

Madrid, 7<sup>th</sup> February 2013

## **MEDIASET ESPAÑA CONFIRMS ITS COMPLIANCE WITH THE AGREED COMMITMENTS AND CONSIDERS THE PUNISHMENT IMPOSED BY THE CNC AS TOTALLY OUTRAGEOUS AND UNJUSTIFIED**

- **The commitments agreed to during the acquisition process of Sogecuatro were subsequently unilaterally elaborated and imposed by the CNC through the adoption of an Action Plan which has been judicially appealed by Mediaset España.**
- **Mediaset España has scrupulously accomplished all its commitments with the CNC, both in advertising as well as content acquisition.**
- **The penalty imposed is absolutely extravagant and disproportionate and does not correspond with any legal or economic elements.**

The penalty imposed on Mediaset España by the Comisión Nacional de Competencia (Spanish Antitrust authority) for the alleged infringements of commitments during the acquisition of Sogecuatro, is, apart from being extravagant, totally unjustified.

The said commitments established certain restrictions related to the selling of advertising on television and to the acquisition of contents in order to prevent abuse of the dominant position that hypothetically MEDIASET happen to hold in both markets (the sale of TV advertising and TV content acquisitions).

Each of these commitments were subsequently unilaterally elaborated, approved and imposed in an Action Plan to which Mediaset España has judicially appealed.

The company wants to clarify that:

- Mediaset España has not breached any of its commitments in the advertising field. If this had been the case it would have been illogical for the company to have been obliged to reduce the average price of advertising giving away market share, even though Mediaset España maintained the pre-merger audience share of Telecinco and Cuatro. Consequently, the behaviour alleged by the CNC had little effect on the market.
- Neither has Mediaset España breached any of its commitments in the field of content acquisition, among other reasons, but not limited to, the fact that the rule which is allegedly breached is not included in the commitments made by the company. The rule is part of the Action Plan subsequently set by the

CNC, which has been judicially appealed by Mediaset España and is pending the court's decision.

In any case, Mediaset España considers that the penalty does not correspond to any legal or factual and, of course, economic elements. Acting in this way, it is the CNC itself which calls into question its decisions and the role they have been portraying particularly in recent years in the audiovisual sector.

GABINETE DE PRENSA

**MEDIASET**españa.

