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ATTF Proceedings Against Apple: Media and Advertising Industry Calls for Prohibition Decision by the German Federal Cartel Office (Bundeskartellamt)

Associations reject Apple's commitments after market test and consider competition problems in the mobile advertising market still unresolved.

The umbrella associations of the German media and advertising industry have rejected the commitments proposed by Apple in the abuse proceedings conducted by the German Federal Cartel Office concerning the so-called App Tracking Transparency Framework (ATTF) following an extensive market test. In the industry's assessment, the proposals are not suitable to remedy the competition problems in the mobile advertising market identified by the competition authorities.

The associations have therefore called on the German Federal Cartel Office to reject the commitments, and to put an end to the antitrust infringement through an effective prohibition decision. To safeguard data-driven competition a sufficiently deterrent fine must also ensure that Apple does not repeat the contested conduct.

Industry calls for clear antitrust consequences

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“Our members share the German Federal Cartel Office’s assessment: Apple must not use its rule-setting power within its own ecosystem to unilaterally disadvantage competitors. The proposed commitments would not change the negative effects of the App Tracking Transparency Framework. Apple would remain the data gatekeeper and would continue to decide who gets access to advertising-relevant data and how companies can communicate with their end customers. It is precisely for such cases that the legislator has given the German Federal Cartel Office a particularly strong instrument with Section 19a of the German Competition Act (GWB). This instrument must finally be used to enforce fair competition in the digital ecosystem.”

In February 2025, the German Federal Cartel Office informed Apple that, according to its preliminary assessment, the ATTF introduced in 2021 violates European and German competition law. Apple subsequently submitted commitments intended to address the competition concerns. The German Federal Cartel Office subjected these proposals to a market test in December 2025.

The result was clear: according to the consulted associations and their thousands of members, the proposed commitments are not suitable to resolve the identified serious competition concerns. After careful consideration, the associations unanimously concluded that the proposals would not even eliminate the data protection concerns related to the App Tracking Transparency Framework. The central competition infringements would remain.

The associations of the German media and advertising industry that initiated the antitrust proceedings against Apple with their complaint in 2021 include, among others:

- BDZV – German Association of Digital Publishers and Newspaper Publishers**
- The Media Agencies Association (Die Mediaagenturen).**
- German Association of the Branded Goods Industry (Markenverband)**
- MVFP – German Media Association for the Free Press**
- VAUNET – Association of Private Media**
- German Advertising Federation (ZAW)**