



Republic of Serbia  
**COMMISSION FOR PROTECTION  
OF COMPETITION**

Number: 4/0-02-89/2017- 31

Reference number: 4/0-02-598/2016

Date: December 1, 2017

Belgrade

Pursuant to Article 22(2), Article 57(1), and Article 68(1/2) of the Law on Protection of Competition (Official Gazette of the RS 51/09 and 95/2013), Article 192 of the Law on General Administrative Procedure (Official Gazette of the FRY 33/97 and 31/01, and Official Gazette of the RS 30/2010) in reference to Article 213(1) of the Law on General Administrative Procedure (Official Gazette of the RS 18/2016), Article 3 and 4 of the Regulation on criteria for setting the amount payable on the basis of measure for protection of competition and sanctions for procedural breaches, manner and terms for payment thereof and conditions for determination of respective measures (Official Gazette of the RS 50/2010), deciding in the proceeding instituted on grounds of investigating competition infringement from Article 10 of the Law on Protection of Competition, instigated *ex officio* against companies: „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, whose legal representative is CEO Dalibor Šarić, represented by attorneys at law Nemanja Vasiljević and Rada Janković from Belgrade, 29/16 Terazije St., „PREDUZEĆE ĐAK“ DOO Beograd – Zemun, company number 07512481, 5 Milana Rešetara St., Belgrade – Zemun, whose legal representative is Đoka Đačić, represented by attorneys at law Savo Radak and Blagoje Kondić from Belgrade, 6/III Kneza Miloša St., „OFFICE-SHOES“ DOO za proizvodnju i trgovinu Subotica, company number 08684464, bb Tuk Ugarnice St., Subotica, whose legal representative is CEO Lajoš Čakanj, represented by attorney at law Sofija Ilić from Belgrade, 29/16 Terazije St., „K... G... FASHION“ DOO Čačak, company number 20735902, 17 Oslobođenja Boulevard, Čačak, whose legal representative is CEO Zoran Vučković, represented by attorneys at law Nemanja Vasiljević and Rada Janković from Belgrade, 29/16 Terazije St., entrepreneur “ZORAN VESIĆ PR, SAMOSTALNA TRGOVINSKA RADNJA KOMISION SPORT ONE”, Paraćin, company number 54937474, 1/9 Vidovdanska St., Paraćin, in which Zoran Vesić acts in the capacity of a legal representative, „TRIM“ preduzeće za promet robe na veliko uvoz-izvoz DOO Vrbas, company number 08241988, 56 Maršala Tita St., Vrbas, whose legal representative is CEO Rade Sokanović, „CARVEL“ Preduzeće za trgovinu i usluge društvo sa ograničenom odgovornošću Beograd, company number 07530986, 4 Kačanička St., Belgrade-Savski venac, whose legal representative is CEO Miroslav Stanojević, represented by attorney at law Predrag Krunić from Belgrade, 25/V Svetogorska St., Društvo za trgovinu „EUROSTAR“ DOO Šabac, company number 17110101, 41 Karađorđeva St., Šabac, whose legal representative is CEO Jasmina Živković, entrepreneur „STR FOKUS SNEŽANA ZLATKOVIĆ KOSTOV PR“ Pirot, company number 50109593, bb Oslobodioca Pirota Sqaure, Pirot, in which Snežana Zlatković-Kostov acts in the capacity of a legal representative, Preduzeće za marketing, trgovinu i

