

Approval of the Commitment Plan submitted by Rakuten, Inc.

October 25, 2019
Japan Fair Trade Commission

In response to the Notice of Commitment Procedures which the Japan Fair Trade Commission (hereinafter referred to as the “JFTC”) issued to Rakuten, Inc. (hereinafter referred to as “Rakuten”) on July 23, 2019 because the JFTC suspected that activities by Rakuten mentioned in 2 below violated the Article 19 (paragraph 12 [Trading on Restrictive Terms]) of the Antimonopoly Act, Rakuten made an Application for Commitment Approval. The JFTC recognized that the Plan would conform to the Approval Requirements and approved the Commitment Plan today.

Note that, this Approval of the Commitment Plan does not represent a determination that the activities of Rakuten constituted a violation of the Antimonopoly Act.

1. Overview of the Applicant

Corporate No.	9010701020592
Corporate Name	Rakuten, Inc.
Address	1-14-1 Tamagawa, Setagaya-ku, Tokyo
Representative Director	Hiroshi Mikitani, Representative Director

2. Overview of the Suspected Violation

In the contracts between Rakuten and accommodation operators which place information about accommodations on the website named “Rakuten Travel” operated by Rakuten, Rakuten has set the conditions to require the operators to make the prices and the numbers of rooms which they place on the website equal to or better than those through other distribution channels with the minimum number of rooms requirement.

3. Overview of the Commitment Plan

- (1) Rakuten will cease the activities that in the contracts between Rakuten and accommodation operators which place information about accommodations on the website named “Rakuten Travel” operated by Rakuten, Rakuten has set the conditions to require the operators to make the prices and the numbers of rooms which they place on the website equal to or better than those through other distribution channels with the minimum number of rooms requirement.
- (2) The board of directors of Rakuten will resolve to cease the activities mentioned in (1) above and not to perform the activities similar to those mentioned in (1) above for the next three years.
- (3) Rakuten will notify the operators mentioned in (1) above of the measures taken based on (1) and (2) above, and thoroughly make the measures known to the employees involved in the Rakuten Travel business.
- (4) Rakuten will publicize (1) mentioned above and (5) mentioned below to general consumers.
- (5) Rakuten will not perform the activities similar to those mentioned in (1) above for the next 3 years.

- (6) Rakuten will take measures necessary to do the following:
 - A. Preparing of guidelines for compliance with the Antimonopoly Act concerning transactions with the operators mentioned in (1) above, and thorough disseminating them to the employees involved in the Rakuten Travel business
 - B. Regular training of the employees involved in the Rakuten Travel business regarding compliance with the Antimonopoly Act concerning transactions with the operators mentioned in (1) above and regular audit by auditors
- (7) Rakuten will report on the state of implementation of the measures mentioned in (1)~(4) and (6) above to the JFTC.
- (8) Rakuten will annually report on the state of implementation of the measures mentioned in (5) and the state of implementation of the measures taken based on (6) B above to the JFTC for the next three years.

4. Approval of the Commitment Plan

The JFTC recognized that the Commitment Plan mentioned in 3 above would conform to the Approval Requirements and approved the Commitment Plan.