

## European Union

### “Expedia”

**Treaty on the Functioning of the European Union, Art. 101(1);  
Council Regulation (EC) No. 1/2003 of 16 December 2002  
on the Implementation of the Rules on Competition Laid down  
in Articles 81 and 82 of the Treaty, Art. 3(2) – *Expedia  
Inc. v. Autorité de la concurrence and Others***

**Decision of the European Court of Justice  
(Second Chamber)  
13 December 2012 – Cases No. C-226/11**

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Articles 101(1) TFUE and 3(2) of Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 [EC] and 82 [EC] must be interpreted as not precluding a national competition authority from applying Article 101(1) TFEU to an agreement between undertakings that may affect trade between Member States, but that does not reach the thresholds specified by the European Commission in its notice on agreements of minor importance which do not appreciably restrict competition under Article 81(1), [EC] (*de minimis*), provided that that agreement constitutes an appreciable restriction of competition within the meaning of that provision.

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Official headnotes.

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