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23 November 2022

## Press release

### Bundeskartellamt / Digital economy

#### **Meta (Facebook) responds to the Bundeskartellamt's concerns – VR headsets can now be used without a Facebook account**

Bonn, 23 November 2022: Users who want to use the Quest 2 VR headset offered by Meta Quest (formerly Oculus) no longer need a Facebook account to do so. Meta has responded to the Bundeskartellamt's competition concerns and now also offers the possibility to set up the headset using a separate account, the Meta account. The sale of the headsets in Germany can thus go ahead. This also applies to the new Quest Pro headset.

Andreas Mundt, President of the Bundeskartellamt: *"The digital ecosystem created by Meta with a very large user base makes the company the key player in social media. Meta is also an important player in the growing VR market. Competition in these two sectors could be severely impeded if only Facebook or Instagram members were able to use the VR headsets. Meta has responded to our concerns and has offered to give users of Quest glasses the option to create a separate Meta account as a solution to the problem. While we welcome this development, we will not terminate the proceeding today. We will now continue*

*to monitor the actual design of users' options as well as issues regarding the combination and processing of user data from the various Meta services.*

*This case shows that Section 19a of the German Competition Act (GWB), the new instrument to monitor large digital companies more effectively, allows us to efficiently address competition problems in practice.”*

In late 2020 the Bundeskartellamt initiated a proceeding against Meta for making the use of Oculus conditional on the existence of a Facebook account. In early 2021 – immediately after the introduction of Section 19a GWB – the authority included the new legal basis in its proceeding ([see press release of 10 December 2020 and 28 January 2021](#)).

In its decision of 2 May 2022 the Bundeskartellamt established that Meta is a company of paramount significance across markets ([see press release of 4 May 2022](#)). This finding is a prerequisite for the Bundeskartellamt to take measures based on Section 19a(2) GWB. Meta did not appeal the decision, which is therefore final.

Meta expressed its interest in an amicable solution in the Facebook/Oculus matter and in late August 2022 introduced the Meta account, which allows users to use the Quest 2 and Quest Pro headsets without a Facebook or Instagram account. The Bundeskartellamt made it clear that in the process of setting up the headsets users would have to be allowed to decide as freely and uninfluenced as possible whether to use the headsets separately or in connection with other Meta services. Following corresponding adjustments, particularly with regard to user dialogues, the Quest 2 and Quest Pro headsets are also expected to be available in Germany soon.

The proceeding is not yet concluded, however. In addition to the specific choice architecture, the authority also examines in this proceeding whether and how data processed in the context of different Meta services are combined. The extent to which such data processing is permissible remains the subject of discussions between the Bundeskartellamt and Meta, in particular also in the context of the proceeding on Facebook's data processing terms, which is currently pending before the European Court of Justice. Until this matter has been clarified, Meta will, subject to certain exceptions, keep the data of users with a separate Meta

account which are generated during their use of the Meta Quest headsets separate from the data gathered from other Meta services.

For further information see the [case summary on the proceeding](#) so far.

**Background information:**

Since the entry into force of the 10th amendment to the GWB in early 2021 new rules regarding abuse control have been in place enabling the Bundeskartellamt to intervene earlier and more effectively against the practices of large digital corporations. Since then, the authority has initiated various new proceedings against Alphabet (formerly Google), Amazon, Meta (formerly Facebook) and Apple. A final decision has already been rendered in the proceedings to determine Alphabet's and Meta's status as norm addressees, the decision against Amazon has been appealed by the company and the proceeding against Apple is still ongoing. At the same time, various proceedings have already been initiated against these companies for possible anti-competitive practices (see [overview on our website](#) (in German)).