## Viewpoints of the merger review

Will (1) through (4) below, which are expected to cause concerns about competition due to the Acquisition, substantially restrain competition in relevant markets?

: Google Group

: Fitbit Group

: Competitors

(4) Use of health-related data for **Digital Advertising-related Business** 

Concern that Google Group may use health-related data for its Digital advertising-Related Business

Digital Advertisingrelated Business

(3) Refusal of providing, etc., health-related data

Health-related

database

Concern that the Parties refuse, to provide etc., health-related data through Web API

Devices

Anns

OSS

**Smartphones** (Android Smartphones)

(2) Refusal of providing, etc., smartphones OS (Android OS)

Concern that Google Group refuses to provide, etc., its OS for smartphones (Android OS) by restricting the use of Android API by competitors of Fitbit Wrist-worn wearable devices

Refusal of providing, etc., OSs for wrist-worn wearable devices

Concern that Google Group refuses to provide, etc., its OS for wrist-worn wearable devices to Fitbit Group competitors

## Competitive Assessment by the JFTC

## Refusal of providing, etc., OS for wrist-worn wearable devices



smartphones)

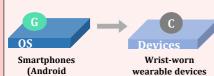
Existence of any competitors, other than Google Group, who grant free licenses for their OSs for wrist-worn wearable devices

Easy for wrist-worn wearable device manufacturers in the downstream market to change

It cannot be said that it would substantially restrain competition.

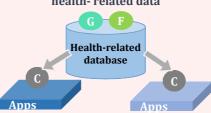
## Remedies (2) through (4)

(2) Refusal of providing, etc., smartphone OS



Google Group will provide Android API functions to wrist-worn wearable device manufacturers and maintain the interoperability between Android smartphones and wrist-worn wearable devices for 10 years from the date of the Acquisition.

(3) Refusal of providing, etc., health-related data



Smartnhones (Android smartphones) Wrist-worn wearable devices

Google group will, subject to consent of general consumer users, continue to provide API users access to health-related data provided by the Parties via Web API for 10 vears from the date of the Acquisition for free of charge.

(4) Use of health-related data for **Digital Advertising-related Business** 



For 10 years from the date of the Acquisition, Google Group will;

- not use the health-related data for Google Group's Digital Advertisingrelated Business.
- · maintain the separation of the healthrelated data from the other data sets within Google Group.

Note: Can be extended (up to an additional 10 years) as necessary

Regular reporting to the JFTC

Report the compliance status monitored by an independent third party (i.e., monitoring trustee) once in six months for 10 years from the date of of the Acquisition.