

28 February 2007: Agreement on resale price: Play Station 2 video game console

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Conseil de la concurrence penalizes Sony Computer Entertainment France for agreeing with distributors to have set a single resale price on Play Station 2 during French launching

[>French version](#) 

Following a referral by the Minister of Economy, the Conseil imposed a €800,000 euro fine on Sony Computer Entertainment France, for having agreed with all its distributors to publish a single resale price during the launching campaign of Playstation 2 video game console (PS2), its games and portable devices. Certain of PS2 success, Sony organised a pre-booking by its distributors at a single resale price of the game in France before the sale

Launched in March 2000 in Japan PS2 met such a success that the sales overtook Sony's forecasts. As expected stocks could not meet the European demand, video game consoles were shared by quotas between the different European countries and a pre-booking of the console, its games and portable devices was organised in France.

In order to pre-book, consumers had to select their outlet in advance from a list, which was imposed on them and had to pay a deposit of FF 300. A maximum price was announced. In order to supervise the operation, Sony Computer Entertainment France had invited the interested distributors to sign a commitment charter, which forbade them to give another resale price than the maximum price (€455 for consoles and €60 for games and €45 for portable devices).

All sales after a pre-booking of Playstation 2 were made on the basis of a

single price

All distributors published exclusively the maximum recommended retail price during the pre-booking campaign and de facto, pre-booked PS2 consoles were sold by all retailers at €455. The Conseil de la concurrence described this practice as an agreement on imposed resale price.

The imposed penalty takes into account the specific nature of the practice and the low number of the consoles concerned by the pre-booking.

The Conseil has not fined the distributors who participated into the agreement given the fragmentary and specific nature of their individual collaboration to the agreement and the dominating role played by Sony Computer Entertainment France.