



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

25 Savska St., 4th Floor, Belgrade

Number: 4/0-02-56/2019-64

Reference number: 4/0-02-427/2018

Date: September 27, 2019

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Redacted version

Pursuant to Article 22(2) of the Law on Protection of Competition (Official Gazette of the RS 51/09 and 95/13) and Articles 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 therein and conditions for determination of respective measures (Official Gazette of the RS 50/10), deciding in proceedings instituted *ex officio* against the following companies: Original preduzeće za spoljnu i unutrašnju trgovinu i usluge doo Beograd, with registered office at 21ž Antifašističke borbe St., New Belgrade, represented by Predrag Samardžić, CEO, via procuration holder, attorney at law Nebojša Andonović from Belgrade, 18b Branka Krsmanovića St.; Mikops doo Export-Import za proizvodnju, trgovinu i usluge Niš, with registered office at 6 Vojvode Tankosića St., Office No. 5, Niš, represented by Vladimir Mitić, CEO, via procuration holder, attorney at law Milan Kundačina from Belgrade, 64 Prote Mateje St.; Preduzeće za usluge i trgovinu Birolinija društvo sa ograničenom odgovornošću Beograd, with registered office at 16 Bitoljska St., Belgrade, represented by Branko Dimitrijević, CEO; Biro Print Sistemi doo Beograd-Savski venac, with registered office at 3 Velisava Vulovića St., represented by Milan Majkić, CEO, via procuration holder, attorney at law Zoran Jakovljević from Belgrade, 16a Trgovačka St., Shopping Mall Mondo, Office No. K; Preduzeće za trgovinu i usluge Dikti Line doo, Beograd, with registered office at 24 Alekse Nenadovića St., Belgrade, represented by Milica Radovanović, CEO, via procuration holder, attorney at law Ana Čegar from the Law Office Karlović/Čegar from Belgrade, 11 Silvija Kranjčevića St.; Društvo za spoljašnju i unutrašnju trgovinu Birodeveloping doo Niš, with registered office at BC Dušanov bazar – kula, 54-72 Dušanova St., Office no. 108, Niš, represented by Sonja Todorović, CEO; Društvo za proizvodnju, promet i usluge Birotehnika Export-Import doo, Jagodina, with registered office at 1 Novosadska St., Jagodina, represented by Aleksandra Zarić, CEO, via procuration holder, attorney at law Blagoje Kondić from Belgrade, 6/7 Kneza Miloša St.; and, Konica Minolta Poslovna Rešenja SE d.o.o. Beograd, with registered office at 11a Milutina Milankovića Blvd., Belgrade, represented by Daniel Szekely, CEO, via procuration holder, attorney at law Đura Otašević from the Law Office NKO Partners from Belgrade, 11 Njegoševa St., in order to investigate the infringement of competition referred to in Article 10 of the Law on Protection of Competition, at the 226th session held on September 27, 2019, the Council of the Commission for Protection of Competition enacts the following

DECISION

I IT SHALL BE ESTABLISHED that the following companies, namely: Original preduzeće za spoljnu i unutrašnju trgovinu i usluge doo Beograd, with registered office at 21ž Antifašističke borbe St., New Belgrade; Mikops doo Export-Import za proizvodnju, trgovinu i usluge Niš, with registered office at 6 Vojvode Tankosića St., Office No. 5, Niš; Preduzeće za usluge i trgovinu Birolinija društvo sa ograničenom odgovornošću Beograd, with registered office at 16 Bitoljska St., Belgrade; Biro Print Sistemi doo Beograd-Savski venac, with registered office at 3 Velisava Vulovića St., Belgrade; Preduzeće za trgovinu i usluge Dikti Line doo, Beograd, with registered office at 24 Alekse Nenadovića St., Belgrade; Društvo za spoljašnju i unutrašnju trgovinu Birodeveloping doo Niš, with registered office at BC Dušanov bazar – kula, 54-72 Dušanova St., Office no. 108, Niš; Društvo za proizvodnju, promet i usluge Birotehnika Export-Import doo, Jagodina, with registered office at 1 Novosadska St., Jagodina; and, Konica Minolta Poslovna Rešenja SE d.o.o. Beograd, with registered office at 11a Milutina Milankovića Blvd., Belgrade, have coordinated their participation in public and other procurements of office equipment with certain features corresponding to the equipment manufactured by Konica Minolta, consumables and after-sales services for the office equipment from 2015 onwards, that is, mid-April 2017 onwards in the case of company Biro Print Sistemi doo Beograd, by entering into a restrictive agreement that directly or indirectly sets the selling prices or other conditions of trade, which has as its object the restriction and prevention of competition.

