the documents obtained during on-site inspection, it is understood that Türkiye is a strong market in terms of search; while user penetration is high in this area, penetration rate is lower in local search market. Therefore, Yelp's exit from a growing market with a high potential of further growth will increase Google's strength. At the same time, Google's practices in question create barriers to entry for existing players or players wishing to enter the market.

(647) In light of all findings and observations given above, it is understood that Google provides Local Unit, where it offers local search service and hotel knowledge panel with GHA, where it provides price comparison services in the accommodation sector, mostly at the top of the competing websites in a very wide area and in a visually more advantageous way. In addition while Google has not permitted competitors to access Local Unit, it allowed competitors' entry to GHA at the end of the year 2007. Google displays competing websites and websites enabling direct sales/reservations likewise, which makes Google advantageous for those platforms that make offers with GHA. Consumers will may also prefer those links. Although Google argues that it subjects

Local Unit to the same ranking/relativity test as organic results and displays Local Unit above if it decides that it has better quality, how fair the race between Local Unit and competitors shown among search results with blue links in the test so called quality test is unknown. Hotel knowledge panel with GHA is displayed at the top of the organic results even without being subject to quality test.

- (648) Google follows a method to decrease organic clicks and increase its ad revenues by locating its products on the top of organic results widely in a way to cover more than the first screen, the entire or most part of the screen. This supports the claim that Google acts like a regulation authority trying to manage the internet with its own rules. As a result, it is concluded that Google excludes competitors that are trying to compete with those results in favor of its vertical services in an area, which is indispensable for undertakings providing services online.
- (649) The detailed analyses made above shows that Google's practices in question lead to anticompetitive foreclosure effects with respect to competing websites. Moreover, if maintained, Google's practices in this area may create bigger effects. Accordingly, Google's practices may harm consumers by restricting consumer choice, preventing innovations and lowering quality.
- (650) On the other hand, it is concluded that it is not possible, according to the observations made within the scope of the file, that Google violated competition by means of using competing websites' evaluations without permission and by algorithm changes. It is not possible to conclude that Google made algorithm changes intentionally to exclude competitors, either. Consequently, it is not necessary to intervene with the Act no 4054 in terms of the said claims.
- (651) Within this framework, it is concluded that Google violated Article 6 of the Act no 4054 on the Protection of Competition by obstructing the operations of its rivals and distorting competition in the local search services and accommodation price comparison services market, by favoring its own local search and accommodation price comparison services in terms of location and presentation on the general search page in comparison those of its rivals and by refusing access of competing local search sites to the Local Unit

I.6. Assessment¹²⁴ of the Pleas¹²⁵

- (652) Google's claims in the Plea and the assessments thereof are given below. It is seen that the same or similar claims are included under different titles. In order to avoid repetitions, evaluations of such claims are given in detail in the section with which they are most relevant. In other parts either a summary is made or no opinion is given at all.

I.6.1. The Defense That the Evaluation Regarding Local Search and Accommodation Price Comparison Services is Wrong and not Consistent with Their Own Market Definitions

I.6.1.1. The Defense Concerning the Analysis About Local Search Services in the File

¹²⁴ Covers the first, second and third written pleas of Google.

¹²⁵ The term "measures" refer to the measures envisaged under the file and they are explained in detail under the last title of the Evaluations section: "I.8.Assessment of the Behavioral Sanctions to be Imposed on Google".

- **The argument that the conclusion that it is not necessary to make a market definition for local search is wrong:**

(653) Whether Google's Local Unit and GHA services and other online search services are substitutes is evaluated in detail by taking into account the features of each market, third party opinions and the survey results. As a result, the markets affected by Google's practices are defined as "local search services" and "accommodation price comparison services"

- **The following arguments: Two separate traffic share tables are prepared, one showing websites' total traffics for local search and one showing only Google traffic. The table showing only Google traffic is not a correct basis to calculate the traffic shares, as it does not take into account traffics from other sources such as direct traffic. 9 websites in the second table are not included in the first table without any explanation.**

(654) A lot of undertakings operating in the relevant product market are asked to provide total traffic data. Although some of the undertakings provided those data, it was not possible to contact some of those or to obtain data. In line with the data obtained within this framework, the first table was prepared and analyses were made depending on that table. In addition, in order to extend the scope of the analysis in favor of Google, the second table was prepared and an analysis was made by taking into account the total traffic directed from Google to the relevant websites. In the second analysis, Google's market share is 1% less, which shows that the traffic from Google is important in undertaking's total traffic. In another words, the method adopted does not produce wrong results contrary to what Google suggested. Moreover, in the detailed analysis made under the title "the proportion of traffic from Google in websites' total traffic", it is found that Google is the primary traffic source for most of local search sites.

- **The following arguments: First group local search services are excluded from traffic share tables inconsistently without explanation. Some of the evaluations in the file accept that they are a part of the market defined for local search. Etrip, Hotels.com, HotelsCombined, Istanbulfirmarehberi, Kayak, Mekan360, Momondo, Nerdekal, TripAdvisor and Wego are included in charts 44 and 45 and Table 11 but not included in Table 6 and Table 7.**
- **74 local search sites such as Letgo and Firmasec are mistakenly left out of scope. Those websites meet the criteria for local search services as identified in the market definition but they are not included in Table 6 and Table 7:**

(655) As a result of the assessments made within the scope of the relevant product market, general search services market is defined because users are dependent on the general search engine to access local search services (websites providing local search services). Afterwards, in order to evaluate the possible effects of Google's practices in question, local search search services market and accommodation price comparison services market are defined. Whether Google is dominant in the relevant market was questioned since a violation assessment within the scope of article 6 of the Act no 4054 requires that Google should be dominant in the general search services market. It was seen that Google is dominant. Considering that it can be a tool to assess the size of Google's practices in the local search services market, whether Google is dominant in the said market was also questioned. It was concluded that Google has significant market share. In another words, the market share calculation in local search services

market is important in respect of the size of the practices in question rather than detection of a violation. For this reason, not including the websites' market shares in local search services market in market share calculation does not cast a doubt on the result.

- (656) Among 74 websites mentioned in the plea, there are intermediary platforms (not providing local search services) such as ikincielim.com, kuspazari.com, nethayvanpazari.com, satilikkopek.gen, otogazete.com and booking.com, whose operations in Türkiye was terminated. Letgo provides local information about certain professions (transport, roof repair, etc.) under jobs and services tab but does not cover reviews regarding those services, so it is not in the relevant market defined in the file. In addition, Google highlighted that Firmasec is within the market. Its traffic volume from Google between 2019 January- August period was (.....) whereas Local Unit's traffic volume for the same period was (.....). Market share calculation based on traffic from Google was made for Bulurum. Its traffic volume was (.....)% with (.....) market share whereas Google's market share was (.....)%. The data show that if Firmasec is included in the table, it will not have such a big impact on Google's market share and the difference between Google and its competitors to change the result.
- (657) Lastly, how the traffic from the links that have different extensions belonging to undertakings is included in the calculation is unclear. For those reasons, the accuracy of the size of the data created cannot be questioned.
- **The following arguments: The evaluations in the file ignore clicks to local units of other general search services. Yandex and Yaani show local results in a similar local unit. Clicks to those local units are not considered within the scope of competitors' traffic. This approach is inconsistent.**

- (658) As stated above, under the section regarding the relevant product market, it is stated that users searching for a product and service depend on general search engine to reach the relevant website and general search services market was defined accordingly. It is found that Google's market share has not fallen under (.....)% in the last five years. In line with the conclusion that Google is the most used search engine, undertakings providing local search service services obtain most of the traffic from Google and visibility on Google's general search pages is vital for them. Moreover, Google is the most used search engine and local results are displayed on the general search page. Those facts show indirectly that local search services provided by other general search engines are far from exerting pressure on Local Unit. The information in the file shows that the traffic to local search sites from other search engines is too small to be compared with the traffic from Google, which shows that users make local searches on Google rather than competing websites.
- **The following arguments: Facebook has features "that are similar to local search", provides a "search functioning that is not limited to local business and professionals", Facebook provides "a wide content such as contacts, messages, photos, places and events".**
 - **Facebook Places provides "specialized search function" and shows "results that are more relevant to the query compared to Facebook Search".**
 - **There is a quotation from a player's explanation that "there are reviews and ratings about hotels" within the scope of Facebook Places,**

- **It is clearly accepted that Facebook Local is Facebook’s “local search engine”. Thanks to Facebook Local “users can find “(i) [...] events near them or in another city and (ii) filter those depending on time, category, location and more criteria and the results are shown “on an interactive map”**

(659) The investigation examined Facebook’s services by considering local search services market, which was shaped before that examination. The expression at the beginning of the relevant part “that are similar to local search” creates a suspicion and that suspicion is questioned in the following parts. The arguments depending on individual quotations conceal the big picture drawn in the investigation and take the statements out of their real content, harming the plea’s seriousness. The second and the third arguments stated above are observations that move Facebook away from local search contrary to what is suggested. Because of Facebook’s this feature, a garage called “Dr. Ecu Chip Tuning Ankara” and a series called “miracle doctor” are among the results shown in response to the query “Ankara medical doctor”. The fact that Facebook provides local information does not mean that it provides local search services. The evaluation about Facebook mentions duly its features similar to local search but due to the reasons stated in the file, it is concluded that Facebook is far from exerting sufficient competitive pressure on undertakings in the local search services market.

- **The following arguments: Almost half of the consumers are already using social networks such as Facebook and Instagram to discover local business.**
- **It is incorrect to accept that user photos are more important than businesses in social media platforms. The functioning of social media platforms were based on only users’ sharing and photos initially but today social media platforms have different roles. Many businesses (i) make sales and marketing activities directly through social media platforms such as Facebook and/or Instagram or (ii) use social media profiles without creating a website to reach potential customers. The change in the social media structure leads to the emergence of new professions such as “Instagrammer” and “content producer”. Therefore limiting social media platforms to only photos shared by individual users means that those platforms’ role in today’s commercial life is ignored.**
- **Within the scope of the file, it is argued incorrectly that social media platforms are limited to the content created by users. This is substantially true but it is not an indication about social media platforms’ functioning or services provided. The significant amount of content created on those platforms is ignored. The argument is based on individuals’ sharings and overlooks local businesses’ accounts in those social platforms. Local businesses may share the detailed information that users search about a business such as website, telephone number, e-mail address, physical address, map location and product portfolio information with detailed explanations for each product. Even if it is accepted that the content in the social media is limited to the content shared by users, this is also valid for search engines. If local businesses do not want to be included in a search engine (for instance by not uploading data or preventing pages from being screened), the search engine cannot show online information about the said local business:**

- (660) Facebook and Instagram business profiles that are pointed out in the argument are included. This means that they are not overlooked. However, what is critical in defining the relevant market is this channel's intended use from the perspective of the user (consumer). The subject is handled from this point of view. In Google's opinion, offer websites are a marketing channel for businesses. Businesses want to reach potential customers through this channel. However, as it is found that intended use of those websites is different for users, deal websites are not included in the local search services market. Google's argument about the conclusions concerning deal websites is as follows: *"Although Google keeps its approach that deal websites show local search features, the exclusion of such websites by the Report does not have a financial effect on traffic share calculations or competitive table. For this reason, without prejudice to the claims regarding the limitations created by deal websites on local search, Google will not discuss deal websites in this Second Written Plea in order for the Authority to focus its evaluations on the hearth of the matter. Google's argument about the conclusions about those websites is limited to the expression above, which weakens its approach.*
- (661) The reasons for exclusion of social media websites out of the market "user photos are prevalent" and "the content is limited to users' sharing" are proofs that those platforms are not used by users to have local information. It is seen in the business account in Figure 46 that photos highlighting people's account rather than business features are shared. In the screenshots provided by Google to support its claim (for instance Instagram Places search for Istanbul Italian restaurant", Instagram Places search for "Ankara pub") there are photos highlighting users themselves. Lastly, users of social media websites reach local information anywhere while trying to learn where their friends have meals, where they spent their time, where they spend their holiday however this is not sufficient to include those platforms in local search services.
- (662) Facebook Inc. states that search results only show the content in Facebook and Instagram and this search service is not designed to search through the internet and provide a full view of subjects such as working hours and prices of local businesses/professionals. In addition, 38% of the undertakings following user preferences see Facebook as a competitor while 54% do not.
- (663) Google basis its claim that "Almost half of the consumers are already using social networks such as Facebook and Instagram to discover local business" on a personal opinion published in the content platform called "forbes". Thus, this evidence does not have an adequate standard of proof to show that consumers use social media websites for local search.
- **The following arguments: In the evaluations made under the file, it is incorrectly argued that the information on social media sites is meaningful for only members of those platforms. This argument is absolutely wrong, individual and commercial account owners in both Facebook and Instagram can adjust their accounts to be seen publicly or by only their followers, some accounts share a part or all of their information publicly, when account owners make their accounts public, users do not have to sign up to the relevant platform to see the content on those pages, even if users do not have Facebook or Instagram account, when they search for a specific local business's social media account through a search engine, they can see the public content by clicking on the relevant result, taking into account that the aim of the local business is to reach as many consumers as possible and promote its products, almost all of those**

businesses share their information publicly, the statement that information shared through social media websites is meaningful for the members of those platforms is not true:

- (664) In order to prove the claim that consumers do not have to sign up to the platform to see public accounts, the accounts in the screenshots were searched. There was a warning “sign up” on the page, it is necessary to sign up to see the content. This case is shown by means of the examples “Milk Karaköy” and “nusr-et”:

Figure 107: Screenshot of “Milk Karaköy” Facebook account (1)

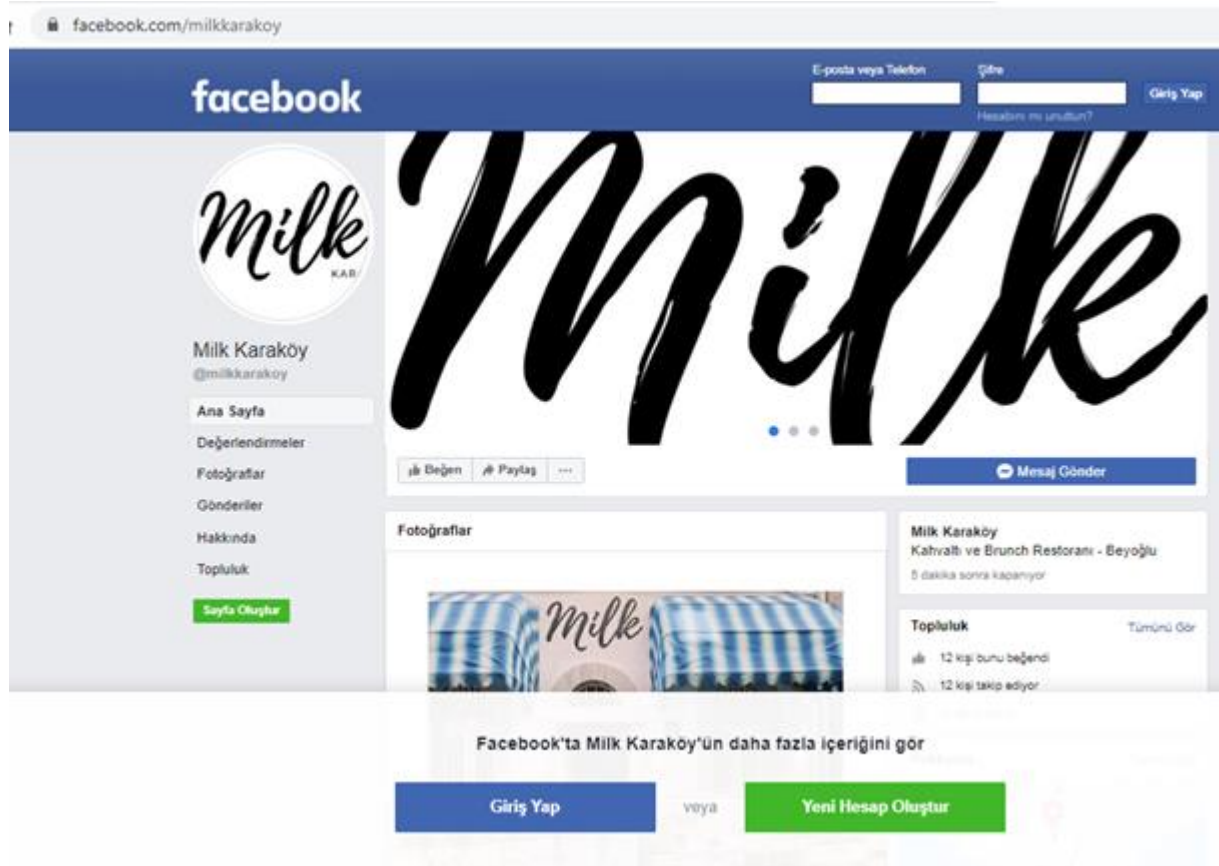


Figure 108: Screenshot of “Milk Karaköy” Facebook account (2)

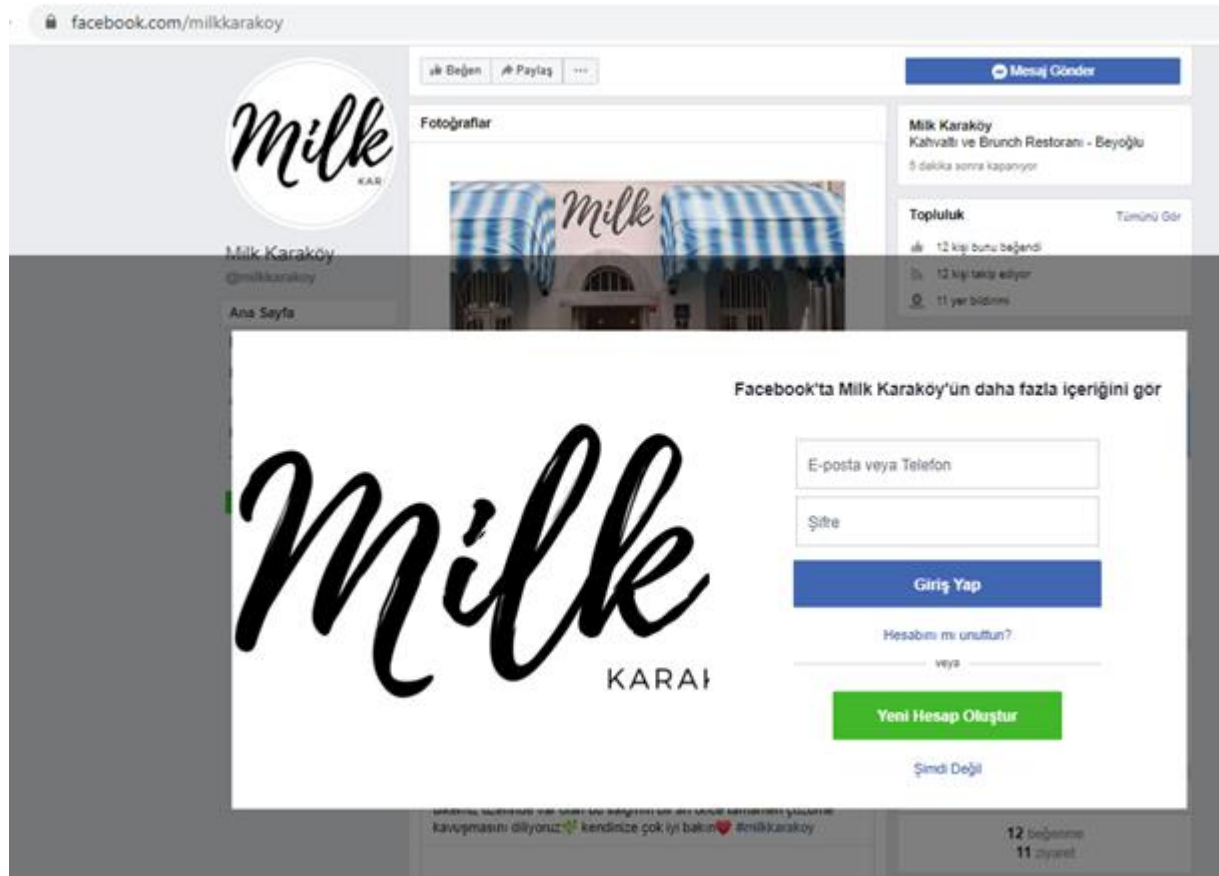


Figure 109: Screenshot of “nusr-et” Instagram account (1)

