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Spain: AGEDI-AEI RADIO, National Markets and Competition Commission, Expediente S/0500/13, 26 November 2015

Pablo Hernández · Friday, May 13th, 2016

On 26 November 2015, the Spanish competition authority imposed a new fine on Spanish collecting societies. Two organisations were affected, the society that represents record companies (AGEDI) and the society representing music performers (AIE), who operate in their respective sectors without competition.

In the opinion of the Spanish Markets and Competition Commission (CNMC), the two societies were abusing their dominant position by disproportionately increasing fees for remuneration rights charged to radio companies and unjustifiably discriminating against broadcasting organisations competing in the market.

The doctrine deployed by the Commission in this case echoes previous findings on collecting fees, but its interest lies in the way in which the Commission tackles the case -taking on the role of supervisory body- and in the nuances that it adds to past findings, which are no doubt due to the recent reform of the Spanish Copyright Act and its new collecting society fees system.

A [full summary](#) of this case has been published on [Kluwer IP Law](#) and the case has been discussed on the Kluwer Copyright Blog [here](#).

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