



EUROPEAN COMMISSION - PRESS RELEASE

Antitrust: Commission opens proceedings against MathWorks

Brussels, 1 March 2012 - The European Commission has opened a formal investigation to assess whether The MathWorks Inc., a U.S.-based software company, has distorted competition in the market for the design of commercial control systems by preventing competitors from achieving interoperability with its products. The Commission will investigate whether by allegedly refusing to provide a competitor with end-user licences and interoperability information, the company has breached EU antitrust rules that prohibit the abuse of a dominant position. The opening of proceedings means that the Commission will examine the case as a matter of priority. It does not prejudge the outcome of the investigation.

The investigation follows a complaint alleging that MathWorks had refused to provide a competitor with end-user software licences and accompanying interoperability information for its flagship products "Simulink" and "MATLAB", thereby preventing it from lawfully reverse-engineering in order to achieve interoperability with these two products.

As in the *Microsoft* case (see [IP/04/382](#) and [MEMO/04/70](#) and [MEMO/07/359](#)), the issue of software interoperability is central to this investigation. The Commission's investigation will focus on whether MathWorks' behaviour has prevented competitors from achieving interoperability with its widely used products and thereby hindered competition in breach of Article 102 TFEU. In this context, it is recalled that the European Directive 2009/24/EC on the legal protection of computer programmes also aims to foster interoperability by allowing for reverse-engineering for interoperability purposes provided that the software at issue was lawfully acquired.

Background

MathWorks' "Simulink" and "MATLAB" software products are widely used for designing and simulating control systems. Control systems are deployed in many innovative industries such as in cruise control or anti-lock braking systems (ABS) for cars.

Article 102 TFEU prohibits the abuse of a dominant position which may affect trade and prevent or restrict competition. The implementation of this provision is defined in the Antitrust Regulation (Council Regulation No 1/2003) which can be applied by the Commission and by the national competition authorities of EU Member States.

The Commission has informed MathWorks and the Member States' competition authorities that it has formally opened proceedings in this case.

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