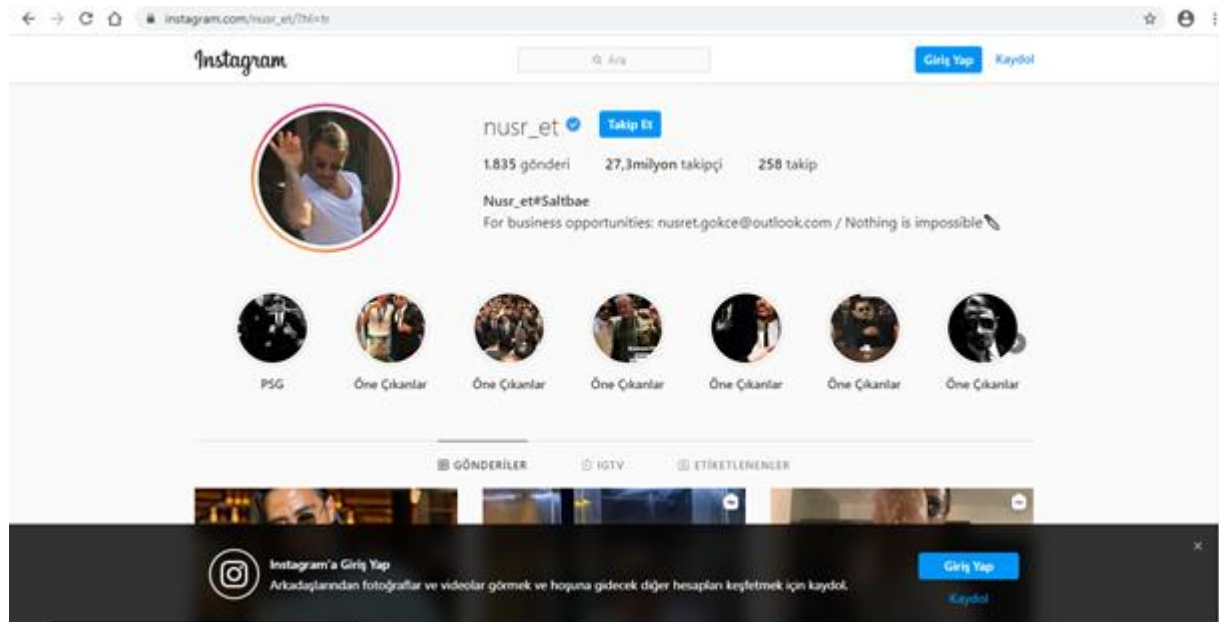
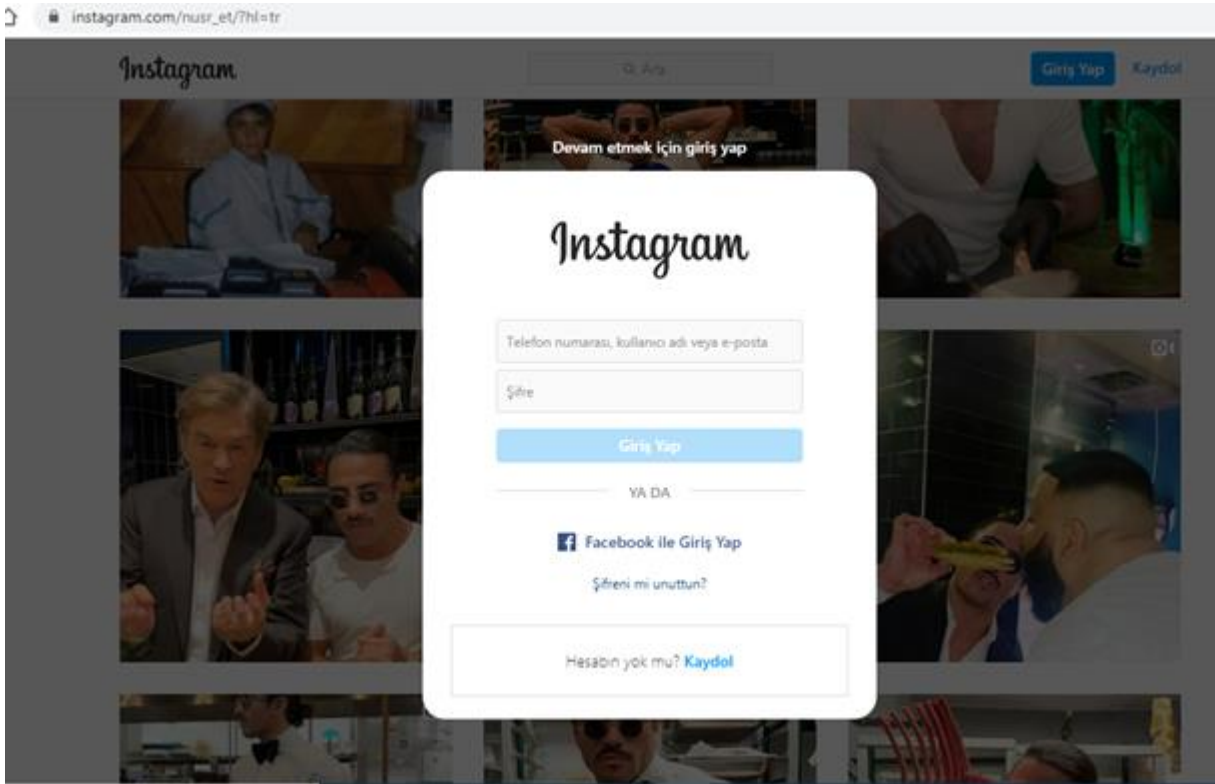


Figure 110: Screenshot of “nusr-et” Instagram account (2)



(665) Therefore the documents submitted to prove the argument do not reflect the truth.

- **The following arguments: In observations and evaluations made within the file, it is accepted that some websites have specialized “local search engines”. One of the activities of social media sites is providing local search, the relevant part of those websites’ activities should be included in the traffic calculation under the file, the Authority included the relevant commercial fields to the market share calculations in the past¹²⁶, however there is no indication showing that such information was asked for.**
- **The following arguments: Google, whose main activity is not local search, is considered to be operating in the local search services market in the file. The same approach should apply for social media websites and their parts related to local search. The reasons for excluding social media websites from the market do not justify ignoring those websites’ traffics from local search activities.**

(666) Since it is concluded that social media websites do not offer local search services due to the reasons listed above, they are ignored in market share calculation.

- **The argument that documents obtained during the on-site inspection and Facebook’s statements show that social media websites compete:**

(667) First, as stated many times before, the main criteria for defining the relevant market is identifying the goods and services at stake as well as goods or services which are regarded by consumers as substitutes by reason of price, intended use and

¹²⁶ “Board decision about Efes dated 13.7.2005 and no 05-46/669-171, BOUT Vodka-Gin dated 25.10.2017 and no 17-34/537-228, about Coca Cola dated 23.1.2004 and no 04-07/75-18, about Sony Ericson dated 22.02.2007 and no 07-16/149-49”

characteristics. In another words, the subject was handled with a standard of proof higher than in-house documents.

- (668) Secondly, among the documents obtained during the on-site inspection, there is a document showing the statement that Facebook is not regarded as a competitor. In Document-1("Press FAQ - Place Search"), it is stated that Facebook is not regarded as a competitor and this service's intended use in terms of social media users is different.
- (669) Google's, Facebook's and other undertakings' statements regarding competitive relations are guiding but not binding. Moreover Facebook Inc's statement is as follows:

"... as explained in the responses, the search functions of the Facebook Service (including facebook.com/places) and Instagram are not designed to display wider search results on the internet for local businesses/professionals (neither do they include any extensive information users may be able to collect on the relevant businesses/professionals from the web via other methods). The search functions concerned are tools designed to help people search and find content currently on the Facebook Service or on Instagram and allows users to contact meaningful local content, including local businesses, services and events, share them and communicate about them.

The search functions on the Facebook Service and on Instagram are not standalone products, and they reflect the content users share on the Facebook Service and on Instagram, respectively. These search functions are not designed to browse the web or to present a complete overview of the working hours, prices, etc. of local businesses/professionals. In that context, Facebook believes its search functions operate very differently than the services offered by Google. Due to the reasons above, Facebook is of the opinion that it does not provide local search services."

- (670) Therefore the documents obtained during the on-site inspection as well as Facebook's statement, which are submitted as proof, do not affect the conclusion drawn under the file.

I.6.1.2. The Defense about the Analysis Concerning Accommodation Price Comparison Services in the File

- **The following arguments: The file defines a market for accommodation price comparison services, which covers meta search sites (MSS) and Google's hotel ads but excludes online travel agencies (OTA)**
- **The evaluations in the file highlight that users can search among accommodation facilities and learn about accommodation opportunities through OTAs like MSS and point out that "detailed information about hotels [...]" are provided including filtering options, map services and reviews thus it is difficult to understand the assessment that OTAs do not compete with MSS.**

- (671) First, the explanations pointing out that MSS and OTAs compete concern local search services market not accommodation price comparison services market.
- (672) Secondly, the reason why agencies and MSS that compete with each other in local search services market are not competitors in accommodation price comparison services market is that local search services and accommodation price comparison services serve for users' different needs. Relevant market section draws a conclusion

about this matter clearly. To sum up, users searching an accommodation facility will decide which facility they will use by comparing the hotels in the geographical region that they find through the platforms providing local search services according to various criteria including location, offered services and reviews. Users can make this search/comparison through both agencies and MSS. After users make their choice, they will decide from which seller (agency, hotel manager) they will buy the service from; in other words, will compare between the sellers and try to buy the accommodation service at the most reasonable price. Agencies cannot serve for this purpose. An agency can show a single price for each hotel. However, MSS provide the ability to compare many offers for one selected facility.

- **The argument that user surveys confirm that OTAs offer a competitive alternative for MSS to users,**
- **In a survey made by Google among Turkish users, the question whether Booking.com is “a good alternative” to Kayak was asked to users that are familiar with Kayak (MSS) and Booking.com (OTA); as a result of the survey, 78.4% of the respondents said that Booking.com is a good alternative for Kayak.**

(673) This survey made by Google to show that MSS and agencies are competitors in accommodation price comparison services market does not have probative force. First, the recognition levels of Booking and Kayak among Turkish users are not the same. Survey results also support this opinion. According to the data submitted in the plea, while the share of users who do not know Kayak is 82.78%, the share of users who do not know Booking is 33.17%. Moreover, websites' traffic volumes can be a reference for understanding consumers' perception. From this point of view, although Booking's traffic data are not known, according to the data provided by Google, Neredekal gains (.....) times more traffic than Kayak. In another words, to ensure that the survey is impartial, there are more convenient alternatives than Kayak.

(674) Secondly the question “Do you think that Booking.com is a good alternative for Kayak.com” is not sufficiently clear to show consumer preference. As stated above, both channels can serve a user who is searching a hotel/trying to decide which hotel to stay. For instance, for a user searching for the most convenient price for Titanic Deluxe Golf Belek hotel, Booking cannot meet the need of that user because it only shows Booking's price. However the user can see different sellers' offers for the hotel (such as Etstur, hotel management, Agoda, Trip.Com) At this point, Booking will not be a good alternative for Kayak for consumers.

- **The argument that Google made a second survey to see what kind of websites Turkish users use for queries regarding accommodation search and comparison, the question “Do you think that AirBnb is a good site for making online accommodation search and comparisons?” was asked to users. 82.2% of the respondents answered that AirBnb (with a business model similar to OTA) is a good site for making online accommodation search and comparisons:**

(675) It is stated in the plea under “*The analysis of the Report concerning accommodation price comparison services*” title, “...it is difficult to understand why it is considered that OTAs are not competing with MSS... There are consistent evidence showing that OTAs are competing with MSS including user surveys, Google's simultaneous internal documents, decisions of competition authorities in Europe and United Kingdom.” Taking into account those expressions, it is seen that Google's main purpose is to

show that MSS and agencies are competitors in the accommodation price comparison services market. However, the survey about AirBnb is made “to see *what kind of websites Turkish users for queries regarding accommodation queries and comparisons*” and instead of “*Do you think that AirBnb is a good site for making online accommodation comparisons?*” users were asked “*Do you think that AirBnb is a good site for making online accommodation search and comparisons?*”. According to those facts, it seems that Google does not understand sufficiently the relevant market definition that was made in good faith. As stated before, two markets are defined within the scope of the investigation: local search services and accommodation price comparison services. Consumers can search for accommodation facilities and make comparisons between accommodation facilities in local search services market. In this regard, agencies and MSS are competitors. In the second market, comparison services are not related to making comparisons between different accommodation facilities but between prices offered by different sellers (facility management/agency). From this point of view, the question in the survey does not mention price comparison but focuses on a comparison between accommodation facilities. Therefore it is not adequate to identify users’ tendency in price accommodation services market.

(676) In addition to this view, AirBnb’s business model depends on home owners, thus there is a single price for a house/room; in another words, there are not alternative price offers for the house/room. Therefore, Airbnb is not considered to be operating in price comparison services market.

- **The argument that Google’s internal documents verify OTAs’ competitive pressure, which shows that Google sees OTAs as competitors in accommodation price comparisons:**

(677) The competitive relation between agencies and MSS is identified by an evaluation from consumers’ perspective by taking into account the characteristics and the intended use of the service, as required by the competition law. In order to support this evaluation, a survey was made among undertakings considering that undertakings follow consumer preferences in their commercial decisions. Therefore, the conclusion made regarding the relevant market has better standard of proof compared to an evaluation taking into account internal documents of Google or any undertaking.

- **The argument that Competition Authorities’ decisions prove OTAs’ competitive pressure. EU Commission concluded in previous mergers and acquisitions that OTAs and MSS compete in the same market. *Airbnb* decision of the Court of Justice of the European Union and *Priceline/Kayak* decision of UK’s Fair Trade Office found similar conclusions:**

(678) First of all, the decisions taken by the European Commission (Commission) or other authorities are not binding for the Competition Authority. A reference was made to EU Commission’s *Priceline/Momondo* decision and CMA’s *Priceline/Kayak* decision concerning the parts about local search services market. The market under examination in those decisions is not related to accommodation price comparison services. Avoiding to make a certain market definition, the Commission states that both channels serve as an intermediary for travel services and aim to attract consumers’ attention. CMA states that an MSS and an agency are in a vertical relationship while also competing to offer travel services to consumers in terms of generating traffic and providing lead generation services to the travel service providers. However, the

decision does not make an exact market definition. Consequently, the relevance between the decisions mentioned in the plea and the subject matter is weak.

(679) Airbnb decision of the Court of Justice of the European Union, which the plea refers to, is not a case of competition law. The part of the decision which the plea refers to is as follows: *“a service such as the one provided by Airbnb Ireland is in no way indispensable to the provision of accommodation services, both from the point of view of the guests and the hosts who use it, since both have a number of other, sometimes long-standing, channels at their disposal [...]. In that regard, Airbnb Ireland is in direct competition with those other channels by providing its users, hosts/guests, with an innovative service based on the particular features of commercial activity in the information society.”* This assessment does not point out obviously that Airbnb competes directly with MSS. It is stated in the case that Airbnb provides platform services to hosts and consumers looking for accommodation. In that regard, the decision does not mention price comparison services.

(680) Therefore, the referred decisions cannot prove that agencies and MSS are competitors in price comparison services.

- **The argument that there is no evidence showing that OTAs are excluded, the Authority asked a single question to OTAs and MSS, this question was not appropriate to measure substitutability, the allegation that OTAs are excluded from accommodation price comparison services is baseless and incorrect:**

(681) The market definition is made by means of an evaluation from users' perspective. Sector representatives' opinions were taken through a survey during the process.

- **The following arguments: Google made a list of MSS and OTAs competing in accommodation price comparison market in Türkiye. Although Google thinks that the “extended” list of accommodation price comparison service providers reflects the market realities correctly, it also made a list of MSS in Türkiye. Google’s market shares in both markets are less than (.....)% and ignorable. These facts refute market foreclosure claims.**

(682) The evidence shown by Google to prove that agencies and MSS are competing in accommodation price comparison services market is not competent enough to change the conclusion, as mentioned above. In this context, the market share calculation made by taking into account MSS and agencies cannot change the characteristics and (potential) effects of Google's practices in the relevant market.

(683) In addition, the argument that *“Google’s market shares in both markets are less than (.....)% and ignorable”* was discussed under the heading “the argument that Google's showing hotel ads does not constitute an abuse” and the deficiencies of the calculation are shown thereunder.

(684) Lastly, it is understood from the conclusions made within the scope of the file (Table 23) that Google's GHA traffic has grown more compared to MSS's annual Google organic traffic since (.....), the year which Google stated that it started to gain significant GHA traffic, and its competitors have not been able to reach the same rate. This is a sign that if Google's practices under examination continue, the (potential) effects will deepen.

I.6.2. The Defense that Google's showing Local Units does not Constitute an Abuse

I.6.1.2. The Defense that Showing Local Units does not Provide Advantages to Google Local Search “Service” but Shows Users More Relevant And Better Quality Results

(685) The Defense Suggesting that Google Competes Legitimately as a General Search Service by Showing Local Units as an Answer to Local Queries

- The following arguments: Google does not provide a separate local search service. Google competes legitimately as a general search service by showing local units as an answer to local queries. The approach in the file concerning the functioning of general search services market is absolutely incorrect. The fundamental function and purpose of a general search service is to answer the queries made by users. General search services carry out this function for all types of queries including those related to local places and businesses, by nature. General search services are not limited to showing results for “articles of content websites”. General search services do not show only blue link results that are developed by searching through websites. Google is developing new data sources, ranking technologies and formats to answer different types of queries better and compete with other general search services.
- Google realized in 2004¹²⁷ that the data screened through the internet were insufficient to answer the queries regarding local businesses and places, and started to show local results. Google shows the results in useful formats displaying maps showing the locations of the relevant local organizations, contact information, star rankings, reviews and other relevant details. If Google used only the data screened through the internet and generic internet signals and showed the results only as blue links, it would be possible to neither provide information in this context to users nor give details about local places and businesses.
- The observations and assessments made in the file also list the basic benefits of Google’s local results for users in Türkiye as better data, better signals, better formats and better organization without objections.
- Similarly, EU Commission also accepts that showing specialized results such as local results is a part of the legitimate competition in terms of general search services market.
- The observation made in the file *“Google’s developing a product to answer users’ queries better as a general search service [...] is desirable in terms of competition law”* is contrary to the opinion that general search services are limited to showing blue links created by means of the data screened through the internet:

(686) As explained in detail in the section “Substitution Relationship between General and Local Search Services” two services are not substitutes (general search service and local search service) in terms of neither supply nor demand. Rather, there is a complementary relationship between the two. Accordingly, the argument that Google does not provide a separate local search service is not appropriate.

