

**Mere attainment of a dominant position does not amount to abuse of such position and hence not a violation of Section 4 of the Competition Act, in the absence of discriminatory conduct**

The Competition Commission of India (CCI) in the case of **Liberty Infospace Pvt Ltd. v Alphabet Inc. [Case No. 07 of 2025] dated October 06, 2025**, has ruled that Google did not abuse its dominant position by terminating the developer account of Liberty Infospace on the Google Play Store, after finding no prima facie violation under Section 4 of the Competition Act, 2002 relating to abuse of dominant position or indulgence in discriminatory conduct.

The CCI found that the termination essentially removed Liberty's HRMS app, EasyDo Tasks-HRMS Payroll AI, from the Play Store, where it had over 16,000 downloads, citing prior violations by associated previously terminated Google Play Developer Accounts. This was opposed by the informant, alleging discrimination, citing additional redressal mechanisms available to EU developers under the Digital Services Act.

The CCI reaffirmed that Google holds a dominant position in this market but did not abuse this dominance. The Commission also accepted Google's rationale for not disclosing detailed enforcement mechanisms, noting that transparency must be balanced against the risk of bad actors gaming the system, and stated that Google's explanation in respect of its 'relational ban policy', reasons behind not giving detailed disclosures, rationale for termination, and lack of incentive to terminate authentic apps appear to be reasonable.

The terms of the Google Play Developer Distribution Agreement (GPDDA), which Liberty had challenged as one-sided and unfair, were found to be standard-form contracts applied uniformly across developers. The Commission noted that Clause 10.3 of the agreement permits immediate termination in cases of serious violations, including those involving associated accounts, and therefore, dismissed the case under Section 26(2) of the Competition Act, 2002.