usluge „ZVEZDA FOREVER“ DOO Beograd, company number 20314125, 1a Ljutice Bogdana St., Belgrade, whose legal representative is CEO Goran Bročić, Društvo sa ograničenom odgovornošću „SPORTMARKET“ Sombor, company number 21066729, 16 Kralja Petra I St., Sombor, whose legal representative is CEO Goran Grbić, Preduzeće za proizvodnju, promet i pružanje usluga „UNIVERS-CO“ DOO Beograd – Zemun, company number 07926456, 9 Milana Rešetara St., Belgrade – Zemun, whose legal representative is CEO Dragoslav Jocić, „TOTAL SPORT“ DOO Beograd – Voždovac, company number 20924462, 19 Rade Končara St., Belgrade – Voždovac, whose legal representative is CEO Zoran Kolaković, „KOPELLI“ za proizvodnju i trgovinu DOO Kupusina - in liquidation, company number 20911026, 9 Somborski put St., Kupusina, whose bankruptcy administrator is Borislav Avramović, Preduzeće za trgovinu na veliko i malo „SPORTIKO“ DOO Aranđelovac, company number 17013670, 86 Knjaza Miloša St., Aranđelovac, whose legal representative is CEO Radosav Vićentijević, and „PLANETA SPORT“ DOO Beograd - Novi Beograd, company number 21019984, 69đ Arsenija Čarnojevića Boulevard, New Belgrade, whose legal representative is CEO Zoran Bošković, on the 129<sup>th</sup> session held on December 1, 2017, Council of the Commission for Protection of Competition enacts the following

## DECISION

**I IT IS ESTABLISHED** that undertakings have concluded agreements of purchase and sale that contain provisions regulating prices in further sales, which constitute a restrictive agreement, specifically:

- Article 3 of the Agreement of purchase and sale No. 01/14 of January 15, 2014 and the Agreement of purchase and sale No. 01/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „PREDUZEĆE ĐAK“ DOO Beograd – Zemun, company number 07512481, with registered seat at the address 5 Milana Rešetara St., Belgrade – Zemun,

- Article 3 of the Agreement of purchase and sale No. 03/14 of January 15, 2014 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „OFFICE-SHOES“ DOO za proizvodnju i trgovinu Subotica, company number 08684464, with registered seat at the address bb Tuk Ugarnice St., Subotica,

- Article 3 of the Agreement of purchase and sale No. 14/14 of September 29, 2014 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun,, and „K... G... FASHION“ DOO Čačak, company number 20735902, with registered seat at the address 17 Oslobođenja Boulevard, Čačak,

- Article 3 of the Agreement of purchase and sale No. 07/14 of September 29, 2014 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and entrepreneur “ZORAN

VESIĆ PR, SAMOSTALNA TRGOVINSKA RADNJA KOMISION SPORT ONE”, Paraćin, company number 54937474, with registered seat at the address 1/9 Vidovdanska St., Paraćin,

- Article 3 of the Agreement of purchase and sale No. 10/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „TRIM“ preduzeće za promet robe na veliko uvoz-izvoz DOO Vrbas, company number 08241988, with registered seat at the address 56 Maršala Tita St., Vrbas,

- Article 3 of the Agreement of purchase and sale No. 02/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „CARVEL“ Preduzeće za trgovinu i usluge društvo sa ograničenom odgovornošću Beograd, company number 07530986, with registered seat at the address 4 Kačanička St., Belgrade-Savski venac,

- Article 3 of the Agreement of purchase and sale No. 06/14 of September 29, 2014 and the Agreement of purchase and sale No. 03/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and Društvo za trgovinu „EUROSTAR“ DOO Šabac, company number 17110101, with registered seat at the address 41 Karađorđeva St., Šabac,

- Article 3 of the Agreement of purchase and sale No. 04/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and entrepreneur „STR FOKUS SNEŽANA ZLATKOVIĆ KOSTOV PR“ Pirot, company number 50109593, with registered seat at the address bb Oslobodioca Pirota Square, Pirot,

- Article 3 of the Agreement of purchase and sale No. 02/16 of March 9, 2016 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and Društvo sa ograničenom odgovornošću „SPORTMARKET“ Sombor, company number 21066729, with registered seat at the address 16 Kralja Petra I St., Sombor,

- Article 3 of the Agreement of purchase and sale No. 09/14 of September 1, 2014 and the Agreement of purchase and sale No. 11/15 of February 1, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and Preduzeće za proizvodnju, promet i pružanje usluga „UNIVERS-CO“ DOO Beograd–Zemun, company number 07926456, with registered seat at the address 9 Milana Rešetara St., Belgrade – Zemun,