(687) In addition, developing a new product to for the benefit of users is desirable under legitimate competition conditions. The assessment in the file does not limit developing

¹²⁷ It is stated that Google started to show local results in US in 2004 and in Türkiye in 2009.

products in general search services to showing blue links. This can be understood from behavioral remedies to be imposed to reestablish competition. The behavioral remedies suggested in the file do not aim to prevent Google's developing a better product and making innovations; otherwise, it would obviously be contrary to competition law's general aim. Moreover, beside the dominant undertaking's incentive to innovate, its competitors' incentives to innovate should also be taken into account. The developing case law shows that the level and pace of innovation increase with the number of competitors. For instance one of the Commission decision emphasizing innovation is *Google Android*¹²⁸. The decision examines the effect of tying Google Chrome and Play Store and Google Search in terms of the harm on internet browser users¹²⁹. It is stated that the inability of the competitors in search services market to gain more queries prevents them from accessing the data to develop their services¹³⁰.

(688) Lastly, it is understood from the emphasis on innovation in Commission' press release about Google AdSense decision that it is a factor taken into account in the decision¹³¹. It is stated in the press release that Google increased its dominance in online search ads market and shielded itself from competitive pressure by imposing anti-competitive contractual restrictions. It was decided that Google abused its dominant position. It is stated that Google's conduct denied other companies the possibility to innovate and compete and consumers the benefit of the competitive process.

(689) **The Defense Suggesting that Google's Local Units do not Have Advantages, Google Locates and Displays Local Units According to the Same Relevance Principles as Other Results:**

- **The following arguments: The claims that Google displays local results “higher and more favorably compared to other organic results” is not correct. Google locates and displays local units according to the same relevance principles. Display and location of local units do not constitute an unfair advantage. Google locates local units according to the comparison of relevance levels with generic results and “unified ranking” mechanism. It displays a local unit on a specific location in case it finds that it is more relevant than generic results (that would be displayed on that location otherwise). Google builds statistical models on the basis of tests to measure local results' quality versus generic results. US FTC confirmed the validity of Google's meticulous tests in its investigation; FTC did not find a violation regarding local search in its investigation. Relevance comparison made by Universal Search can be seen in many internal documents.**
- **The file claims that Google ranks local results without making a relevance comparison. This claim is based on artificial and unclear intangible assessments.**
- **The claim that “the details about the functioning principle of Google's algorithms” are not known shows that how local units are ranked is not understood.**

¹²⁸ Google Android (2018), Case AT.40099

¹²⁹ Ibid, para. 969-981.

¹³⁰ Ibid. para. 976.

¹³¹ *Press Release, Antitrust: Commission fines Google €1.49 billion for abusive practices in online advertising*, 20 Mart 2019, https://ec.europa.eu/commission/presscorner/detail/en/IP_19_1770.

- **The Board has the burden to prove that Google committed a violation. A violation cannot be proven with the claim that something is “unclear”:**

(690) The expression “the details about the functioning principle of Google’s algorithms are not known” points out that it is difficult to verify the information provided by Google that Local Unit is located according to the same relevance principles as other results. On the other hand, the finding that the advantages (visual/display/features) Google provides to its services lead to more clicks and this affects the ranking positively is obvious. The observation in the relevant section and the fact that Google started to display ads in Local Unit supports this finding. To prove the contrary is Google’s liability; the Plea does not deny this obviously.

(691) Beyond those, it is concluded that Local Unit is exclusionary, taking into account the area it covers, display advantages and its location. In another words, even if Google’s alleged relevance test is certainly true, Local Unit’s area and display manner are exclusionary.

- **The Defense that Google Local Search Services do not show Reviews from Websites without their Permission**

(692) It is concluded that Google abused its dominant position by using reviews of websites without their permission until July 2011, however, there is no finding showing that Google used websites’ reviews without their permission afterwards. According to the information provided by Google, websites have alternative methods to prevent/stop the use of the content scanned by Google in only Google local search areas. In line with this, although Google’s conduct that is considered to be terminated in July 2011 is anticompetitive, it is illegally inconvenient to impose administrative sanctions to the said violation due to prescription.

- **The following arguments: The finding that “Google is generally among the top three results among the general search results” does not mean that Google shows local unit regardless of the relevance level.**
- **The data submitted under the scope of the file ignore a large part of the queries (96%) where Google did not show local units. Between January 2015 and October 2019, total search queries amount to 417 billion wheres local unit’s display amount corresponds to slightly above 15 billion. More than 400 billion queries where Google did not show local unit were ignored. Considering average ranking without making an assessment in terms of triggering rate would be meaningless¹³².**
- **The following arguments: If local unit is shown among the first three results when displayed, it means that the results shown in only local unit are highly relevant to the query.**
- **Third party local search services are displayed more frequently compared to the local unit; while local search services are displayed about 100 billion times, local unit is displayed less than 15 billion times; the claim that local unit is advantageous compared to local search services cannot**

¹³² The plea includes the following example: “For instance if a website is displayed on the first rank for a specific query constantly and not displayed for other 99 queries on the first page, the Report will say that its average ranking is 1. However, this is meaningless because the website does not appear on the first page for most of the queries.”

be accepted in a situation where Google displays local search services six times more frequently than the local unit:

- (693) The upstream market is defined as general search services market, when taken together, the high level fixed costs required by the market, Google's wealth of data, brand awareness, externalities and the lack of buyer power lead to the conclusion that Google holds dominant position in the market for general search services. Depending on that, Google, as a search engine, offers services to consumers for all queries and it is found to be dominant in terms of this service. Local search service is a type of specialized search service. For this reason, queries to be made through Google should be specified. Otherwise, as stated in the plea, all queries would be added to this set, which would render the assessment meaningless. The assessments made within the scope of the file are made depending on the results with Local Unit.
- (694) The argument that third party local search services are displayed more frequently than the local unit on the first results page cannot refute the conclusion made because of its deficiencies. First, as stated before, the data set on which this argument is based consists of intermediary websites (websites not providing local search service) such as ikincielim.com, kuspazari.com, nethayvanpazari.com, satilikkopek.gen, otogazete.com and booking.com whose operations in Türkiye were terminated. Secondly, why the traffic from the links that have different extensions belonging to undertakings is included in the calculation is unclear.
- (695) Moreover, Google is increasingly locating its local unit among local search queries; if Google's practices at stake continue, it is clear that the (potential) effects will deepen. According to the assessments made within the scope of the file and given in this decision, it is certain that there are undertakings losing clickthrough rates despite increasing display rates in Google. In case local unit is displayed in the most valuable area of the search result page with the advantages which Google does not provide to its competitors, even if competitors are displayed below, they do not have a chance to receive clicks as much as Google. The comparison between display rates submitted by Google and the traffic amounts found supports those findings. The fact that competitors are displayed under local unit as are lacks evidential value to prove that Google's practices do not produce the effects examined under the file.
- **The argument that some local units' having ads do not affect Universal Search's relevancy comparison and there is no explanation why they should affect; between January 2019 and July 2019 less than (.....) of local units had at least one ad.**
 - **The argument that the finding that "Local Units with ads were identified on 21.02.2020" is surprising because in its response to the first request for information, Google explained that it provided local ads more than one year ago.**
- (696) First the expression "*Local Units with ads were detected on 21.02.2020*" is related to the Local Unit result shown on general search result page. In another words, it is not related to the local unit shown after clicking "see more options" link of the Local Unit displayed on general search result page. Thus, Google should explain when it started to show ads in Local Unit located on general search result page.
- (697) The reason why this bring Google's alleged relevancy test to doubt is that it serves the advertiser by the nature of ads and Google's effort to offer the most relevant result to the consumer's query stays in the background. Such approach shows that the test method that is comparing the relevancy of generic results and candidate local results

is not impartial. Moreover, it is Google who aggressively argue that ranking algorithms regarding generic results and ad algorithms work independently.

- **The argument that it is not surprising that results on upper ranks receive more clicks than results on lower ranks and this is not an indication of a competition problem either; Google tries to list more relevant results above less relevant ones; this is the fundamental aim of search services; Google's Universal Search ensures this; there is no refutative evidence against the fact that Google lists local results according to their relevancy.**

(698) As stated above, it is concluded that Local Unit is exclusionary taking into account the area it covers, its display advantages and location. Asking whether Google's local unit that is located on upper ranks receives more clicks because it is on upper ranks or because it has display (visual and area) advantage will lead to a unilateral perspective. Google allocates an area of five to six blue links on mobile to Local Unit and its argument that Local Unit receives more clicks because it is located higher cannot be accepted. Accepting otherwise will mean that Local Unit receives the same amount of traffic as in a case where it only covers the same area as a blue link, and is displayed under the same features as blue links; however, it is obviously impossible. Google's argument that intervening to this area will harm consumer experience shows that it also admits this point. On the other hand, save for the explanations given above, even under the assumption that Google's alleged relevance test is certainly true, Local Unit's area and display manner are exclusionary.

- **The following arguments: Google shows local search results in useful formats for especially local information, Google does not show local results in special formats to gain any advantage; Google thought about adding maps to local results in February 2007; Google made live traffic experiment and evaluation test, the evaluators told that adding map was an improvement; 40% answered "excellent" and 40% answered "very useful".**
- **In April 2007, Google made a study to get feedback about different designs for showing local results (star ratings, location and contact information, etc.); the study showed that users find the inclusion of such information useful and helpful for making a choice between the results, the evaluations in the file accept that the format used for local results is beneficial for users:**

(699) In the evaluations made regarding the relevant market, information such as maps and reviews are regarded as determinants of user preferences and thereby the competition in the market. Accordingly, what is considered anticompetitive is not Local Unit with "map" and "reviews and ratings" but not providing this opportunity to local search service providers. This difference between Local Unit and competitors is discussed under "Assessment of the Claims Related to the Positioning and Display of the Local Unit" Google's self preferencing ended up in anticompetitive effects that are detected within the scope of the file.

I.6.2.2. The Defense that Google cannot Show Third Party Local Search Services in Local Unit without Sacrificing Quality and It does not have Such Liability Under Competition Law

(700) **The Defense that It Cannot be Proven that Third Party Local Search Services Provide Better Results Than Google**

- The following arguments: There is a claim in the file suggesting that Google's services are "of lower quality" compared to third party local search services; the assertion that Google's local results are of lower quality compared to third party local search services or third party local search services are superior is not proven, such claim is not even put forward; the expression "*It is not possible to conclude that the local search services provided by the competing local search services are inferior than the local search service provided by Google*" is an indication that there is no "clear and absolute" consideration that Google committed violation "without doubt";
- The assessments in the file regarding the quality of local unit and third party local search services are incomplete; basic quality criteria regarding the local search service quality are overlooked in the comparison; the aim of Google local search results is to identify the relevant places and businesses that can answer users' queries and meet their needs; Google's basic quality elements concerning local search are whether local results displayed are relevant or not, whether the information submitted for those results are correct or not and whether Google's way of providing those results make the results understandable and help users what they search for; the file does not mention any of these basic quality elements; only Google's and Tripadvisor's secondary features such as filters, reviews, ratings and restaurant categories are taken into account,
- One of the distinctive features of Google's local results is map, Google's map technology is regarded as the most developed of its kind, a good mapping technology is a requirement for providing high quality local results, in this way, Google both guarantees the validity of local results and shows local results in a useful manner; no other local search service has reached such technology level but this basic feature is ignored completely.
- Google's local results provide all the features provided by Tripadvisor such as rating, price range, locations, etc. and more, Google follows a different method than Tripadvisor while gathering data, which is a part of legitimate competition based on different approaches, Google's method is at least as legitimate as Tripadvisor's and it is a mistake to punish Google based on this,
- It is meaningless to discuss the secondary features such as review and ratings and Google cannot be criticized for showing its own reviews,
- There is no evidence showing that third party local search services can provide superior services than Google and the observation that Google can provide better services by showing third party local search services in the local unit is pointless:

(701) The issue that must be pointed out is the fact that it is hard to make a universal definition for the concept of quality, and that it is impossible to know which elements of quality users attach importance in real life. Knowing this, observations are made by considering the picture seen after the most possible objective elements are taken into account. The idea in the plea that the main element of quality assessment is the ability to show results relevant to the query requires a good knowledge of Google's and its

competitors' algorithms. It is impossible in the normal course of life that Google can know the algorithm used by its competitors.

(702) The observation in the file that *"It is not possible to conclude that the local search services provided by the competing local search services are inferior than the local search service provided by Google"* means that Google's practices that are found to be anticompetitive are likely to lead to consumer harm in the form of quality loss directly as alleged and create exclusionary effects on its competitors by means of showing its own results more relevant than they actually are compared to its competitors.

(703) In other words, what is investigated is not whether there is a competitive problem stemming from Google's inferior service quality. What is investigated is whether Local Unit where Google provides local search services is exclusionary. The basis of this observation is i) the finding that Google is favoring its own accommodation price comparison service against its competitors in terms of location and presentation on the general search results page, ii) Google is a source of traffic for its competitors that is currently very difficult or impossible to substitute and iii) Google does not allow the competitors to access Local Unit. While examining whether the potentially exclusionary practice has led to market foreclosure, parameters such as traffic volume, display rates and clickthrough rates, which are determinant for the competition in the market are taken into account, contrary to what Google argued.

(704) The decision compares the services provided by the competitors in local search services and accommodation price comparison services markets, which are on upper ranks in Google's organic results and the services provided by Google in detail. Consequently, it was not concluded that Google's services are more comprehensive than its competitors. The following internal correspondences collected during the on-site inspections conducted at Google confirms the findings about the service quality of Google and competitors:

"... Google is not known for providing reviews, prizes or better offers/prices. In local search, users identify such features with Google's competitors."

"Competitors are providing a good local search experience as well."

"Competing products have richer user content than Google's."

Quality is increasing but we have a long way to go."

Local search discovery interaction is limited due to strong competing products."

Google has limited user content compared to competitors"

(705) As a result, the examination conducted within the scope of the file concludes that the quality assessment for Google and competitors are made according to objective criteria as much as possible.

(706) **The Defense That Google Cannot Include Local Search Services Instead of Local Businesses and Places in the Local Unit without Seriously Damaging its Quality Technically**

- **The following arguments: The observation that Google will offer good services by adding third party local search services to local unit is technically wrong, Google cannot do this without damaging its quality seriously, If there is a request to add local search services to local units, Google will have to quit its specialized technologies used for finding relevant results regarding local places and businesses; it will not be able**

to show results for places and businesses on a map and it is not possible to guarantee the quality, accuracy and consistency of the local results provided by third party services.

- Yelp's FOTUL solution confirms the serious quality problems to be created by displaying local search services instead of Google's results, Yelp developed FOTUL solution to show how local search services will be integrated to Google's local unit but had to withdraw FOTUL solution because the results shown as a response to user queries are of poor quality, FOTUL's problems do not stem from being a "prototype" as argued without any evidence or basis, if it were true, Yelp would continue to develop that tool but Yelp did not do that and withdraw FOTUL tool completely.
- By highlighting the local carousel launched by Google in Europe, it is argued that Google can add local search services to local unit; however, the European Commission accepts that it is not possible or desirable for Google to replace local businesses and places in the local unit with local search services' websites,
- The local carousel does not make any changes to local results' ranking or display, Google chooses the local search websites to be displayed on the local carousel depending on the ranking of local search services in the local carousel and generic search results, Google's local carousel does not display local search websites according to the mechanisms used to choose local results:

(707) The findings and observations made in the file lead to the conclusion that Google obstructed the operations of its rivals and distort competition, by favoring its own local search and accommodation price comparison services in terms of location and presentation on the general search page in comparison with those of its rivals and by refusing access of competing local search sites to the Local Unit and Google should be imposed the liability to ensure that competing local search services are no longer at a disadvantage before Google's own related services on the general search results page to reestablish competition. At this point, there is no suggestion that the results in the Local Unit be removed and local search websites be included instead and/or FOTUL be implemented as an alternative to Local Unit. Therefore, emphasizing practical impossibility depending on those issues is an effort to deviate from the aim. Moreover, it is observed in the file that as a company with significant experience and power in the field of global general search services, Google can develop more technically sophisticated interfaces if it chooses to show competing websites in its local units or create alternative solutions.

(708) Although there are hesitations that the Local Carousel launched by Google will solve the competitive concerns caused by Google's practices completely, it is important in showing that the methods to recover competitors' disadvantageous position can be discussed and Google has technical opportunities and ability to propose alternative solutions. It is understood that Google will choose the most relevant alternative by means of its algorithms in the said carousel. Currently, Google evaluates and ranks competing websites in a response to any query according to its algorithms.

(709) **The Defense that Google has been Imposed the liability to Grant Access but the Necessary Legal Conditions for This Liability have not been Met**

- **The following arguments: It is stated in the file that Google should grant local search services access to local unit, Google is asked to create a new specific access method (results giving links to local search services), to support this liability, first it should be proven that Google has the liability to grant access according to article 6 of the Act no 4054 but this cannot be proven.**
- **There is no counter-argument in the file against the argument that the conditions required for the liability to grant access, being indispensability and elimination of efficient competition, have not been met.**
- **The basis is only the argument that local unit is local search and is on the same market as third party local search services.**
- **This approach is legally and factually wrong, local unit is not local search, the definition of local search in the file does not meet the local unit, unlike the local search service, a user cannot make a search in the local unit, local unit is displayed in response to a query made on Google and consists of a group of search results aiming to develop Google's general search results.**
- **Under the assumption that local unit is a local search service, Google would be asked to provide access directly to its competitors, granting access to competitors in the same market would be more interventionist than granting access to a product in a vertical market, which will contradict with the principle that "competitors should not cooperate but compete".**

(710) The plea argues that the violation must be identified as a refusal to deal to introduce the measures envisaged within the framework of the file. The Guidelines state: "*As well, the practice of refusal to supply may be aimed at those undertakings which are rivals to the dominant undertaking in the downstream market, or at those customers that are not in competition with it. In this instance, the concept of 'downstream market' refers to the market for which the input demanded is needed for manufacturing a product or providing a service.*" As mentioned in detail above, when identifying an infringement, the Guidelines look for the co-existence of the following three conditions in addition to an examination of the elements of market foreclosure:

- *"The refusal should relate to a product or service that is indispensable to be able to compete in a downstream market,*
- *The refusal should be likely to lead to the elimination of effective competition in the downstream market,*
- *The refusal should be likely to lead to consumer harm."*

(711) As shown by the provisions of the Guidelines, the refusal to deal theory requires a downstream/upstream relationship and opens the way for an undertaking in the downstream market to access an input in the upstream. The Board decisions shown as a reference in the Plea show this approach.

(712) Google provides a local search service with Local Unit. The behavioral remedy to be imposed in the file aims to terminate the disadvantageous position of competing local search websites in terms of Local Unit's position and display; in another words, to ensure a competitive environment under equal conditions. It is not possible to agree with the argument that Google's exclusionary conduct should be considered within the framework of the refusal to deal and competitors should be included in Local Unit does

not depend on a legal basis, by ignoring the competitive relationship and assuming that Local Unit is in the upstream market and local search sites are in the downstream market.

