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Commission to investigate Google's AI practices

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The European Commission opened an antitrust investigation into Google's possible anticompetitive conduct in using online content for AI purposes. European Publishers Council calls for effective enforcement of the Digital Markets Act and EU competition rules, safeguarding rights and remuneration for journalists, publishers and content creators.

While Commission's recent €120 Million fine to X still is in the news highlights, the practices of another major platform are set under in-depth investigation. The European Commission announced the opening of a formal antitrust investigation to assess whether Google has breached EU competition rules by using the content of web publishers, as well as content uploaded on the online video-sharing platform YouTube, for artificial intelligence ('AI') purposes.

Issues under examination focus on whether Google is distorting competition by imposing unfair terms and conditions on publishers and content creators, or by granting itself privileged access to such content, thereby placing developers of rival AI models at a disadvantage.

"AI is bringing remarkable innovation and many benefits for people and businesses across Europe, but this progress cannot come at the expense of the principles at the heart of our societies. This is why we are investigating whether Google may have imposed unfair terms and conditions on publishers and

content creators, while placing rival AI models developers at a disadvantage, in breach of EU competition rules." said Teresa Ribera, Executive Vice-President for Clean, Just and Competitive Transition.

The opening of a formal investigation does not prejudge its outcome. There is no legal deadline for bringing an antitrust investigation to an end and the duration of an antitrust investigation depends on a number of factors, including the extent to which the companies concerned cooperate with the Commission and the parties' exercise of the rights of defence.

A few monhts earlier, the European Commission had fined Google €2.95 billion for breaching EU antitrust rules by distorting competition in the advertising technology industry ('adtech'), following an complaint filed by the European Publishers Council.

European Publishers Council: Yes to AI but on agreed remuneration and refusal terms

The European Publishers Council (EPC) welcomed the Commission's announcement, stating that Google's AI-driven features, such as AI Overviews and AI Mode, "rely heavily on high-quality journalistic content, yet publishers are offered neither meaningful choice nor fair remuneration for that use".

Angela Mills Wade, Executive Director of the European Publishers Council, said: "Publishers are not opposed to innovation, including the use of AI, but innovation cannot be built on the use of professional journalism without agreed terms and remuneration and without offering them the possibility to refuse such use of their content without losing access to Google Search. Google's AI Overviews and AI Mode make systematic use of publishers' content while depriving publishers of traffic, revenues and real choice. That is neither fair nor sustainable, particularly when imposed by a dominant gatekeeper. The Commission's intervention is therefore both necessary and timely."

EPC argues that "By generating answers directly within the search interface, AI Overviews increasingly substitute for original journalism rather than directing users to it, reducing traffic to publishers' websites and weakening licensing markets recognised under EU copyright law. AI Mode risks reinforcing this dynamic further by embedding a conversational, links-light experience directly into search.

The Commission recently fined X €120 Million, causing a furious response by Elon Musk and top US officials. Earlier this year, Apple was fined with €500M and Meta with €200M for violating Digital Markets Act rules on app distribution and data consent practices. Meanwhile, following an in-depth investigation the Commission recently announced objections on the $775M acquisition of Downtown by Universal Music Group and news is expected in February 2026.

Find more here

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