- Article 3 of the Agreement of purchase and sale No. 11/15 of February 27, 2015 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „TOTAL SPORT“ DOO Beograd –

Voždovac, company number 20924462, with registered seat at the address 19 Rade Končara St., Belgrade – Voždovac,

- Article 3 of the Agreement of purchase and sale No. 22/14 of October 14, 2014 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „KOPELLI“ za proizvodnju i trgovinu DOO Kupusina - in liquidation, company number 20911026, with registered seat at the address 9 Somborski put St., Kupusina, whose bankruptcy administrator is Borislav Avramović,

- Articles 2, 4 and 5 of the Agreement of purchase and sale No. 5/14 of February 28, 2014 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and Preduzeće za trgovinu na veliko i malo „SPORTIKO“ DOO Arandjelovac, company number 17013670, with registered seat at the address 86 Knjaza Miloša St., Arandjelovac,

- Article 3 of the Agreement of purchase and sale No. 01/16 of February 15, 2016 concluded between companies „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, with registered seat at the address 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, and „PLANETA SPORT“ DOO Beograd - Novi Beograd, company number 21019984, with registered seat at the address 69đ Arsenija Čarnojevića Boulevard, New Belgrade,

wherewith have effected the infringement of competition from Article 10(2/1) of the Law on Protection of Competition.

**II IT IS ESTABLISHED** that restrictive agreements from Paragraph I of enacting terms herein are prohibited and void *ex lege*.

**III IT IS PROHIBITED** to undertakings from Paragraph I of enacting terms herein any further acting that might restrict, distort or prevent competition by concluding agreements that contain provisions establishing prices is further sales.

**IV MEASURE FOR PROTECTION OF COMPETITION IS DEFINED** against undertakings from Paragraph I of enacting terms herein in the form of payment commitment, and specifically for the undertaking:

- „N SPORT“ društvo sa ograničenom odgovornošću za spoljnu i unutrašnju trgovinu, Beograd – Zemun, company number 17067648, 150a Autoput Beograd – Novi Sad St., Belgrade – Zemun, whose legal representative is CEO Dalibor Šarić, in the form of payment commitment in the amount of 0.62% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 16,525,732.75 (in words: sixteen million, five hundred twenty-five thousand, seven hundred thirty-two and 75/100 dinars),

- „PREDUZEĆE ĐAK“ DOO Beograd – Zemun, company number 07512481, 5 Milana Rešetara St., Belgrade – Zemun, whose legal representative is Đoka Đaćić, in the form of payment commitment in the amount of 0.29% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 15,850,569.60 (in words: fifteen million, eight hundred fifty thousand, five hundred sixty-nine and 60/100 dinars),

- „OFFICE-SHOES“ DOO za proizvodnju i trgovinu Subotica, company number 08684464, bb Tuk Ugarnice St., Subotica, whose legal representative is CEO Lajoš Čakanj, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 2,705,138.00 (in words: two million, seven hundred five thousand, one hundred thirty-eight dinars),

- „K... G... FASHION“ DOO Čačak, company number 20735902, 17 Oslobođenja Boulevard, Čačak, whose legal representative is CEO Zoran Vučković, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 459,256.00 (in words: four hundred fifty-nine thousand, two hundred fifty-six dinars),

- entrepreneur “ZORAN VESIĆ PR, SAMOSTALNA TRGOVINSKA RADNJA KOMISION SPORT ONE”, Paraćin, company number 54937474, 1/9 Vidovdanska St., Paraćin, in which Zoran Vesić acts in the capacity of a legal representative, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 99,648.00 (in words: ninety-nine thousand, six hundred forty-eight dinars),

- „TRIM“ preduzeće za promet robe na veliko uvoz-izvoz DOO Vrbas, company number 08241988, 56 Maršala Tita St., Vrbas, whose legal representative is CEO Rade Sokanović, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 82,336.00 (in words: eighty-two thousand, three hundred thirty-six dinars),