- (713) In addition, the grounds of article 6 of the Act no 4054 clearly explains that the second paragraph lists the most commonly encountered abuse cases in practice as examples in the second paragraph and the cases are not limited to these examples. Therefore, there is not any kind of requirement to prove one of the exclusion theories.
- (714) In line with the provisions of the guideline, the necessary sanctions and remedies are identified by taking into account Google's and its competitors' position in the market, the existence of dominance in the upstream market, the conditions in the relevant market, the position of competitors vis a vis Google and their ability to develop counter strategies against the examined conduct and the effects on both local search service providers and consumers. Consequently, the argument in the plea that competitors' access to Local Unit is illegal without making an evaluation within the scope of refusal to deal theory is irrelevant.

1.6.2.3. The Defense That There is No Anticompetitive Market Foreclosure in Local Search Services in Türkiye

- (715) **The Defense that Google Drives Huge and Increasing Amounts of Traffic to Local Search Services, which is Contrary to Market Foreclosure Claims**

- The following arguments: The observations in the file argue that traffic going to competing website decreases and local search services market is foreclosed anticompetitively because Google positioned local unit without including third party search services. Google drives huge and increasing amount of traffic to local search services in Türkiye, Google traffic to local search services has increased significantly since Google launched the local unit in Türkiye, the examination made in the file states that 30 local search websites' organic traffic directed from Google has increased "about (.....)% in the last three years":

- (716) The plea argues that Google drives huge and increasing amounts of traffic to local search services, which is contrary to market foreclosure claims. It is stated in the findings and observations in the file that while 30 local search websites' organic traffic received from Google has increased about (.....)% in the last three years (January 2017 - November 2019), Local Unit traffic has increased (.....)% in the same period. As of January 2017, the sum of the traffic received by the relevant competing websites from Google organic results is nearly (.....) times bigger than Local Unit traffic. However, at the end of three years, Local Unit can receive traffic higher even than the sum of the organic traffics of thirty competitors. Thus, even if there is an increase in the amount of traffic from Google to other websites, Google has been getting bigger shares from the market than its competitors in years as a result of its conduct in question.
- (717) At this point, it should be emphasized that anticompetitive market foreclosure is not limited to competitors exiting the market or losing market share. Another factor that the Board considers while detecting anticompetitive market foreclosure beside the position of the dominant undertaking and its competitors, market structure and the scope of the conduct is possible evidence of actual foreclosure. According to the Guidelines a case where *"For reasons attributable to the allegedly abusive conduct, the market share of the dominant undertaking may have risen or a decline in market share may have been*

slowed” is adequate for actual effects. Consequently, increasing traffic from Google to its competitors does not mean that there is no market foreclosure. The observations showing that most of the competitors cannot receive constantly increasing organic traffic from Google or lose traffic also indicate that competitors are affected actually. In light of those observations, it is thought that the cake is getting bigger in response to the increasing demand of users but competitors are getting a smaller slice from the cake.

- **The following arguments: The increase in the number of clicks is a competitive result not an anticompetitive foreclosure. Google shows local unit only when it is relevant, the clicks that the local unit receives reflect the relevance level compared to other types of results, only an observation that the local unit receives clicks is not sufficient to support anticompetitive foreclosure claim.**
- **In the case, the only reason why competitors’ shares have fallen is overall market growth. Displaying local unit has increased the total clicks in the market without decreasing competitors’ traffic. The increase in service outputs (click) does not mean anticompetitive foreclosure. For instance, in a market with a single supplier (Company A), in the first year this company sells 10 products. In the second year Company A sells five more products (totally 15) and Company B enters the market and sells 20 products. According to the assessment in the file since Company B expands its activities and Company A loses shares, it should be concluded that B abuses its dominant position. In that case, the changes in shares due to competitive expansion are mistaken for exclusionary abuse.**

- (718) According to the observations made in the file, Local Unit has advantages in terms of display in comparison with the rivals. Starting from this observation, if Local Unit’s position is determined according to the relevance of queries as asserted by Google, this does not eliminate possible exclusionary effect stemming from display advantage. In another words, in a world where Local Unit is subjected to relevancy test as asserted by Google, it is likely that the increases in the number of clicks on Local Unit is not a result of a natural competitive environment due to Local Unit’s advantage in terms of display. The impact analysis made in the file verified that.
- (719) In addition, showing ads on Local Unit makes what type of a quality or relevance test is made between an area with an ad and organic result unclear and leads to doubts about Google’s alleged relevance test.
- (720) Lastly, it is acceptable for undertakings to increase their output level under legitimate competition conditions in terms of competition law. However, abuse by the dominant undertaking of this position out of legitimate competition conditions is prohibited. In the concrete case, competitive structure of the market has already been distorted because Google has favored its services in terms of location and display. To revise the sample that depends on lacking hypotheses, under a hypothetical example where only a single product (A product) is sold and there is a single market, market owner starts to sell product A, puts his stall at the front row and pushes competing stalls to back rows. In the following year in case the demand for product A increased by 100 units, even if undertakings’ sales figures increase, 90 unit increase in the market owners’ sales and 10 unit increase in competitors’ sales cannot be explained by only the change in shares. The example given in the plea is not possible in a market with

normal competition conditions and the argument is inappropriate. Google has changed the game rules with providing advantages to itself far away from an ideal world where the good win.

- **The following arguments: The analysis in the file regarding free Google traffic sent to each website verifies that there is no anticompetitive market foreclosure. Successful websites such as Foursquare, Enuygun, Etstur and TripAdvisor are omitted without any explanation. The free traffic from Google to nine websites considered has not decreased; instead, there has been a constant increase.**
- **As a result of the analysis made in the file, two websites were found to be losing traffic; one of those, Zomato, loses free traffic because its mobile app has been promoted well and successful; thus users has started to search through the mobile app. The loss in Doktorsitesi in 2019 can be explained by the investments of its competitor Dokortakvimi. Even if Doktorsitesi and Zomato experienced losses in free Google traffic, this does not indicate a competition problem.**
- **The finding that “*it is not possible to conclude that competitors are not affected*” violates the principles stated in Sahibinden decision of Ankara 6th Administrative Court by following a meaningless and wrong standard of proof. There should be a concrete evidence showing that competitors are affected. The allegations of market foreclosure in the file will be invalid within the scope of the frame drawn in Sahibinden decision:**

(721) In the file, first the change in each competing local search website's traffic from Google is examined by considering the source of the traffic (organic, Google Adwords, Hotel Ads.) The examination makes use of the data of 18 undertakings operating in accommodation and other areas. Contrary to the what is argued in the plea, local search sites with huge traffic volumes operating in both accommodation (ETS, Enuygun etc.) and various other fields (Kolayrandevu, Armut, Bulurum etc.) are included in the examination. The websites whose organic traffic is regularly increasing despite fluctuations are few. Therefore, it cannot be concluded that competing local search websites continue to receive regular or increasing traffic from Google or competitors are not affected. On the other hand, the said analysis is not the only factor to be used in detecting market foreclosure; many data analysis results show the existence of market foreclosure. Accordingly, both the comparison between competing local search sites' total traffic and total organic traffic from Google and Local Unit's traffic, and assessments regarding the number of displays and clickthrough rates obviously show that Google's practices complicate competing local search services' practices and put them at a disadvantageous position. Consequently, the argument in the plea that market foreclosure is not based on concrete evidence is inappropriate.

- **The argument that the allegation that the number of displays concerning local units is more than the calculated number of displays concerning individual local search services is wrong. Third party local search services are displayed more than local unit. Chart 44¹³³ takes into account a few individual webistes. What is important for competition is the competitive pressure made by many competitors not whether a single competitor is displayed more or less than the local unit.**

¹³³The plea refers to paragraph 644 of the Report showing the same chart.

- **Local unit shows relevant local businesses and places for any local information and naturally it is displayed more than experts focusing on a special field. The number of local unit displays is similar to its competitors when compared according to certain information sub-categories. For instance the number of local unit displays regarding food and drink in 2018 is (.....) and it is ((.....)) less than Zomato's first page. The number of local unit displays in 2018 for accommodation and travel queries was (.....), less than ((.....)) Hotels.com and ((.....)) than Trivago:**

(722) First, 32 websites are taken into account including “successful websites such as Foursquare, Enuygun, Etstur and TripAdvisor” as defined by Google are considered, not a few as argued.

(723) Secondly, evaluation of Google's and competitors' performances depending on the number of displays only in a specific time, as is done in the plea, will fail to show the impact because that approach does not show *whether the conduct in question prevents the continuation or development of competition*¹³⁴. The subject is analyzed with this perspective. The number of Google's local unit displays increased by about (.....) fold in 4.5 years and meanwhile the share of local unit in general search results increased by (.....) fold. When only local queries are taken into account, Local Unit's display rate is high and increasing constantly.

(724) In addition, even if the number of displays of local search websites has increased, it is seen that they cannot receive a stable traffic from Google compared to Google. The observations and evaluations made within the file show that Google obtains significant traffic volume compared to its competitors and the increase in this traffic is rapid. On the other hand, it is understood that competing local search sites cannot have a stable growth rate like Google. Moreover, the said growth is not specific to certain sectors; Google receives important traffic in all sectors except two (complex and geopolitical) among eleven sectors defined by Google. As a result, Google's argument is regarded irrelevant.

- **The following arguments: Analyzing clickthrough rates of 16 local search services in the file is meaningless. It was observed that clickthrough rates of those websites were decreasing. At this point, there is confusion about what clickthrough rate is. Clickthrough rate is not the same as traffic, if the number of displays is 100 and the number of clicks is 50 for website A, the clickthrough rate will be 50%; if the number of displays is 1 and the number of clicks is 1 for website B, the clickthrough rate will be 100%. Website A receives 49 more clicks and is displayed 99 times more than website B. Thus, clickthrough rates cannot be criteria for measuring the traffic of a website. The analysis made in the file accepts that the display rates of local search websites have increased, their average ranking has fallen and traffic from Google has increased. The fall in clickthrough rates of local websites in generic results is meaningless and does not support the claims in the file:**

(725) The plea argues that clickthrough rate is not a criterion to calculate how much traffic a specific website receives. However, there is no evaluation that clickthrough rate is a traffic data directly. Clickthrough rate is the frequency of clicks made when a website is displayed and these data are closely related to the traffic volume to be received by websites. Google Local Unit's advantageous position and display format compared to

¹³⁴ Hoffmann-La Roche & Co. AG v. Commission, Case C-85/76 (1979) ECR 461

its competitors increase the possibility of clicks when displayed, which allows Google's local search services to receive more traffic. The analysis in the file shows that Local Unit is mostly shown in the first rank -when displayed- and clickthrough rates significantly fall scrolling down the listing on the search results page.

(726) Competitors cannot attract sufficient clicks even when they are located on the first page or upper ranks among blue links since Google displays its own local search services well above its competitors, on a wider area and in a more favorable format compared to its competitors. This observation is supported by the fact that in terms of each website, during the entire or a significant part of the period between 2010 and 2019, although display rate increases and/or average ranking decreases (being displayed on an upper slot), clickthrough rate decreases. Moreover, competitors' increasing display rates and decreasing average ranking may show the relevant websites' relevancy with users' query as alleged by Google. As a result of Google's said practices, although the display rates of the competitors that can answer users' queries better increases and/or their average ranking decreases, clickthrough rates do not increase; in another words, it is more difficult for competitors to receive traffic.

(727) **The Defense That Local Search Services Receive Traffic From Many Sources Especially Mobile Apps and are not Dependent On the Free Traffic From Google**

- **The following arguments: It is suggested that 60% to 90% of the total traffic of local search services is received from Google and only a small part of the traffic is received from other sources. The definition that users first visit general search services and then go to local search service and enter a new query and afterwards local search service is given to users is wrong. Users visit the website directly by writing the URL on the address bar or using a bookmark, also users can go to a website by writing its name on Google; local websites can receive traffic by means of display advertising, directions, social media, mobile apps and other search engines. Mobile apps with local search features are popular in Türkiye, many local search sites are successful in developing apps and those apps are the main traffic source, the observations in the file totally ignore mobile apps as a traffic source.**

- **The observations failed to include important alternative traffic sources, considering that there are many important traffic sources other than Google, the claim that a loss in traffic from Google will lead to anticompetitive market foreclosure is baseless.**

- **According to SimilarWeb data, direct visits consist 56% of total traffic of local search websites. The share of non-navigational free traffic from Google is 30%. Traffic from mobile apps is not included in calculations. The observation in the file ignores those data and is based on a data collected from a small group of undertakings, which do not reflect the whole market. This approach is wrong.**

(728) The calculations in the file are made considering the traffic received from all sources including sources such as mobile apps, direct visits, social media and advertising. In line with the calculations, it is found that 60% to 90% of the total traffic of local search services is received from Google. Although the share of traffic from Google varies, this share has generally a horizontal course and does not have a decreasing tendency systematically in time.

(729) The allegation in response to that approach and finding that “direct visits consist 56% of total traffic of local search websites and the share of non-navigational free traffic from Google is 30%” cannot refute the finding because it is deficient. First, as stated before, the data set on which this argument is based consists of intermediary websites (websites not providing local search service) such as ikincielim.com, kuspazari.com, nethayvanpazari.com, satilikkopek.gen, otogazete.com and booking.com whose operations in Türkiye were terminated. Secondly, how the traffic from the links that have different extensions belonging to undertakings is included in the calculation is unclear. Third, traffic from Google covers only non-navigational free traffic (traffic from searches not made specifically on the relevant website) ignoring the traffic from searches made specifically on the relevant website in Google general search engine. Fourth, as of December 2019, considering that (.....)% of Local Unit’s total traffic is from the mobile channel, the calculation’s error margin will be higher because SimilarWeb data set includes only desktop data. Lastly, since the data set used in observations and findings within the scope of the file is taken from undertakings, its error margin will be lower compared to that of Google. As a result, it is not possible to consider the shares given in the plea.

(730) The Defense That Google’s Share in Local Search Traffic is Very Low and This is Not Compatible with Anticompetitive Market Foreclosure

- **The following arguments: The observation in the file claims that Google’s traffic share in 2019 is (.....)%. Competitors which are accepted as a part of the market and which they do not accept as a part of the market but meet the criteria determined in the file are left out of the market. Competitors which do not meet the criteria determined but provide local search services in reality and should therefore be included according to the objective market definition criteria are also left out of the market.**
- **Even if the two mistakes mentioned are corrected, under the methodology used in the file, the share of Google’s traffic in local search is (.....)% for desktop and (.....)% for desktop and mobile together in 2019.**
- **Unlike the measurement of competitors’ traffic, inconsistent criteria were used for Google’s traffic. While Google’s traffic is calculated on the basis of the clicks on local unit, competitors’ traffics are calculated according to numbers such as logins/visits. According to the sectoral standards, if two (or more) clicks belong to the same user and the duration between clicks is less than a certain threshold (generally less than 30 minutes), they are regarded as a single login. Therefore, a single login can be affiliated with more than one clicks that are not regarded a new login. For instance, while user activity at a same level such as clicking on different results to compare them is regarded as a single login when it is related to Google’s competitors, it is accepted as more than one login for Google. Moreover, when there is not a consistent definition, some competitors might not have calculated logins in certain channels such as mobile apps and an important part of their traffics might have been excluded.**
- **Agoda, Doktorsitesi, Expedia, Find, Foursquare, Fultrip, Kurs, Skyscanner and Trip are among local search services where the traffic not coming from Google is ignored. According to Similarweb data, more than (.....)% of the average desktop traffic of the aforementioned websites and (.....)% of their mobile traffic comes from sources other than Google. Ignoring the**

sources other than Google leads to the calculation of competitors' traffics less than as they are and Google's shares more than they are.

- Google's share is lower than amounts leading to market power assumptions and the Authority's block exemption thresholds:

- (731) The arguments regarding the scope of local search services market are mentioned in previous sections and it is concluded that the arguments do not affect the results. Thus, the suggestion that *“Even if the two mistakes mentioned are corrected, under the methodology used in the file, the share of Google's traffic in local search is (.....)% for desktop and (.....)% for desktop and mobile together in 2019”* is wrong and misleading.
- (732) The argument that the traffic from sources apart from Google is ignored is discussed in the previous sections. In addition to the explanations, the above-mentioned deficiencies of source distribution analysis depending on Similarweb data create doubts about the validity of the shares indicated.
- (733) Considering the difference between the calculation of competitors' and Local Unit's traffic, Google keeps traffic log only on the basis of the number of clicks and provides data on the basis of the number of logins by means of data analytics tools provided to other websites. Moreover, other traffic sources also provide data on the basis of the number of logins. Therefore, the type of the traffic, which Google objects to, is used because Google did not provide another type of data. For the sake of the validity of the methodology used in the file, it is not possible to talk about a situation where traffic or the number of logins is regularly higher compared to one another. Contrary to what Google argues, there are cases which receive clicks but do not turn into logins. Therefore, there is not a difference between two traffic types that can change the conclusion of the file. The examination in the file also uses the traffic amount directed by Google to its competitors. Those data are given on the basis of the number of clicks.
- (734) Lastly, the argument that Google's market share is well below the Authority's block exemption thresholds ignores the fact that anticompetitive effects of vertical agreements that are the subject of block exemption and abuse of dominant position at stake are different and thus the examination of those under competition law is different.
- (735) **The Defense That There is Not Any Local Search Services That Experience Difficulties in Türkiye Other Than Yelp in the File**
- **The following arguments: No undertaking was found to be experiencing difficulties in Türkiye other than Yelp. The reason why Yelp failed is that it offered low quality services in Türkiye and both its local and global competitors are successful. Google's practices do not affect Yelp's traffic loss. It is argued in the file that Yelp's traffic loss cannot be attributed to its commercial failure because Yelp continues to develop its content. However, there is no evidence, data, discussion, study or document in the file to support that claim. On the contrary, there is lots of evidence showing that Yelp offers low quality services including SQN's 100-slide quantitative presentation prepared by Yelp's own investors.**
 - **Competition law protects competition not individual competitors. Supporting less efficient competitors such as Yelp will ultimately harm consumers because consequently consumers will face low quality services. The file shows an equally efficient competitor; besides, no other competitor experiencing difficulties in Türkiye is detected. It cannot be proven that the competitive process is damaged as a whole.**

- **The observation in the file attributes to only materials included in a study submitted by two undertakings whom Google does not know apart from mentioning the difficulties Yelp experienced. Those studies indicate that in case a website's ranking falls in generic results the website will receive less traffic. However, thinking that the examination in the file finds Google's search ranking legitimate, which conclusions the file is trying to draw from this study is not understood. One of the studies made in the file show that Google's launching local unit "has increased the traffic". This is contrary to the observations made in the file.**

- (736) It is stated in the plea that the file is far from showing an equally efficient competitor; besides, no other competitor experiencing difficulties in Türkiye is detected; it cannot be proven that the competitive process is damaged as a whole. The effects of Google's said practices are examined in detail not only in terms of Yelp but also many competitors operating in local search services market and accommodation price comparison services market, which the plea also consider successful (such as ETS, Enuygun). Even if it is assumed that Yelp exited the market because of its own failure, this cannot legitimize Google's practices with violating nature. Evaluating Google's practices in the market only in terms of Yelp is misleading and unrealistic. It is inferred from the information in the file that Yelp made investments to improve its content and lost shares against Google in US, where it focused its investments. In addition, the analysis made in the file shows clearly that Google complicated its competitors' activities and put them on a disadvantageous position by favoring its own services. It is possible to say that a competitor as efficient as Google may be put in a disadvantageous position vis à vis Google's own services.
- (737) On the other hand, the plea mentions a study by a competing local search website that is considered in an examination and referred to the evaluations in the file. The plea states that the study indicates that in case a website's ranking falls in generic results the website will receive less traffic; however, thinking that the examination in the file finds Google's search ranking legitimate, which conclusions the file is trying to draw from this study is not understood. Google interprets the expression "*On the other hand, a natural outcome of Google's general search results page is that any change in ranking leads to a better position for one website and a worse one for another. In other words, an algorithm change affecting the ranking of one website positively means another website has lost its ranking.*" to mean that its search results are regarded legitimate. It is an intrinsic feature of all general search services that while a website's ranking is improving another one's is deteriorating. This does not mean that Google's search results are legitimate under any circumstances. The main issue discussed under the file is that Google favors the services in question in terms of display and location to put its competitors at a disadvantage. As stated before, it is seen that there are cases where competing local search services cannot receive traffic even if they are located among blue links at upper ranks.
- (738) Another point argued in the plea is that the file refers to a study made by a competing local firm and argues that Google's launching local unit "increased traffic" and this is contrary to the assessments in the file. However, the said study that argues that Google's launching Local Unit increased the traffic from ad channel. It is stated in the study that as a result of the Google's practices at stake the website's organic traffic from Google decreased; in order to keep its visibility in general search results the website had to use Google's paid channels. After the said website chose Google's paid channel GHA, its traffic in this channel increased regularly. Therefore, it is not possible

to say that Google's launching Local Unit increased the traffic. On the contrary, Google's launching local unit led to a decrease in the local search website operating in accommodation area, as a result, the competing local search websites had nothing to do but refer to Google's paid channels in order to receive traffic. In another words, this supports the consideration that Google's practices in question constitute abuse.

