

### I. CCI dismisses allegations of abuse of dominance against Amazon India

The CCI has dismissed a case of alleged abuse of dominance against Amazon India and its subsidiaries. The case was filed by an entity (Lifestyle Equities, C.V.) which manufactures and sells apparel in India under the brand 'Beverly Hills Polo Club', alleging that its products were being sold on the website of Amazon India at cheaper rates as compared to the website of the Informant itself. It was alleged that the conduct of Amazon has resulted in exclusionary effect on the business of Informant in India.

The CCI noted that Amazon India faces stiff competition in the market for services provided by online platforms for selling fashion merchandise in India. Such competition comes from entities such as Flipkart India, Shopclues.com, Paytm Mall, etc. In light of the same, it cannot be prima-facie held that Amazon India is dominant in the said relevant market, and the allegations of abuse cannot be considered. The case has been dismissed accordingly.

[**Case:** *Lifestyle Equities C.V. vs Amazon Seller Services Private Limited and Ors.* CCI Case No. 09 of 2020, decision dated 11 September 2020]. The full text of the order may be accessed [here](#).

### II. CCI dismisses a case of abuse of dominance against India Yamaha Motor Private Limited

The CCI has dismissed a case against Yamaha Motor for alleged abuse of dominance in relation to termination of a dealership in Jodhpur.

In a case filed by an ex-dealer of Yamaha, it was alleged that Yamaha terminated its dealership in Jodhpur without giving any reason or justification. Certain other

perceived abusive conduct was alleged as well.

The CCI noted that in the separate markets for "market for manufacture and sale of scooters in India" and "market for manufacture and sale of motor-cycles in India", Yamaha has insignificant market share (<10%) and faces stiff competition from more established brands such as Hero MotoCorp Ltd., Honda Motorcycles & Scooters India Private Limited, TVS Motor Company, Royal Enfield and Suzuki Motorcycle India Private Ltd. As such, Yamaha cannot be held to be dominant in either of the relevant markets. Consequently, the question of abuse of dominance does not arise. The case has accordingly been closed.

[**Case:** *Mr. Vijay Chaudhary vs India Yamaha Motor Private Limited* CCI Case No. 27 of 2020, order dated 07 September 2020]. The full text of the order may be accessed [here](#).

*This update is intended merely as an announcement to highlight recent developments. The information is general and should not be considered or relied on as legal advice. For any further enquiries, please contact the following:*



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