- „CARVEL“ Preduzeće za trgovinu i usluge društvo sa ograničenom odgovornošću Beograd, company number 07530986, 4 Kačanička St., Belgrade-Savski venac, whose legal representative is CEO Miroslav Stanojević, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 1,307,906.00 (in words: one million, three hundred seven thousand, nine hundred six dinars),

- Društvo za trgovinu „EUROSTAR“ DOO Šabac, company number 17110101, 41 Karađorđeva St., Šabac, whose legal representative is CEO Jasmina Živković, in the form of payment commitment in the amount of 0.22% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 69,644.88 (in words: sixty-nine thousand, six hundred forty-four and 88/100 dinars),

- entrepreneur „STR FOKUS SNEŽANA ZLATKOVIĆ KOSTOV PR“ Pirot, company number 50109593, bb Oslobodioca Pirota Sqaure, Pirot, in which Snežana Zlatković-Kostov acts in the capacity of a legal representative, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 44,263.37 (in words: forty-four thousand, two hundred sixty-three and 37/100 dinars),

- Društvo sa ograničenom odgovornošću „SPORTMARKET“ Sombor, company number 21066729, 16 Kralja Petra I St., Sombor, whose legal representative is CEO Goran Grbić, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 44,202.00 (in words: forty-four thousand, two hundred two dinars),

- Preduzeće za proizvodnju, promet i pružanje usluga „UNIVERS-CO“ DOO Beograd – Zemun, company number 07926456, 9 Milana Rešetara St., Belgrade – Zemun, whose legal representatives is CEO Dragoslav Jocić, in the form of payment commitment in the amount of 0.34% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 2,776,959.18 (in words: two million, seven hundred seventy-six thousand, nine hundred fifty-nine and 18/100 dinars),

- „TOTAL SPORT“ DOO Beograd – Voždovac, company number 20924462, 19 Rade Končara St., Belgrade – Voždovac, whose legal representative is CEO Zoran Kolaković, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 25,626.00 (in words: twenty-five thousand, six hundred twenty-six dinars),

- „KOPELLI“ za proizvodnju i trgovinu DOO Kupusina - in liquidation, company number 20911026, 9 Somborski put St., Kupusina, whose bankruptcy administrator is Borislav Avramović, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 31,402.00 (in words: thirty-one thousand, four hundred two dinars),

- Preduzeće za trgovinu na veliko i malo „SPORTIKO“ DOO Arandjelovac, company number 17013670, 86 Knjaza Miloša St., Arandjelovac, whose legal representative is CEO Radosav Vićentijević, in the form of payment commitment in the amount of 0.7% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 127,050.00 (in words: one hundred twenty-seven thousand, fifty dinars),

- „PLANETA SPORT“ DOO Beograd - Novi Beograd, company number 21019984, 69đ Arsenija Čarnojevića Boulevard, New Belgrade, whose legal representative is CEO Zoran Bošković, in the form of payment commitment in the amount of 0.2% of the total annual revenue generated in 2015 on the market of the Republic of Serbia, i.e. in the amount of RSD 5,212,578.00 (in words: five million, two hundred twelve thousand, five hundred seventy-eight dinars).

**V IT IS ORDERED** to undertakings from Paragraph I of enacting terms herein to execute the amount payable on the basis of the measure for protection of competition from Paragraph IV of enacting terms herein to the Budget account of the Republic of Serbia, number 840 743224 843 94, model 97 - reference number: two-digit control number per model 97 – three-digit number of municipality, city or area – number of this decision.

**VI DEADLINE IS SET** to six (6) months from the date of receipt of this decision for the execution of order from Paragraph V of enacting terms herein, under the threat of enforcement measures.

**VII IT IS ORDERED** to undertakings from Paragraph I of enacting terms herein to immediately, following the execution of order from Paragraph V of enacting terms herein, submit to the Commission for Protection of Competition a proof of executed payment.

**VIII** This decision shall be published in the Official Gazette of the Republic Serbia and on the web page of the Commission for Protection of Competition.