- The Defense That Yelp's Loss in Ranking Due To Panda 4.0 Only Shows That Google's Algorithms Work Normally and Legitimately

(739) The file examines Google's algorithm changes, especially Panda 4.0, together with Yelp's and other competitors' traffic and ranking. As a result of the assessment, no evidence is found showing that Google's search algorithm updates target competitors, complicate the activities of competing websites or deteriorates their traffic volume.

I.6.3. The Defense that Google's Showing Hotel Ads does not Constitute an Abuse

I.6.3.1. The Defense That Hotel Ads are Types of Ads Where MSS And OTAs can be seen and Gain Traffic and This Type of Ads cannot Exclude the Said Websites

- The following arguments: Google's hotel ads are kind of ads making accommodation price comparison services including hotel owners, OTAs and MSS and advertisers visible; users find it useful; they enable advertisers to promote hotels' inventory efficiently.

- Hotel ads provide advertisers including MSS an additional traffic source; Google's displaying hotel ads benefits accommodation price comparison services shown in those ads rather than foreclosing the market; the file does not provide "concrete evidence" showing how displaying hotel ads put accommodation price comparison services at a "disadvantage", the file depends on only "observations and assumptions":

(740) As stated under the argument "the analysis related to accommodation price comparison services" OTAs are not in accommodation price comparison services market.

(741) Including competing undertakings to GHAs where Google provides price comparison services will be useful as it will give the opportunity to competitors to attract traffic to their websites directly. However what is regarded anticompetitive here is that GHA is more advantageous than its competitors in terms of location and display. The relevant part of the decision elaborates on knowledge panels with GHA on the basis of their location on desktop and mobile, their area and display format depending on screenshots and shows Google's advantage in this regard. It is concluded that Google's advantage creates anticompetitive (possible) effects because i) Google is dominant in general search services market and competitors offering accommodation price comparison services depend on Google to reach consumers ii) under those conditions, it is possible that GHA's location at the most valuable part of the general search engine and the area it covers as well as its display format may direct consumers to this area in another words competing websites among the results might be clicked and displayed less. Contrary to Google's argument that "the file depends on only observations and assumptions", the file analyzed the effects of the practices that are likely to create anticompetitive effects on competitors' traffic volume, display rates and clickthrough rates depending on data.

- The argument that the file states that clicks on hotel ads regarding OTAs are directed to a page where users in OTA websites can directly book a

room whereas clicks on hotel ads regarding MSS are directed to a page without booking function; since the links to the page where users can book a room directly are more attractive, MSS are put at a disadvantage; Google has nothing to do with this picture; it is because OTA's have booking function while MSS do not.

(742) As given in the response to the previous argument, considering that Google is more advantageous in terms of location/display in general search results and traffic from Google is the fundamental input for consumers together, GHA is by nature exclusionary and competitors' display format does not remove the likelihood of exclusionary effect due to the aforementioned reasons. As a result of this finding, the impact analysis in the file justifies the concerns.

- **The arguments that hotel ads are not more advantageous than third party accommodation search services in terms of location and display; hotel ads receive less clicks and display than those received by accommodation price comparison services from Google's organic results,**
- **From January 2019 to September, hotel ads received less displays than (.....) on the first general search results; accommodation price comparison services received free displays more than (.....) (for OTAs more than (.....) and for MSS more than (.....)); those data show that accommodation price comparison services receive (.....) times more displays than hotel ads,**
- **From January 2019 to November, hotel ads received (.....) clicks on general search results page, accommodation price comparison services received more than (.....) free clicks (for OTAs more than (.....) and for MSS more than (.....) clicks), these data show that accommodation price comparison receive (.....) times more clicks than hotel ads:**

(743) As stated above, this argument should be considered on the basis of MSS because agencies are not competitors in accommodation price comparison services market.

(744) First, evaluation of Google's and competitors' performances depending on the number of clicks and displays only in a specific time, as is done in the plea, will fail to show the impact because that approach does not show *whether the conduct in question prevents the continuation or development of competition*¹³⁵. With this awareness, the file analyzed average display/clickthrough rates and GHA traffic as well as the growth in competing MSS Google organic traffic volume. The results showed that Google's offering its own product on an extremely wider area, mostly at the top and in a visually rich format affect competitors negatively.

(745) Secondly, comparing MSS's display amount and GHA's display amount alone is not enough to determine the course of competition between Google and competitors. The users can reach the price comparison service provided by Google on the general search results page as a result of their query without an additional action because GHA with knowledge panel is shown on the general search results page. On the other hand, for users to access a similar service provided by competing platforms, they must first click on the link to the relevant platform on the general search results page and visit its website. For this reason, the fact that competitors' display amount is more than GHA's display amount does not have sufficient conclusive force to prove that there is no effect on competitors.

¹³⁵ Hoffmann-La Roche & Co. AG v. Commission, Case C-85/76 (1979) ECR 461

- (746) Considering the defense based on the number of clicks, restricting the data regarding clicks to hotel ads to general search results page does not show the real picture. Users can use Google's price comparison service on Local Unit's "Overview" and "Prices" tabs. Having this in mind, the total number of clicks regarding hotel ads during the period considered by Google is not (.....) as suggested by Google but (.....).
- (747) Lastly, depending on the data set used for calculating the number of displays and clicks, click/display data belonging to extensions of MSS apart from tr, for instance 10 different extensions of Tripadvisor other than tr, were also taken into account. However, there is no explanation about how the extensions apart from tr were included in the calculation. In another words, while including the extensions other than tr are included in the calculation, it is unclear whether clicking/displaying by users in Türkiye who use MSS which have extensions other than tr or clicking/displaying by foreigners who receive price comparison service regarding accommodation facilities in Türkiye from MSS that have extensions other than tr is taken into account. For those reasons, the accuracy of the size of the data created could not be questioned.

I.6.3.2. The Defense that Google's Market Share is Very Low; Anticompetitive Foreclosure Cannot be Proven in Terms of Accommodation Price Comparison Market in Türkiye

- **The following arguments: The file alleges that Google's displaying hotel ads forecloses accommodation price comparison services market in Türkiye; contrary to the requirement of "*proving with clear and conclusive evidence beyond suspicion*" in Sahibinden decision, there is no calculation regarding traffic shares and competition law analysis; instead, it is said that shares cannot be calculated.**
 - **There are dozens of successful websites including more than 55 OTAs and 13 MSS with root domains in accommodation price comparison services in Türkiye; those websites gain traffic from Google in significant and increasing amounts and produce traffic in many other sources especially mobile applications; Google's share is too small to consider and it is not possible to foreclose the market with so low shares.**
 - **In the data calculation made on the basis of the data obtained by Google from third party data provider SimilarWeb, Google's traffic share in accommodation price comparison in Türkiye is minimum; its highest share in all years is (.....)%, when only MSS are taken into account, this rate is maximum (.....)%.**
 - **The file argues that considering the fact that some of the accommodation price comparison services offer other search services, it is wrong to attribute all the traffic to accommodation price comparison services, in order to resolve that concern, a more conservative traffic share calculation was made using proxy accommodation price comparison services' shares covering only the relevant traffic; according to that calculation Google has a marginal share of (.....)%; when only proxy MSS are considered this rate is (.....)% at the most, this insignificant share is not compatible with the claim that Google foreclosed the market.**
- (748) As stated above, this argument should be considered on the basis of MSS because agencies are not competitors in accommodation price comparison services market.

- (749) The constraints about market share calculation based on clicks in accommodation price comparison services market are explained before. One of those constraints is that it is difficult to detect to which field the traffic based on clicks going to competing websites are directed because MSS provide services in different fields over the same platform such as flight search, airport transfer in addition to accommodation price comparison services. Therefore, Google's first market share calculation is not considerable. In terms of the second analysis made by Google to overcome the said constraint, the number of clicks on hotel ads in Knowledge Panel is used for Google whereas data regarding visits in SimilarWeb are used for competitors. The traffic rate of each competitor related to accommodation price comparison services is calculated on the basis of Keyword Phrases analysis in SimilarWeb. Accordingly, which of the most used keywords for each competitor can be related to users searching for accommodation price comparison services is detected. The rate of search traffic related to keywords is used as proxy for total traffic going to each competitor's own accommodation price comparison services.
- (750) The first deficiency of this method is that the data taken into account for Google is limited to the number of clicks on hotel ads shown in Knowledge Panel. Clicks to other links and clicks from Local Unit are ignored. The second deficiency is that keywords to direct to website's price comparison traffic are insufficient for the desired differentiation. For instance, it is stated in the analysis that *"For instance, we think that (.....)% of the desktop search traffic made to tripadvisor.com is related to keywords such as hotel, resort, hotels, hotels and hostels and therefore (.....)% is used as proxy for tripadvisor.com.tr's desktop traffic from accommodation price comparison services"*. The keywords (hotel, resort, hotels, hotels and hostels) taken into account in the analysis regarding Tripadvisor can be associated with local search. The third default is that keyword analysis is not made for airbnb, etrip, findhotel, hostelworld, hotelistanbul, hotelbeds, hotelinankara, hotellook, hotels-antalya, hotels, hotelscombined, ihg, ihores, kucukoteller, luxuryhotelsguides, odamax, ostrovok, otel, oteldenal, otelfiyat, otelz, reserve-hotel. spotahome, tatilvitriini, trivago and zenhotels; thus all traffic concerning those websites are assumed to be related to price accommodation services. There are agencies among the websites excluded from keyword analysis; however, no explanation was made about why MSS such as etrip, findhotel, hotelscombined, trivago are excluded. Consequently, those deficiencies increase the error margin of Google's calculations and the argument made is not competent to compensate the said constraint.
- (751) In addition, the fact that market share is not calculated does not cast a doubt on Google's market share found. First, given Google's dominance in general search services market, displaying both Local Unit and GHA on general search results page provides Google with an important advantage compared to its competitors. Moreover, due to the vertical relationship between the general search services and accommodation price comparison services, Google's supremacy in the general search services market stemming from its rich content, brand recognition and other externalities presents an element of pressure on the growth of its competitors in accommodation price comparison services market. In addition, Google can use its market power in the local search services market in accommodation price comparison services market because users can reach accommodation price comparison services through Local Unit. Secondly, GHA traffic and growth rates of MSS's Google organic traffic volume together with the observation that Google is a source of traffic for its competitors that is currently difficult or impossible to substitute verify Google's increasing market share. Lastly, although there is a decrease in average ranking (being

displayed in higher ranks) of Google's important competitors in accommodation price comparison services, clickthrough rates have fallen or even if there is no regular decreasing tendency in ranking, there have been increases and decreases in the otherwise direction of the changes in clickthrough rates (in terms of the effects on traffic). This shows the impact of Google's practices in the relevant market.

- **The arguments that it is wrong to base the market foreclosure caused by hotel ads on (i) increasing clicks on hotel ads in time and (ii) the dependency of accommodation price comparison services to Google for free traffic;**
- **increasing clicks on hotel ads do not lead to market foreclosure in accommodation price comparison services; accommodation price comparison services are shown in such ads and clicks on those ads direct consumers to their websites, increasing clicks benefit accommodation price comparison services:**

(752) First, whether GHA where Google provides accommodation price comparison service is exclusionary is questioned. This observation is based on i) the finding that Google is favoring its own accommodation price comparison service against its competitors in terms of location and presentation on the general search results page, ii) Google is a source of traffic for its competitors that is currently very difficult or impossible to substitute and iii) the way competitors are displayed in GHA is far from establishing the desired competitive environment. Afterwards, in order to decide whether this practice leads to market foreclosure, traffic volumes of GHA and competitors, display rates and clickthrough rates are analyzed.

(753) In this context, the argument that increasing clicks on hotel ads benefit competitors cannot change the basis explained above. Considering that Google is more advantageous in terms of location/display in general search results and that traffic from Google is the fundamental input for competitors together, GHA is by nature exclusionary. Moreover, competitors can enter that area in return for a fee paid to Google and on condition that they meet the technical conditions requested by Google.

(754) Having competitors in GHA is a positive development considering the possible exclusionary effect. However, the way competitors are displayed does not remove the likelihood of exclusionary effects taking into account the statements given below. The analysis made to show the effect also verifies this.

"In that context, Google's competitors and sales agencies that can bid at those competing websites are displayed in the same way. This is a positive development for competitors since it allows them to attract traffic to their own websites directly. However, Google allows agencies which bid directly through Google the ability to redirect traffic with a single click, while agencies that bid through competitors receive an indirect traffic channel... Thus, travel agencies can get one step closer to the user if they provide traffic over Google. This advantage Google offers to travel agencies in comparison to its rivals can become a reason for the agencies concerned to prefer Google as a comparison platform, and a potential reason to click on those results for the users. In that context, it leads to Google gaining an advantage before its competitors in the GHA field, since it is not included with a link that redirects to travel agencies that make offers to Google, unlike competitors."

- The following arguments: Organic traffic directed to accommodation price comparison services (both OTAs and MSS) has significantly increased, Google directed more than (.....) free clicks to accommodation price comparison services in 2019, the clicks on third party accommodation price comparison services was (.....) times more than those in 2019 and (.....) times more than those in 2011 (when hotel ads were launched in Türkiye).
- Free clicks directed to third party accommodation price comparison services (both OTAs and MSS) surpassed the clicks on hotel ads. Depending on the chart below, clicks on hotel ads are ignorable compared to the free traffic directed by Google to third party accommodation price comparison services, in the calculation where only MSS are included, the number of clicks on hotel ads is insignificant in the comparison, from January 2019 to November, MSS received (.....) times more free Google traffic than the clicks on hotel ads:

(755) The explanations given above respond to the relevant arguments.

- The following arguments: The finding that accommodation price comparison services are dependent on Google is based on a wrong and incomplete data set; the Authority did not get any information from some websites; some MSS did not have data pertaining to the relevant periods, most of the data obtained could not be explained or identified.
- While the data analyzed for Kayak and Momonda include the traffic in mobile applications, the data concerning Tripadvisor and Trivago cover only desktop traffic; the mobile app statistic made by App Annie in 2019 showed that Tripadvisor and Trivago were downloaded (.....) and (.....) times respectively; by ignoring mobile application statistics for Tripadvisor and Trivago, an important traffic source was not considered for both accommodation price comparison providers.
- According to the chart showing the breakdown of the traffic source regarding accommodation price comparison services, which is prepared on the basis of the data provided by SimilarWeb, direct visits are the biggest traffic source corresponding to (.....)% of the total traffic of accommodation price comparison providers (except mobile app traffic data that are not included in SimilarWeb data set),
- Non-navigational organic traffic from Google is low, being (.....)%, since mobile applications are excluded this rate is found much higher than it really is.
- Mobile is an important source of traffic considering the number of downloads concerning both accommodation price comparison providers:

(756) Google's traffic distribution analysis covers both MSS and agencies. As explained, agencies are not competitors in accommodation price comparison services market. Therefore the indicated rates do not show the real picture. In addition, as mentioned before, it is uncertain why the traffic of websites' extensions other than tr are accepted.

(757) The total free traffic coming from Google pertaining to Neredekal, Trivago, Tripadvisor, Kayak and Momondo, which is analyzed under the scope of the distribution of traffic according to its source, corresponds to approximately (.....)% in the total organic traffic from Google pertaining to extensions offering Turkish content among undertakings

defined as MSS in the file “Appendix 4/free traffic to hotel competitors. Therefore, the argument that the observations are based on incomplete data set is baseless.

- **The argument that the file does not prove that the market is foreclosed for even a single accommodation price comparison service; it is a legal mistake because market foreclosure must be shown and while doing this equally efficient competitors must be told:**

(758) For the evaluation of anticompetitive foreclosure, the Guidelines on The Assessment of Exclusionary Conduct by Dominant Undertakings are taken as a reference. Equally efficient competitors are not among the conditions listed by the Guidelines regarding anticompetitive market foreclosure analysis. Noting that anticompetitive market foreclosure means “the obstruction or prevention of access to sources of supply or markets for actual or potential competitors as a result of the conduct of the dominant undertaking, to the detriment of the consumers” it is not necessary that the competitor exit the market actually, obstruction of access to markets for competitors and the growth of competition as a result of the practices in question are sufficient to conclude that the practice in question is anticompetitive.

I.6.4. The Defense That the Findings and Observations in the file Violate the Standard of Proof Brought by Sahibinden.com Decision of Ankara 6th Administrative Court

- **The following arguments: With its Sahibinden decision, Ankara 6th Administrative Court annulled the Board’s Sahibinden.com decision on the abuse of dominant position in (i) “the market for online platform services for the sale/renting of real-estate” and (ii) “the market for online platform services for the sale of vehicles”. The decision is a relevant and valuable precedent on the legal standards to be applied in abuse of dominant position cases, especially files on online platforms. The analysis in the file does not fulfill those standards, the Court decision highlights that the evaluations should be clear and conclusive enough not to create suspicions.**
- **The Court’s Sahibinden decision is following certain established case laws in Turkish law. Sahibinden file and this investigation file is very close because both files are related to multilateral online platform markets and they provide for an intervention regarding the business models of the undertakings in question.**
- **The observations in the file object to the way Google locates its local unit but accept that algorithms’ working principles are not known, this recognition shows that the requirement of concrete evidence beyond doubt in the Court’s Sahibinden decision is not met.**
- **The claim that Google should provide third party local search services access to local units is based on the suggestion that the local unit is of lower quality than the services offered by third party local search services. However, there is no conclusion in the file that a service provided by any website is of better quality.**
- **The evidence showing that Google cannot provide third party local search services access to local unit without deteriorating its quality is ignored, it is assumed in the file that Google can develop technically improved interfaces.**

- In terms of market foreclosure in local search, there should be concrete evidence that competitors are effected.
- The file accepts that accommodation price comparison services, both OTAs and MSS, can be located in hotel ads and traffic can be obtained. However, it is assumed that hotel ads exclude accommodation price comparison services even if hotel ads provide traffic to accommodation price comparison services, without evidence or analysis.
- The claim that Google's displaying hotel ads prevents competition in accommodation price comparison in Türkiye is baseless, the share was not calculated even; according to the share analysis made by RBB Economics, Google's share is too low to foreclose the market (under (.....)%).
- The requirement that it must be shown with precise data that the intervention will create positive results is not met; there is no evidence showing how the proposed intervention will create positive results, moreover, the remedy in the file leaves Google no choice but removing local units and hotel ads in Türkiye to the detriment of Turkish users and businesses, and the file ignores this.
- The Authority focuses on only how its intervention will help some competitors with a narrow perspective without considering the effects on the market as a whole and especially on users in Türkiye and local businesses, which contradicts with the approach in the Court's Sahibinden decision.