II IT SHALL BE ESTABLISHED that the restrictive agreement referred to in Paragraph I of enacting terms herein is prohibited and void *ex lege*.

III MEASURE FOR PROTECTION OF COMPETITION SHALL BE SET OUT with respect of companies referred to in Paragraph I of enacting terms herein, in terms of individually set out fines, namely:

1. Original preduzeće za spoljnu i unutrašnju trgovinu i usluge doo Beograd, with registered office at 21ž Antifašističke borbe St., New Belgrade, payable in the amount of 7.55% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **19,252,500.00** (in words: nineteen million two hundred fifty-two thousand five hundred dinars);
2. Mikops doo Export-Import za proizvodnju, trgovinu i usluge Niš, with registered office at 6 Vojvode Tankosića St., Office No. 5, Niš, payable in the amount of 6.18% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **8,897,284.00** (in words: eight million eight hundred ninety-seven thousand two hundred eighty-four dinars);
3. Preduzeće za usluge i trgovinu Birolinija društvo sa ograničenom odgovornošću Beograd, with registered office at 16 Bitoljska St., Belgrade, payable in the amount of 6.18% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **1,137,490.00** (in words: one million one hundred thirty-seven thousand four hundred ninety dinars);
4. Biro Print Sistemi doo Beograd-Savski venac, with registered office at 3 Velisava Vulovića St., Belgrade, payable in the amount of 3.21% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **178,957.00** (in words: one hundred seventy-eight thousand nine hundred fifty-seven dinars);
5. Preduzeće za trgovinu i usluge Dikti Line doo, Beograd, with registered office at 24 Alekse Nenadovića St., Belgrade, payable in the amount of 6.18% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **1,944,475.00** (in words: one million nine hundred forty-four thousand four hundred seventy-five dinars);

6. Društvo za spoljašnju i unutrašnju trgovinu Birodeveloping doo Niš, with registered office at BC Dušanov bazar – kula, 54-72 Dušanova St., Office no. 108, Niš, payable in the amount of 6.18% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **776,640.00** (in words: seven hundred seventy-six thousand six hundred forty dinars); and,
7. Konica Minolta Poslovna Rešenja SE d.o.o. Beograd, with registered office at 11a Milutina Milankovića Blvd., Belgrade, payable in the amount of 7.55% of the total annual turnover generated in 2017 in the territory of the Republic of Serbia, amounting to RSD **27,788,689.00** (in words: twenty-seven million seven hundred eighty-eight thousand six hundred eighty-nine dinars).

IV IMMUNITY FROM ANTITRUST FINES SHALL BE GRANTED to company Društvo za proizvodnju, promet i usluge Birotehnika Export-Import doo, Jagodina, with registered office at 1 Novosadska St., Jagodina.

V IT SHALL BE ORDERED to companies referred to in Paragraph III of enacting terms herein to execute the payment in respect of the measure for protection of competition referred to in Paragraph III of enacting terms herein, into the Budget account of the Republic of Serbia, No. 840 743224 843 94, model 97 – with reference number: two-digit control number per model 97 – three-digit number of the municipality, city or area – number of this decision.

VI DEADLINE SHALL BE SET OUT to 12 (twelve) months from the date of receipt of this decision for the execution of orders referred to in Paragraph V of enacting terms herein, under the threat of enforcement measures implemented by tax administration authority under regulations governing tax collection.

VII IT SHALL BE ORDERED to companies referred to in Paragraph I of enacting terms herein that no later than 15 (fifteen) days from the date of execution of the order referred to in Paragraph V of enacting terms herein, to submit proof of payment thereof to the Commission for Protection of Competition.

VIII IT SHALL BE PROHIBITED to undertakings referred to in Paragraph I of enacting terms herein to take any further actions that could restrict, distort, or prevent competition in the manner as described in Paragraph I of enacting terms herein.

IX This decision shall be published in the Official Gazette of the Republic Serbia and on the website of the Commission for Protection of Competition.

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PRESIDENT OF THE COMMISSION
Dr Miloje Obradović