(759) The responses to each issue pointed out by referring to Ankara 6th Administrative Court's Sahibinden decision related to *"the requirement of concrete evidence beyond doubt is not met"* can be found in the relevant section. In order to avoid repetition, the considerations under the relevant section should be taken into account.

(760) Furthermore, there is an emphasis on the standard of proof in Sahibinden decision because the abuse that is the subject of litigation is "excessive price". As known, in competition literature, the level of evidence to prove the violation in terms of intervention to excessive price is higher than other violation types. The Court points out that *"...excessive pricing which is 'an exceptional case' should be proven with data and facts leaving no room for doubt"*. Therefore, the argument related to standard of proof is insufficient without taken this fact in Sahibinden decision. In this file, a conclusion is made after an elaborate evaluation on a level much higher than the said standard of proof. The file looks into Google's vertically integrated structure and abuse in a market with which it is vertically related and dominance in other markets is not questioned. Accordingly, the arguments do not prejudice the conclusions in the file. This file can be compared to Sahibinden decision in a limited sense. It should also be reminded that Google did not provide its products' traffic data completely on the grounds that it did not have them.

- The Defense That the Documents Obtained During the On-Site Inspection do not Contradict with or Refute Google'S Plea

(761) No additional claim was made related to Document 1/41-42,47; it was included because it was relevant to the investigation. The relevant document is important because it shows the local search tendencies of users in Türkiye. It is understood from the document that local search is increasing in Türkiye. This fact may reflect the

negative effects to be created by Google's exclusionary practices by having a bigger share from a growing market. As mentioned in the file, Document- 1/30-32 and Document-1/33 are included to show the effects of Yelp's complaint to FTC and Commission within Google. Commission's expectations for a remedy from Google in local search in the second document are important because it supports the findings in the file.

- (762) Google names all the channels where users can reach local information in Document-1/64-65, 68-72, 74-75, 78-79. General search engines and maps (Yandex search, Yandex maps and Google maps) except some local search sites (Foursquare, Zomato etc.) and social media sites (Facebook, Instagram) are listed with a broad perspective. As detailed in the relevant market section, social media sites cannot be included in local search market. Google maps application is complementary rather than substituting for Google' local search services. As shown above, competitor general search engines' use rate in Türkiye is very low.
- (763) Google argues that 1/36-39 is related to the survey on local search preferences and shows that Yelp, which made investments for better quality in US, was successful. However, Yelp applied to FTC during the period the said document belonged to regarding practices similar to the claims investigated in this case about Google's practices. Therefore, the document alone does not show that Yelp left Türkiye because of its commercial decisions.
- (764) Document-1 ("*Press FAQ - Place Search*") dated 2010 covers information on Google's local search services. In Document-1, it is stated that Facebook is not regarded as a competitor and this service's intended use in terms of social media users is different. Although the document dates back to 10 years ago, it is important because it shows users' opinion about social media sites. In addition, it is inferred from the document that there was cooperation with local search sites for providing Google local results, so-called place search at that time, and more links were given to such sites. On the other hand, Google place search did not enable making comments. Therefore, the document is important to understand better the process of Google's local results at present. Document-1 ("*Local Search Ads*") includes information about the channels where local search services and local search ads are offered. It also shows that the said services are accessible through Google Maps. The document shows that 84% of users make local search, which highlights the importance of that market.

I.6.5. The Defense That The Implementation of Remedy Requests Leaves Google No Choice But Removing Local Units And Hotel Ads In Türkiye And This Will Harm Turkish Consumers

I.6.5.1. The Defense That the Implementation of Remedy Requests on Local Units Leaves Google no Choice but Removing Local Unit in Türkiye

- **The following arguments: The Authority's power to implement behavioral remedies is limited to the principle of proportionality. For this reason, there should be a balance between the remedies applied by the Authority and the practices that are considered to violate the Act no 4054. Remedies that will result in a worse situation for Turkish users by reducing consumers' options and complicating local businesses' promotion activities should not be implemented. There are many Board decisions noting anticompetitive effects of undue interventions. Sahibinden decision of Ankara 6th Administrative Court also mentions these principles; the file also emphasizes proportional intervention.**

- **The remedies suggested go beyond affecting undertakings' incentives to invest and innovate. Compliance with remedy requests will only urge Google to lower the quality of its search services to the detriment of Turkish users and businesses. The remedies will make Google return to technologies and designs used 15 years ago. Remedies are not applicable. If those remedies are approved and made binding, Google will only have a single realistic or meaningful choice, which is returning back to showing only plain blue links to Turkish users, in that case users and businesses will face lower quality and worse services.**

(765) The fundamental objective of generally competition agencies and specifically the Competition Authority is to protect and establish competition in the markets. Accordingly, having a large number of undertakings in a market is desired and supported because it is beneficial for competition. While demanding dominant undertakings to terminate the practices violating the Act no 4054, the Competition Authority does not expect such undertakings to leave the market. Such expectation is contrary to the said objective of competition agencies.

(766) The aim of the remedies in the file is to ensure that competition is restored to its normal functioning so that not only Google but also other undertakings in the market maintain their incentives to invest and innovate. The behavioral remedies to be implemented does not demand or require that Google leave the market at all. Therefore, if Google takes a decision in such direction, it will be a free commercial decision. Also it is an issue out of competition law.

(767) Moreover, the Local Carousel launched by Google in several European countries shows that the remedies that will resolve competitors' disadvantageous position compared to Google can be discussed and removing Local Unit is not the single solution as argued by Google.

(768) **The following arguments: There is not another different and meaningful mechanism apart from its current mechanism, which is based on relevancy.**

- **There is not another different and meaningful mechanism apart from its current mechanism, which is based on relevancy. Ranking is made according to common signal constellation, if it is changed ranking will be less relevant, random location or hardwire method will decrease the quality.**
- **Since Google locates local unit according to relevancy, there is no "better" location that Google can apply, if the remedy related to changing local unit's position is accepted, Google will remove local units in Türkiye.**

(769) The plea argues that there is not another different mechanism apart from its current mechanism, which is based on relevancy. First, as long as Google provides its own services with advantages in terms of display compared to its competitors, it is not possible to accept that Google gives its competitors chance to compete equally in a relevancy test with competitors who do not have such advantage. Google has started to show ads in Google Unit. As a result, there are stronger doubts about whether competing local search services listed as organic results can be put under the same relevancy test. Therefore, it is necessary to focus on methods which will not disadvantage competitors providing local search services in another words which will enable competition under equal conditions.

(770) **The Defense That Changing Local Unit's Useful Display Format is Unrealistic**

- **The following arguments: Changing Local Unit's useful display format is unrealistic. The tests show that users like and care local unit's design, Google was asked for reviewing local unit, it is not meaningful to try to develop a format deteriorating local unit and using sources to this end.**
- **To change the area spared for local unit, Google will have to remove the elements regarded useful for consumers in the file. Google will have to downsize or remove the map, which will be unpractical, or it will have to reduce the number of local results shown in local unit or Google may have to remove complementary information about the results (such as contact, working hours or ratings).**
- **It is accepted that competition authorities should not adopt a too interventionist approach against product designs; FTC and Indian Competition Authority have taken decisions supporting that.**
- **It is not reasonable or realistic to expect Google to develop a format deteriorating its quality, if Google cannot use local display formats, which it has been developing as best as it can, in Türkiye, it will have no other reasonable or realistic choice but to remove local units at all in Türkiye:**

(771) The file describes Local Unit's area comparatively. Given the size of its area and display format, it is unlikely that users will click on competing links. Anticompetitive market foreclosure analysis shows this effect. The objective of the remedies suggested to eliminate competitive harms stemming from Google's practices is to establish normal competition conditions and prevent damages to consumer welfare. The argument that intervention to Google's current display format will harm consumers is a one-sided approach.

(772) On the other hand, the remedies suggested in the file do not interfere in Google's product design but point out anticompetitive effects and expect to eliminate those. Taking into account Google's ability to offer the same service in different box formats in different sectors, the argument that restricting the area will deprive consumers of "the most ideal" user experience is contradictory. Google's that argument depends on the assumption that consumers make choices in an artificial world where they only want to see more Google local search results, supposing that it is not likely that consumers want to see more options or reach competing websites. It is obvious that this assumption is legally baseless.

(773) Lastly, evaluations and sanctions regarding Google's alleged practices may be different in each country. It is not reasonable to make a general inference depending on the examples from other countries given in the plea.

(774) **The Defense That Google's Replacing Local Businesses and Places in the Local Unit with Local Search Services is Unrealistic**

- **The following arguments: The third remedy in the file is to provide third party local search services with "reasonable access" to local units. Google's replacing local businesses and places in the local unit with local search services is unrealistic. The said mechanism will lead to services of lower quality, there will be no choice but to show only blue links without local units.**
- **If the three remedies on local unit are accepted, Google will have no other alternative than removing local units in Türkiye to the detriment of**

consumers, remedies will not bear positive results as required in Sahibinden decision:

- (775) Taking into account that competitors offering local search services cannot access the said area, reasonable access to that area should be provided in order for competitors to compete with Google under equal conditions in other words to establish competition. Accordingly, it is not expected from Google to replace businesses and places in Local Unit with local search services. Local Carousel, which Google is promoting and testing in certain European countries shows that it is possible to display local search websites in Local Unit. Therefore, it is possible for Google to provide reasonable location to competing local search websites in this area without replacing businesses and places in Local Unit with local search services
- (776) The remedies to be implemented neither demand nor require that Google leave the market at all.

I.6.5.2. The Defense That In Case Remedies are Accepted, Google will be Left with No Choice but to Remove Hotel Ads in Türkiye

- **The following arguments: The remedies suggested within the scope of the file are meaningless because it is not possible that competitors will be put at a competitively disadvantageous position if they are displayed in hotel ads. The better hotel ads are displayed and located, the more competitors will benefit from the said display formats.**
 - **Hotel ads are a small and marginal source of revenue for Google. While Google is able to terminate the said infringement by removing hotel ads completely, it is not realistic to make efforts and use sources to lower the quality of hotel ads for a marginal revenue flow.**
 - **The remedy on hotel ads will result in the lack of a beneficial format in Türkiye, which will lead to negative outcomes for all stakeholders including accommodation price comparison services which gain traffic by being placed within those ads:**
- (777) The remedies to be implemented does not demand or require that Google leave the market at all. At this point, it should be noted that competitors join GHA in return for a certain cost and meeting certain technical requirements. Competitors' being in GHA under current conditions by recognizing the privilege of GHA, which is located at the top of generic search results on a vast area is far from being sufficient to eliminate competitive concerns.
- (778) If Google takes a decision to remove hotel ads, it will be a free commercial decision. Also it is an issue out of competition law.

I.6.5.3. the Defense That Local Carousel Resolves the Concerns in the File and Unquestionable Benefits for Turkish Consumers are Protected

- **The following arguments: Instead of lowering the quality of Local Unit's location and format, Google can give third party local search services an opportunity to feature and can offer additional options to users for those services while displaying each local unit.**
- **Voluntarily, Google is on the edge of launching local carousel in Europe. Local carousel locates local search services' links visibly and protects the benefits of local units for users and local businesses. Local carousel provide local search services an advantageous position compared to**

Local Unit; thanks to local carousel, the benefits provided by Google's local unit in terms of quality are protected, consumers are offered more options and local search services are seen by users.

- **Local carousel meets each element of the remedies suggested in the file because local search services are displayed above the local unit, local carousel removes all the possible advantages of Local Unit. Local carousel enables local search services to be displayed in rich formats such as photos and logo of the website.**
- **The observation in the file that *“users prefer links in the Local Unit that direct them to the hotel more than other links”* does not constitute a basis for the objectives to the local carousel. “See more”, maps and option links in the hotel unit serve for different purposes so they are not comparable with links directing to third party local search services in the local carousel. While the local carousel is displayed with a picture and logo about local search service above Local Unit, “see more” and “options” are displayed without any logo or picture. Map is not displayed as a link; the observation verifies Google's approach that Google shows results related to defined local business or place not the links directing to other local search services' results page in local unit.**
- **Google does not have a mechanism to reveal any other link for local search services, under the assumption that those links are not in favor of consumers, the single conclusion to be made would be that Google would not show links concerning local search services under any circumstances:**

(779) Looking at the functioning of Local Carousel, it is understood that a group of local search websites increased their visibility by being located above other generic results. However, since the websites to be located in Local Unit and Local Carousel will not have the same display format, this model will be insufficient to enable equal competition conditions to competitors. In the current Local Unit format, users can see the basic information about their query (map, reviews, price) whereas competitors are restricted to the links and logos in the generic results in Local Carousel, thus users have to click on the relevant link and enter the website to access the local information they are searching for. This difference in display will effect users' clicking tendency significantly and Local Carousel will not be sufficient to compensate the exclusionary effects foreseen in the file.

- **The argument that among the findings in the file, The statement *“clickthrough rates for hotel links [on the general search results page] is much higher than those for hotel links [on hotel results page]”* is not related to the Local Carousel because the links in the Local Carousel are shown above the Local Unit on the general search results page, the said links are not shown on a page directed afterwards:**

(780) The analysis in the file shows the users' clickthrough rates regarding Local Unit and the following link types on the general search results page. The reason why those data are used is to study users' habits about Local Unit to see whether Local Carousel can be an efficient alternative solution within the scope of the file. Consequently, the areas providing information about businesses directly are preferred more and users generally receive search service from the first screen. The evaluation made has indicated concerns about how much traffic Local Carousel will provide to competitors.

(781) The explanation in the plea that the links given in the Local Carousel are displayed above the Local Unit on the general search results page and the statement is not related to Local Carousel is not appropriate because the nature of services that users see in Local Unit while they are using local search service is different from the services provided in Local Carousel since Local Carousel does not contain the links for accessing the services provided in Local Unit, the conditions are not equal.

I.6.6. The Defense that Imposing Administrative Fines is Illegal

I.6.6.1. The defense that evaluations in the file are far away from the international case law. It is not necessary to impose administrative fines because Google did not have anticompetitive intention or ignorance; in addition, Google's practices benefit users and businesses

- **The following arguments: The theory of harm in the file conflicts with the evaluations of all competition authorities that examined Yelp's claims. Many authorities and courts examined Yelp's claims and rejected those claims by deciding that Google's displaying Local Unit benefits consumers and promote competition. It is not convenient to impose administrative fines in cases where theories of harm contradict with the decisions taken by other authorities according to international case law.**
- **The claim that Google abused its dominant position by displaying hotel ads is not supported by any case law.**
- **The investigation did not show anticompetitive intention or negligence. It is an established principle that intention or negligence is a precondition for imposing administrative fines. According to the reason of article 16 of the Act no 4054, the Authority should prove anticompetitive intention or negligence. However, in the case there is neither evidence proving anticompetitive intention nor any claims that Google was negligent.**
- **Absolute benefits of Google's practices for users and businesses were not considered therefore imposing fines would mean that the benefits for Turkish users and businesses are punished. Imposing fines will block innovation in Türkiye:**

(782) It is clear that decisions of European Commission or other authorities are not binding for the Competition Authority. Each country's market dynamics are different so the effects of Google's practices in Türkiye were examined. It is possible to consider whether the claims are similar but it is inappropriate to look for similarities concerning the effects in Turkish market. On the other hand, foreign competition authorities' and courts' decisions are supporting resources for Turkish Competition Law.

(783) The sentence *"the actions punished by fines may be committed by intentionally or negligently"* is sampling and does not indicate a requirement of anticompetitive intention or negligence. Moreover Article 16 of the Act no 4054 includes the provision that *"an administrative fine... be imposed to those who committed behavior prohibited in articles 4, 6 and 7."*

(784) The investigation took into account the reasons related to quality and consumer benefit suggested by Google and the features of the practices in question leading to consumer harm were identified. Therefore, Google's argument that Local Unit's and hotel ads' benefits for users and businesses were not taken into account was not true. Innovation is among the most important criteria for measuring consumer welfare. One of the economic benefits expected from competition is to increase the incentive to innovate

and to promote technological advancement. When realized, those will create social benefits in the form of increasing consumer welfare or protecting consumers. Those are the aims of Turkish competition law. However, undertakings should take into account competition law rules while they are making innovations just as the rules of other legal disciplines. Moreover, the conclusions made in the case do not prevent Google from making innovations. The case considers the incentive to innovate in respect of the whole market not one undertaking. Considering incentive, ability or desire to innovate for only one undertaking and ignoring the conditions distorting other undertakings' incentives to innovate completely will cause a one-sided and biased perspective, which is unacceptable.

I.6.6.2. The Defense that in case the Board Decides to Impose Administrative fines, Those Fines Should be Low

- **The following arguments: The basic fine should be calculated on the basis of Google's revenues from Local Unit and hotel ads. Revenues from other sources such as text ads should be omitted as they are not related to the alleged violation. The Board's fundamental approach is to calculate the sales values on the basis of the turnover in Türkiye however in some cases it limited the calculation to the market affected by the violation.**
- **It is not possible to talk about a harm in terms of competition law. The file does not give an example of an equally efficient local search or accommodation price comparison service that has faced difficulty. On the contrary, if an administrative fine is imposed considering that Google's practices benefit Turkish users and businesses, the basic fine should be set at the lowest threshold, 0.5% in the case.**
- **Google's turnover in Türkiye obtained by means of Local Unit and hotel ads correspond to a small part of its overall turnover in Türkiye, which should be taken as a mitigating factor. Indeed in some Board decisions, this point is taken as a mitigating factor¹³⁶.**
- **The argument that Google made a cooperation with the Investigation Committee beyond legal requirements; Google helped the Investigation Committee's inspection; responded to many information requests; submitted evidence, data, in house documents and technical explanations generally in a short time to the Authority; Google provided the Investigation Committee with the opportunity to ask questions directly to its teams and consultants; those efforts should be considered mitigating factors.**

(785) It is stated in article 5(1) that the basic fine shall be calculated on the basis of the income generated at the end of the fiscal year preceding the final decision, or if that cannot be calculated, at the end of the fiscal year closest to the date of the final decision, and which shall be determined by the Board. On the other hand, if a decision is taken to impose administrative fines at the end of the investigation, there is not a regulation demanding that the turnover in the relevant market be taken as a basis about

¹³⁶ At this point an explanation is made as follows: "In the response petition to information request regarding turnover in Shopping investigation, the revenues attributable to Alphabet Inc. in Türkiye in 2019 amount to (.....) TL((.....) USD) whereas the amount is (.....) TL ((.....) USD) when common revenues are included. The revenues obtained from clicks on ads in Local Unit and hotel ads are (.....) TL ((.....) USD) and (.....) TL ((.....) USD) respectively during January - August 2019 period. Even the sum of those are less than (.....)% of Google's revenues obtained in Türkiye in 2019."

whether the fine will be calculated on the basis of the total turnover or the relevant market investigated.

- (786) Article 15 and 16 of the Act no 4054 gives the Board the power to make on-site inspections and request information. For efficient use of those powers, undertakings should comply with the Act no 4054. Otherwise, administrative fines shall be imposed according to article 16 of the Act no 4054. Therefore, undertakings have legal responsibility for allowing the use of those powers. Undertakings should provide assistance beyond legal obligations in order to benefit from a reduction in administrative fines. The undertaking responded to the information and documents demanded by the investigation committee. The responses were considered within this framework and did not have a facilitating effect more than legal obligations. Moreover, Google generally asked for and was given additional time for submitting the responses. Therefore, Google's assistance in the inspection did not go beyond legal obligation and cannot be considered a mitigating factor.
- (787) The argument that Google's turnover in Türkiye obtained by means of Local Unit and hotel ads correspond to a small part of its overall turnover in Türkiye and this should be taken as a mitigating factor is relevant to article 7 of the Fines Regulation. In the said provision, "*occupation of a very small share by practices subject to the violation within annual gross revenues*" is among the mitigating factors. Accordingly, the share of the turnover obtained from local search services market and accommodation price comparison services market in total turnover is low. This mitigating fact is considered while determining the rate of the administrative fines to be imposed to the undertaking as explained below under "Evaluation according to the Regulation on Fines to Apply in Cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position (Fines Regulation)".

I.6.7. The Defense that There are Procedural Mistakes in the Actions taken under the Scope of the Investigation

I.6.7.1. The Defense That Google was not Granted the Right to Access the File, the Information Against Google was SERIOUSLY OBFUSCATED and Google's Defense Rights were Injured

- **The following arguments: Google asked for access to digital copies of the documents in the file highlighting the extraordinary conditions that precluded looking at the documents at the Authority's headquarters. The Authority insisted that the documents should be examined within the premises of the Authority, which prevented Google from using its right to access to file before the second plea and possibly the third plea. Therefore, failure to allow Google access to file properly and timely violated the rights of defense and equality of arms principle.**
- **The content of the report notification was largely obfuscated (digital content against Google, figures and charts, market study and third party studies as well as third party analysis were obfuscated, the identities of other undertakings giving opinion were hidden). Such obfuscation blocked Google from examining the claims in the file, confirming their validity and making a defense, even if the Authority thought that the said materials include trade secrets, it could have provided a data range, given the data in an aggregated form or summaries free from trade secrets; alternatively, the Authority could have applied a procedure similar to those in other jurisdictions like Europe, where Google's free lance**

consultants and economists could examine the content within the framework of controlled confidentiality conditions.

- **The report does not explain the methods for calculations and evaluations regarding the digital data provided in a format that is not obfuscated. For instance, while the traffic source data for Kayak and Momondo includes the traffic from mobile apps, the data analyzed for Tripadvisor and Trivago covers only desktop traffic. This complicates understanding Report's comment about the data or the conclusions made depending on the data.**

(788) With the letter (saved in the Authority's registry on 23.03.2020 with the number 2919), Google asked for benefiting from the Act no 4054 and the Communiqué no 2010/3 on The Regulation of The Right Of Access To The File And Protection of Trade Secrets to use its right to defense and submit the written pleas to be prepared within this scope completely. Google requested that all the documents accessible according to article 8(1) of the Communiqué no 2010/3 be sent in digital format because WTO announced COVID-19 as a global pandemic, there were lots of COVID-19 cases in Türkiye and the Ministry of Health recommended home isolation. Google suggested that the documents in question be examined on a date and in a place within the premises of the Authority, this examination be made after the isolation period recommended by the Ministry of Health ended and Google be allowed to take the copies of the documents in this process in case this request was rejected.

(789) The documents that Google asked for access according to the Act no 4054 and the Communiqué no 2010/3 are as follows: the complainant's petition and its attachments free from trade secrets, studies, analyses and answers including the answers to the survey by undertakings that could not be identified due to obfuscation, all records of the meetings with undertakings with which interviews were made and which could not be identified because of obfuscation, free from trade secrets, versions of the first examination and preliminary inquiry reports free from trade secrets, figures, tables and charts prepared according to information given by undertakings in a format without obfuscation, the version of the investigation report where Google's data were not obfuscated and the study by Yelp.

(790) The demand for access to file was discussed in the Board meeting dated 02.04.2020; complainant's petition and all its attachments free of trade secrets, relevant tables and charts were sent to Google's representative.

(791) In the Board decision dated 02.04.2020 and numbered 20-18/245-117, it was concluded that documents provide by legal persons in the private sector that had the nature of in house correspondence, the parts of records of the meetings with undertakings that were related to Google could be opened to access at the Authority's headquarters, free from trade secrets and confidential information without taking any electronic or mechanic copy.

(792) According to the decision dated 02.04.2020 and numbered 20-18/245-117, the Board sent Google the invitation letter dated 03.04.2020 and numbered 5055. It was stated in the letter that the documents that could be examined at the Authority's headquarters would be given to the party to the investigation on 07.04.2020 between 10.00 and 12.30 accompanied by the rapporteurs in charge, according to article 10 of the Communiqué. The letter also stated that the reason reminding the recommendation of the Ministry of Health about home isolation due to COVID-19 in the application was considered; that situation would not affect the second plea process but the requests for additional time for examining documents at the Authority's headquarters would be

considered. If the party to the investigation needed to send additional information after the official plea period, such information would also be considered as long as the investigation period continued.

- (793) In response to the invitation letter for the examination of the documents indicated by the Board decision dated 02.04.2020 and numbered 20-18/245-117 sent to Google, Google asked for the extension of the right to access to file until the first week of June due to Covid-19 outbreak.
- (794) Google made a new application (saved in the registry of the Authority on 10.04.2020 with the number 3443) requesting that the Board decision dated 02.04.2020 and numbered 20-18/245-117 about the access to file be reevaluated according to article 11 of the Administrative Jurisdiction Procedures Law no 2577.
- (795) The Board took the decision dated 16.04.2020 and no 20-20/276-131 that it was not necessary to annul, withdraw, amend or make a new transaction about the decision dated 02.04.2020 and numbered 20-18/245-117.
- (796) In the letter dated 17.04.2020 and numbered 5569 sent to Google, it was stated that an official letter could be given for obtaining the necessary administrative permission for their travel to make an examination at the Authority's headquarters to facilitate physical access to file and the necessary hygiene and isolation measures would be applied meticulously during their examination at the Authority's headquarters.
- (797) Within this framework, the necessary decisions to ensure Google's right to access to file are taken insofar as the law permitted. Therefore, the claim that Google's right of defense was injured due to the rejection of access to digital copies of the documents in the file is legally baseless. Moreover, Google did not put forward a document or an argument that Google applied for permission to travel but could not get. As a result, it is Google's one-sided decision taken with its free will not to access to the documents that could be accessed physically (without trade secrets) under the investigation process. The Authority did not prevent Google from access in any way. The Authority provided all the opportunities under its responsibility and helped Google to facilitate its access to file. Secondly, in respect of the obfuscated trade secrets, it should be reminded that the Competition Authority has to balance the parties' interests. Since the arguments in favor of and against Google were not obfuscated in the investigation report notified to it, it is not possible to argue that the right to defense is restricted.
- **The argument that the explanations Google made during the preliminary inquiry period was not sufficiently handled in the Notification and they were not responded, ignoring Google's explanations injured Google's right to be heard.**
- (798) The administrative procedure in the Act no 4054 guarantees three written one oral defense rights for undertakings. Moreover, person or persons who are claimed to violate the Act no 4054, can submit the Board any kind of information and evidence that might affect the decision any time. Such manner of regulation in the Act no 4054 provides the parties to the investigation the right to defense, the opportunity to explain themselves and legal guarantee to be heard. The investigation procedure complies with this approach. Both the investigation notification and the report notified cover the information, documents and explanations given by Google.

I.6.7.2. The defense that evaluations and observations in the file do not include an independent assessment but are based on Yelp's arguments in favor of its interests.

- **The following arguments: The burden to prove that Google violated article 6 of the Act no 4054 is on the Authority. “Significant suspicions” about the existence of a violation are not significant as long as they are supported by enough evidence. The Board’s example decisions support that depending only on the statements of the undertakings who have interest in changing the conclusion of the investigation does not meet the standard of proof to detect an infringement.**
- **There are not any independent analyses or assessments about Yelp’s claims. Yelp’s claims are repeated without examining their validity. For instance Yelp’s claims that Yelp left the local search market because of Google’s practices “*although its content developed continuously*” and that user reviews in Yelp were more comprehensive than those in Google were not evaluated but repeated:**

(799) During the investigation process, the Authority did not confine itself to the opinions of Google and/or the complainant Yelp but requested information from undertakings in the sector, made reviews and a survey. As stated above, undertakings mentioned the negative effects of Google’s practices on their activities in their responses and interviews. Upon that information, calculations and analyses were made depending on data (mostly data provided by Google) to inspect the validity of the claims.

I.7. Assessment according to the Regulation on Fines to Apply in Cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position (Fines Regulation)

- (800) Article 16(3) of the Act No. 4054 includes the provision that *“An administrative fine up to ten percent of annual gross revenues of undertakings and associations of undertakings or members of such associations to be imposed fines, which generate by the end of the financial year preceding the decision, or which generate by the end of the financial year closest to the date of the decision if it would not be possible to calculate it and which would be determined by the Board, will be imposed to those who committed behavior prohibited in Articles 4,6 and 7 of this Act.”* Article 1 of the *Regulation On Fines To Apply in Cases Of Agreements, Concerted Practices And Decisions Limiting Competition, And Abuse Of Dominant Position* (the Regulation), which was published in the Official Gazette dated 15.02.2009 and no 27142, explains the purpose the Regulation as follows: *“To provide for the procedures and principles relating to setting fines to be given to those undertakings and associations of undertakings or the members of such associations, as well as managers and employees thereof, that engage in behaviors prohibited under Article 4 and 6 of the Act No. 4054 on the Protection of Competition, pursuant to Article 16 of the same Act.”*
- (801) Within the framework of the explanations above, it is concluded that Google violated Article 6 of the Act no 4054 on the Protection of Competition by complicating its competitors’ activities and distorting competition in the local search services and accommodation price comparison services market, by means of favoring its own local search and accommodation price comparison services in terms of location and display on the general search page compared to its competitors and by refusing access of competing local search sites to the Local Unit and it was concluded that administrative fines should be imposed according to article 16 of the Act no 4054 and the provisions of the relevant Regulation.
- (802) According to article 4 of the Regulation *“Principles relating to the determination of fines”*, in determining fines to be applied to undertakings, first, the base fine should be

calculated within the framework of Article 5 of the Regulation. Then, aggravating and mitigating factors set by the Articles 6 and 7 of the Regulation are applied if any in the case and the base fine is increased and/or reduced. If the amount of fine to be determined in accordance with the provisions of the Regulation exceeds ten percent, they are reduced to ten percent as the fines cannot exceed the limit determined in the Act no 4054. There is a distinction between “cartels” and “other violations” regarding the calculation of the base fines in article 5(1) of the Regulation. Article 3 of the Regulation includes the definition of both concepts. Accordingly, cartel is defined as “*Agreements restricting competition and/or concerted practices between competitors for fixing prices; allocation of customers, providers, territories or trade channels; restricting the amount of supply or imposing quotas, and bid rigging*”. Other violations are defined as “*behaviors that are prohibited under Article 4 and 6 of the Act on the Protection of Competition No. 4054 and which are outside the definition of cartel*”. Accordingly, Google’s practices violating article 6 of the Act no 4054 are considered under the category “other violations”.

- (803) Per the second paragraph of article 5 of the Regulation on Fines “*in the determination of the rates written under paragraph one, issues such as the market power of the undertakings or associations of undertakings concerned, and the gravity of the damage which occurred or is likely to occur as a result of the violation shall be considered*”. Therefore, the fact that due to Google’s high market power, the effects of its practices contrary to Article 6 of the Act no 4054 will be higher should be taken into account. According to the said provisions, (.....)% is taken as a basis for the base fine.
- (804) Another criteria for the determination of fines listed in article 5 (3) of the Regulation is the duration of the violation. According to the information provided by Google, the Local Unit became available in Türkiye in 2009. Therefore, the practices in the case are found to have restricted competition for more than five years. Within this framework, the basic fine which is determined according to article 5(1) of the Regulation should be increased by one fold per article 5(3)(b) of the same Regulation. Thus, the base fine to be imposed on Google is set as (.....)%.
- (805) According to article 4 of the Regulation on Fines, following the calculation of the base fine, aggravating and mitigating factors are considered within the framework of Articles 6 and 7 of the Regulation, and an increase and/or a reduction is made. Within this framework, under the scope of article 6(1)(a), the base fine may be increased by one fold “*for each instance of repetition in case the violation is repeated*”.
- (806) The repetition in the said provision is not limited to the practices in the same market and/or similar practices as the previous violations by the undertaking. The Authority’s case law is in line with that provision¹³⁷. In order to increase the fine due to the repetition of the practices contrary to the Act no 4054, it is not necessary that both offenses violate the same article or the practices leading to violation be similar.
- (807) In the Board decision dated 19.09.2018 and numbered 18-33/555-273, it was decided that Google economic unity violated article 6 of the Act no 4054 by means of the practices aiming that Google search would be assigned as default in the specified points and Google search widget would be positioned on the main screen in MADAs signed by Google with device manufacturers, and Google Webview would be the only

¹³⁷ Board decisions dated 10.01.2019 and no 19-03/23-10 dated 16.02.2017 and no 17-07/84-34 dated 19.07.2017 and no 17-23/384-167 dated 28.11.2017 and no 17-39/636-276 dated 09.06.2016 and no 16-20/326-146 dated 19.12.2013 and no 13-71/988-414 dated 06.06.2011 and no 11-34/742-230 dated 23.12.2009 and no 09-60/1490-379 dated 29.12.2005 and no 05-88/1221-353.

and default component for the relevant function; and the conditions in RSAs that ensure the installment of Google search exclusively in devices. As a result, the undertaking was imposed administrative fines. As a result of the recent investigation, Google is found to have violated article 6 of the Act no 4054. Therefore, the repetition criterion applies, which is accepted as an aggravating factor according to article 6(1)(a) of the Regulation on Fines. Consequently, it is decided that the fine would be increased by half fold on the basis of the base fine to be imposed to Google and the calculated rate is (.....)% .

- (808) Lastly, an assessment was made about whether there are mitigating factors listed in article 7 of the Regulation within the scope of the file. In the said provision, “*occupation of a very small share by practices subject to the violation within annual gross revenues*” are among the mitigating factors. It was concluded that the share of the turnover obtained from local search services market and accommodation price comparison services market in total turnover is low¹³⁸ and 25% reduction was made in the ultimate rate (.....)% and the fines to be imposed to Google was set as (.....)% finally.

I.8. Assessment of the Behavioral Sanctions to be imposed on Google

- (809) As a result of the assessments made, it was concluded that Google complicated its competitors’ activities by means of displaying its local search services and accommodation comparison services increasingly in the most valuable and competitive part of the general search results page. Moreover, Google does not allow the competitors to access Local Unit. Therefore, competitors are at a disadvantageous position with respect to both location and display.
- (810) It was concluded that Google complicated its competitors’ activities in both markets and violated article 6 of the Act no 4054. As a result, beside the administrative fines to be imposed, Google should change its practices that are considered a violation under the scope of the investigation so that effective competition will be established. At this point, what effective and fair behavioral remedies are should be discussed. As known, one of the most discussed issues in competition law enforcement in digital markets is proportionate intervention. Under-regulation or over-regulation in those markets creates the risk of effecting incentives to make investments and innovation. Besides technological progress is one of most important elements of competition in digital markets. Therefore, the most efficient remedy to be brought should take into account the power and incentive to make investments and innovation of both the undertaking concerned and its competitors.
- (811) First, as stated above, within the scope of the investigation, Google led to anticompetitive foreclosure and decrease in consumer welfare by means of its conducts summarized below: Those are:

In local search services market;

- Local Unit was positioned and displayed more favorably than competitors,
- Google did not include competing websites in the Local Unit,

In accommodation price comparison services market;

¹³⁸ It is stated in the plea “*In the response petition to information request regarding turnover in Shopping investigation, the revenues attributable to Alphabet Inc. in Türkiye in 2019 amount to (.....) whereas the amount is (.....) TL when common revenues are included. The revenues obtained from clicks on ads in Local Unit and hotel ads are (.....) respectively during January - August 2019 period in Türkiye(Data is available for this period).. Even the sum of those is less than (.....) of Google’s revenues obtained in Türkiye in 2019.*”

- GHA was positioned and displayed more favorably than competitors in general search results page.

(812) The examples below show how many results can be shown on search results pages with and without Local Unit in different channels of average size:

Figure1: Search results pages with and without Local Unit on desktop

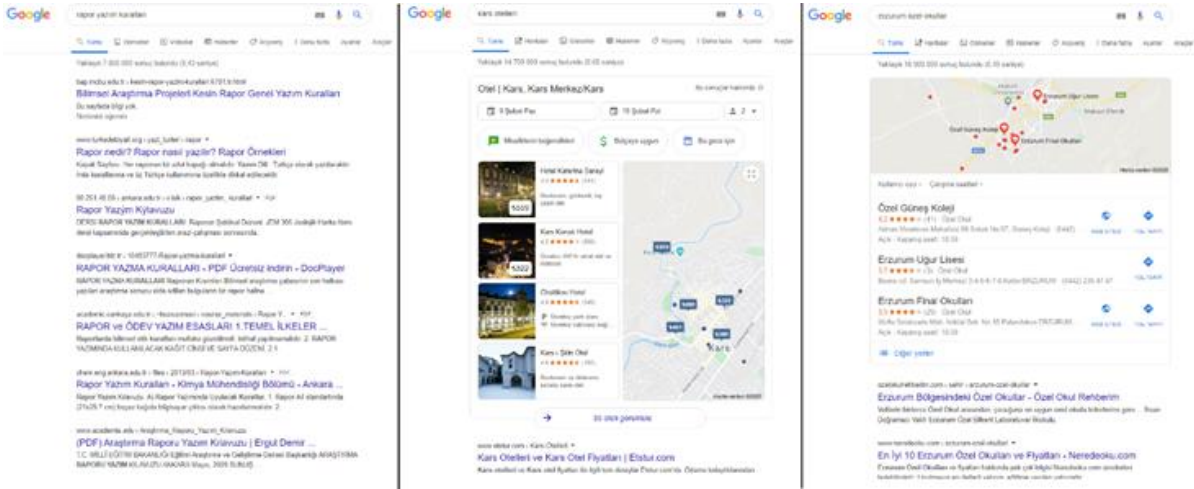


Figure2: Search results pages with and without Local Unit on laptop

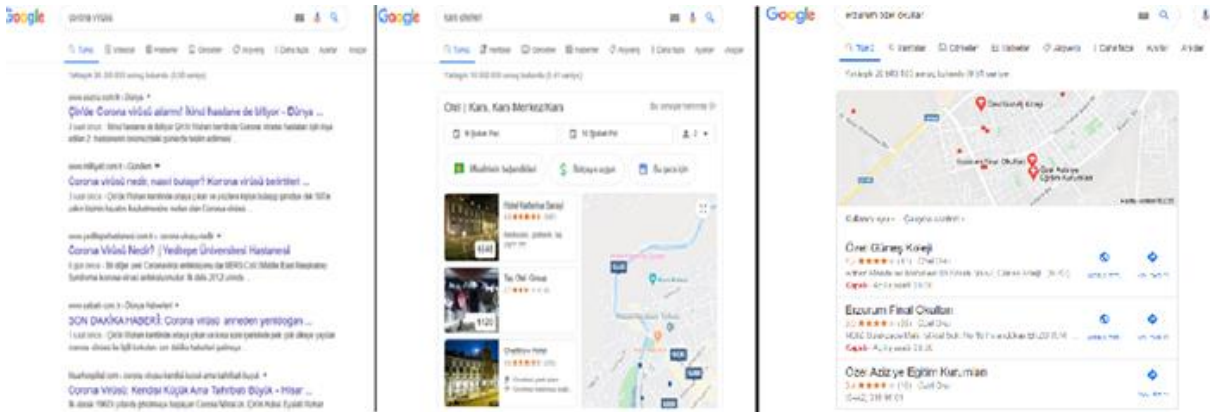
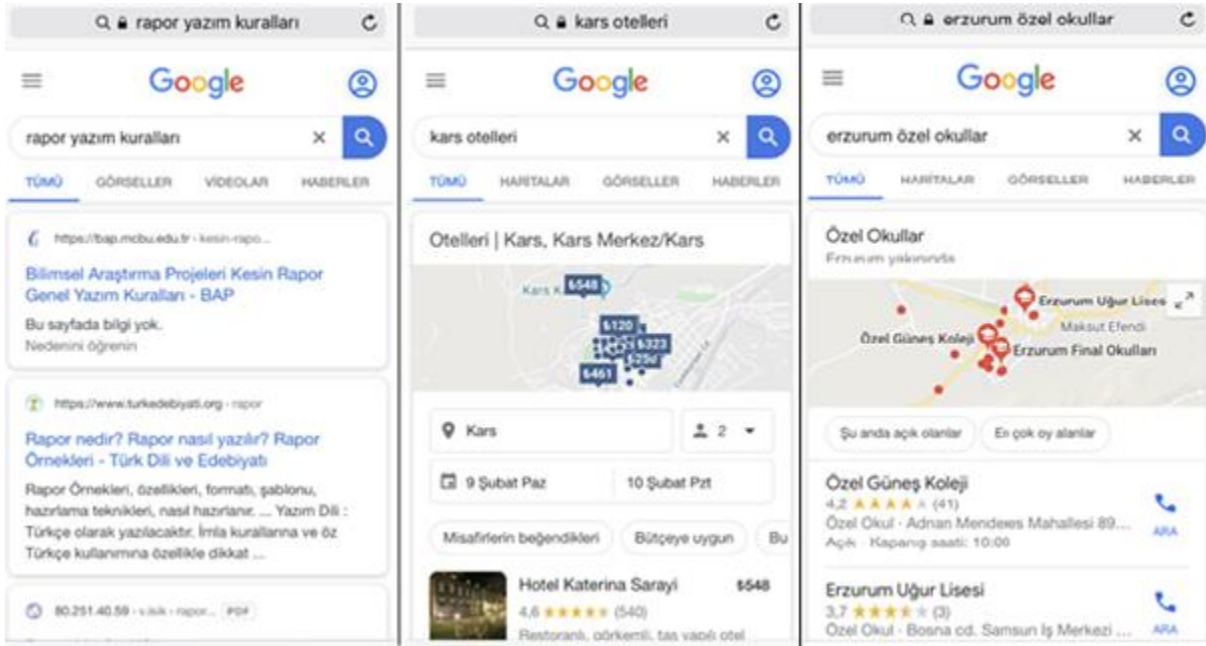


Figure3: Search results pages with and without Local Unit on mobile



- (813) In the examples above, in a query without Local Unit, there are seven, five and three organic results on desktop, laptop and mobile screens respectively whereas in the results with Local Unit, Local Unit covers almost the first screen on desktop, almost the entire first screen or wider on laptop and larger than the entire first screen on mobile. Local Unit in accommodation area, called Hotel Unit, covers an area where nearly six organic results can be displayed and other Local Units cover an area where nearly five organic results can fit into. Knowledge panels with GHA are displayed on the right side of the page on desktop and always above the organic results on mobile. In both channels, they cover larger area than Local Units.
- (814) On the other hand, according to the information given by the sector, websites obtain most of their traffic (generally more than 70%) from mobile channels. Some of the websites that were asked for information stated that Local Unit and hotel knowledge panel in the mobile channel created more important effects due to the limited screen size. Moreover, according to the information provided by Google, (.....)% of Local Unit's total traffic is coming from mobile as of December 2019. Consequently, behavioral sanctions should take into account the limited space in the mobile channel.
- (815) Upon that information, first, the possible remedies regarding the advantageous position of Local Unit and knowledge panel with GHA are discussed. At this point, Google states that it positions Local Unit after putting it under the same ranking test with organic results and it is understood that Local Unit is mostly at the third rank after that test. Knowledge panels with GHA are displayed on the right side of the page on desktop and always above the organic results on other channels.
- (816) Therefore, considering the argument that Local Unit is subject to the same relevancy test with competitors, as long as Google provides its own services with advantages in terms of display compared to its competitors, it is not possible to accept that Google gives its competitors chance to compete equally in a relevancy test which it goes under together with competitors who do not have such advantage. This is similar to an imaginary case where a running track owner, after giving his own runner doping drugs, argues that there is a race between the runner and his competitors who do not use

doping drugs. Moreover, Google has started to display ads in its Local Unit as well. It is technically impossible that an area with ads are put into the same relevancy test with organic results depending on Google's explanation that ad and organic algorithms are working independently. It should be noted that the details about the working principles of Google's algorithms are not known. It is obvious that Local Unit and knowledge panel with GHA, which are displayed on a much wider area compared to their competitors and with rich visuals, are more advantageous than their competitors. Being vital for websites, traffic improves the user content created and allows more operators to enter this area and in turn create more contents due to network effects. Therefore, the area and display manner feed the location. In another words, they carry Local Unit up on organic ranking. Competing websites cannot compete effectively with Google because Google displays its own services in a more advantageous manner (area and features). Besides, they are pushed to lower ranks due to Google's advantage created by Google's self-favoring. Finally, there is a vicious circle between display and area and a fair competition environment cannot be established. By including ads to that area, Google becomes more advantageous for advertisers compared to other local search websites. Moreover, with additional ads results, Local Unit covers a wider area and competing websites face a worse situation.

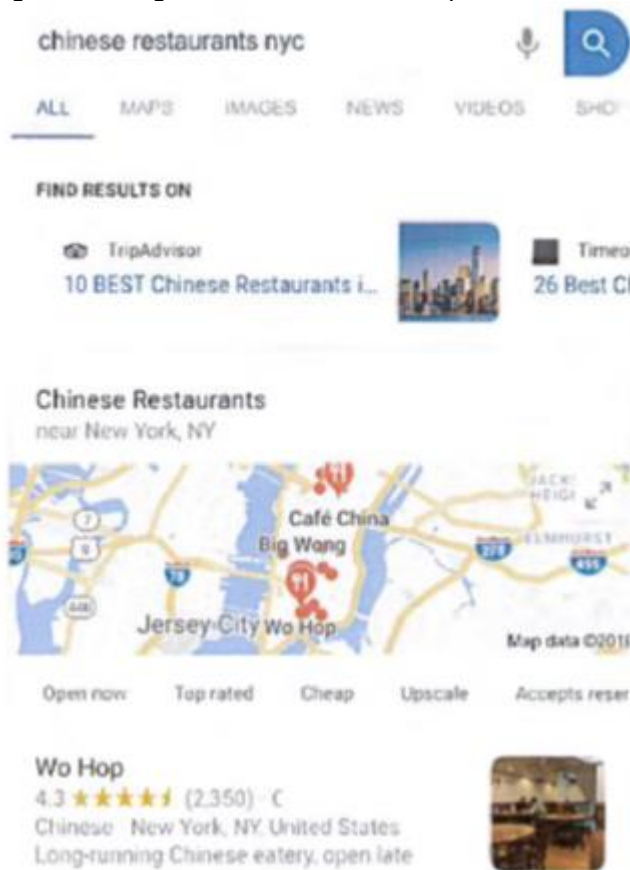
- (817) In addition, according to the information provided by Google, all knowledge panels, including knowledge panels with GHA, are automatically displayed at the top of the organic results if they are displayed. It is seen that they are not subject to any relevancy tests. As a result, Google provides more advantages to its own accommodation price comparison services with respect to area, display and location.
- (818) Google should locate its Local Unit and knowledge panel with GHA in a way not to disadvantage its competitors.
- (819) Secondly, reviewing the areas where the boxes in which Google provide its own services cover in local search and accommodation price comparison services markets should be evaluated as a remedy due to a special condition in the case. The boxes in question cover a wider area vertically compared to other units (Shopping Unit, Flight Units, hot news, top carousels, featured snippets, search visuals, videos, etc.) It is understood that the boxes displayed in the relevant markets examined in the case push organic results to low ranks more than the boxes used by Google for general search results and vertical services. As a result, Google's display advantage can be a pillar of a remedy to be imposed within the scope of the file, which requires that Google should ensure that competitors are no longer at a disadvantage in terms of the size of the area allocated for its own services.
- (820) Thirdly, the display advantage in the form of "OVERVIEW", "PRICES", "REVIEWS" and "LOCATION" links provided by Google to accommodation price comparison services at all screens under Google knowledge panel, at the top of the page weakens the chance for receiving clicks for its competitors. Showing those links cannot be justified; Google should terminate displaying them as of the end of the panel. Moreover, Google provides direct link to the travel agencies giving offers so this area is more advantageous than its competitor platforms. Google's displaying format regarding travel agencies should be changed in a way not to disadvantage its competitors taking into account whether Google has justifiable reasons in this matter.
- (821) Lastly, Google does not allow its competitors in the local search services market to access Local Unit; therefore, competitors should be allowed to access this area reasonably to establish competition. Google argues that if competitors access this area

with the businesses they list like Google, this will deteriorate Local Unit's service quality. However, in light of the evaluations made in the relevant section, it is concluded that Google's reasons cannot justify preventing competitors' entry to that area completely.

(822) In addition, according to the available information, as explained above, Google launched the carousel, which is said to be at the testing stage, in certain European countries. As understood from the example screenshot provided by Google, local carousel is displayed above the local unit. Google says that it chooses the local search sites to be displayed in this carousel according to their ranking in generic search results. Accordingly, the page opened when the user clicks a result on the local carousel will direct the user to the page that will open when the user clicks the generic result of the relevant local search website. Google states that it tries to show a group of local search websites in the local carousel by elevating them above other types of websites in the generic results artificially, such as those for restaurants or local businesses.

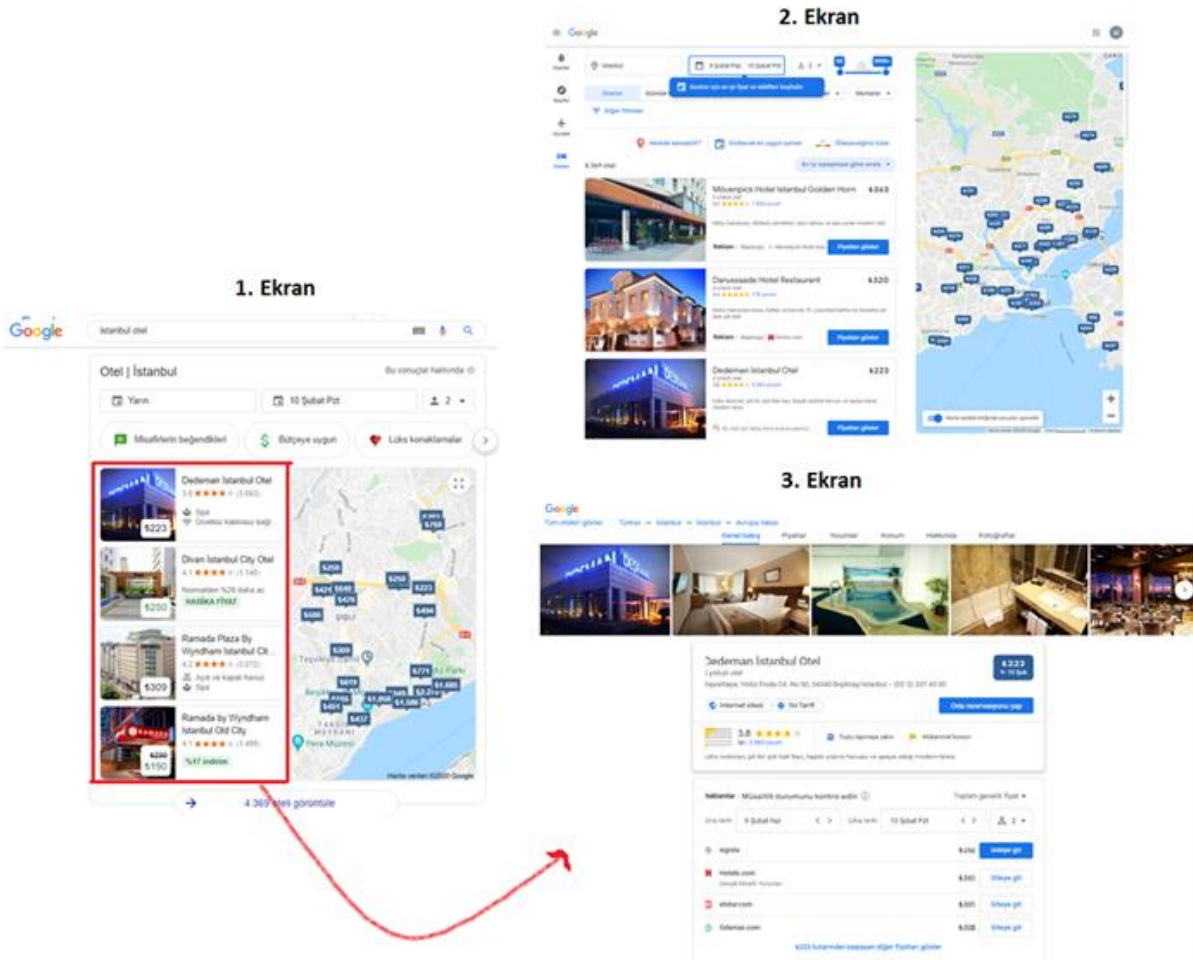
(823) It is stated that the local Carousel is in operation for local queries in Spain, Germany and France since mid-December, 2019 (though the trials happened before), and is currently at the testing stage before launch for other countries in the European Economic Area.

Figure 4: Google Local Carousel Example Screenshot



(824) As seen from the screenshot above, competing local search websites that cannot enter Local Unit any way in Türkiye have started to be visible in that area in European Community countries although not in equal conditions. How this will be evaluated within the scope of EU Commission's ongoing Google Local Search investigation is unknown. To see whether Local Carousel can be an efficient alternative solution within

the scope of the file, user habits concerning using Local Unit should be examined. The screenshots below are important in this respect. Those screenshots show the alternative pages that can be accessed via the links in the Local Unit as explained before.



(825) As seen from the screenshots, by clicking certain filters, it is possible to see the list of the hotels selected according to the filter or to access Screen 2 that lists all hotels related to the query on Google travel page through “4.369 oteli görüntüle” and map. Apart from those, when the user clicks one of the hotels in the area marked in red, it is possible to access Screen 3 showing the information of the relevant hotel directly. It is possible to access Screen 3 through the hotel links on Screen 2. Screen 2 and Screen 3 show Google travel tab. The table below shows the users’ clickthrough rates concerning the link types displayed on Local Unit (Screen 1) on the general search results page and below.

Table 24: Users’ clickthrough rates concerning the link types displayed on Local Unit and below (Screen 1) on the general search results page (%)

Months ¹³⁹	Clickthrough rates for links directing users from the first screen to second screen	Clickthrough rates for links directing users from the first screen to third screen	Clickthrough rates for links directing users from second screen to third screen
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¹³⁹ In terms of the first and second column, data for October cover October 4-31 whereas data for November cover November 1-29. The data on the table were converted to monthly data by calculating arithmetic mean of the data provided on a daily basis by Google.

Oct.19	(.....)	(.....)	(.....)
Nov.19	(.....)	(.....)	(.....)

- (826) The clickthrough rates in the table show that users prefer the links in the Local Unit that direct them to a hotel more than other links ((.....) more clicks). Moreover, clickthrough rates for the hotel links on the first screen are higher than the hotel links on the second screen (clickthrough rate is (.....) more) This creates concerns about how much traffic the local carousel, which has been launched in Europe, will provide to competitors because the data shows that users generally take the local search service from the first screen, and areas providing information about the businesses directly are preferred more.
- (827) In light of the observations above and Google's advantage in terms of display, Google should provide its competitors reasonable access to Local Unit.
- (828) To ensure the termination of the violation detected and the establishment of effective competition in the market,
- within 6 months as of the notification of the reasoned decision, Google must ensure that competing local search services and competing accommodation price comparison services are no longer at a disadvantage before Google's own related services on the general search results page.
 - Google must periodically submit annual reports to the Authority for a period of five years, starting on the date of implementation of the first compliance measure.

J. CONCLUSION

- (829) According to the Report prepared and the Additional Opinion, evidence collected, written pleas, the explanations made during the oral hearing and the scope of the file examined regarding the investigation discussed in the Board meeting dated 20.06.2019 and conducted per the Board decision numbered 19-08/94-M, it was decided UNANIMOUSLY that
1. The economic entity, comprised of Google Reklamcılık ve Pazarlama Ltd. Şti., Google International LLC, Google LLC, Google Ireland Limited and Alphabet Inc., held dominant position in the general search services market,
 2. Google violated Article 6 of the Act no 4054 on the Protection of Competition by obstructing the operations of its rivals and distort competition in the local search services and accommodation price comparison services market, by favoring its own local search and accommodation price comparison services in terms of location and presentation on the general search page in comparison with those of its rivals and by refusing access of competing local search sites to the Local Unit,
 3. According to Article 16(3) of the Act no 4054 and Article 5(1)(b), 5(2), 5(3)(b) and 6(1)(a) and 7(1) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, by (.....)% of the annual gross revenues which generated at the end of the fiscal year 2020 and which is determined by the Board,
 - Google Reklamcılık ve Pazarlama Ltd. Şti., Google International LLC, Google LLC, Google Ireland Limited and Alphabet Inc., shall be imposed 296.084.899,49 TL administrative fines severally,
 4. The following obligations must be imposed on Google to ensure the termination

of the violation mentioned in Article 2 and the establishment of effective competition in the market:

- a. Within 6 months as of the notification of the reasoned decision, Google must ensure that competing local search services and competing accommodation price comparison services are no longer at a disadvantage before Google's own related services on the general search results page,
- b. Google must periodically submit annual reports to the Authority for a period of five years, starting on the date of implementation of the first compliance measure,

with the decision subject to review before Ankara Administrative Courts within 60 days as of the notification of the reasoned decision.