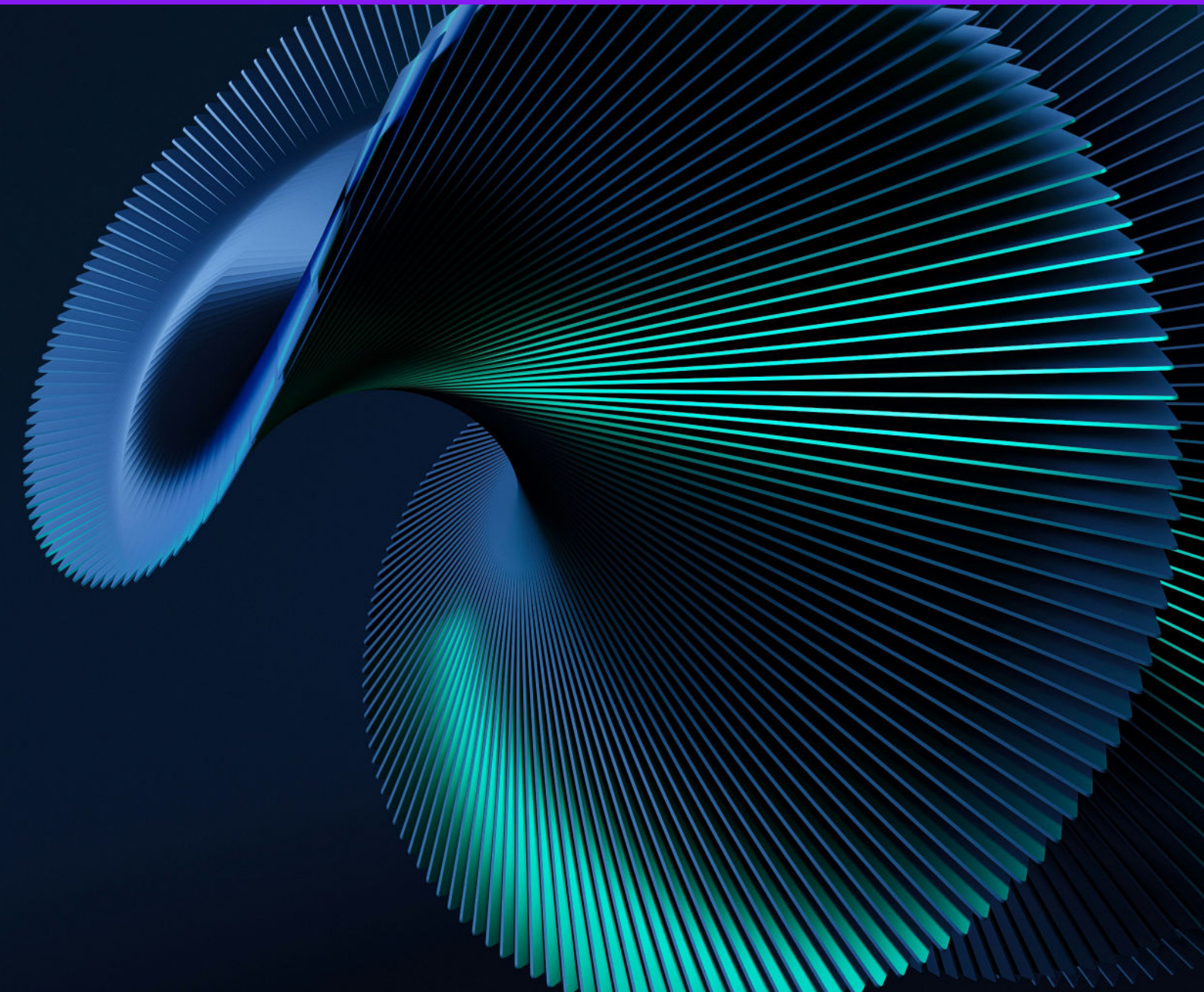


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Two-Minute Recap

Competition Law Matters in Türkiye

2026 August



TCB conditionally clears A101's CarrefourSA acquisition

The Turkish Competition Board (“TCB”) conditionally cleared A101’s acquisition of sole control over CarrefourSA, subject to a package of structural and behavioural remedies offered by A101.

In relation to the transaction, the TCB identified competition concerns in the organised fast-moving consumer goods (FMCG) retail market and concluded that the transaction could significantly impede effective competition. To address those concerns, A101 committed to divest 48 stores, comprising 10 A101 stores and 38 CarrefourSA stores, in the affected areas. CarrefourSA will continue to operate under a separate organisational structure, with its day-to-day commercial operations managed independently of A101.

The package also includes commitments on employment and supplier relations. For three years after closing, A101 and CarrefourSA will use reasonable efforts to maintain their overall employment levels. Each year, A101 will support at least 75 small and medium-sized enterprises (SMEs) or local producers and suppliers through a dedicated support programme and take steps to improve the visibility and sustainability of regional and domestic agricultural products.

TCB clears Paramount's Warner Bros. Discovery acquisition

The TCB conditionally cleared Paramount’s acquisition of sole control over Warner Bros.

Discovery after identifying competition concerns in theatrical film distribution, the wholesale supply of television (TV) channels, and subscription video-on-demand (SVOD) services.

To address concerns in film distribution, Paramount committed to exit UIP Türkiye, its joint venture with Universal, and not to enter into a similar arrangement in Türkiye. Paramount and Warner Bros. films will also not be distributed together with Universal or Disney films through the same third-party distributor.

The TCB also accepted Türkiye-specific commitments on content access. Paramount will make the relevant films available to third-party SVOD platforms on market terms after a three-year exclusivity period. Existing TV-channel supply agreements may be extended until the end of 2029. The parties will also make their TV channels available to third parties on market terms while offering them on their own SVOD platforms in Türkiye.

Turkish Competition Authority publishes preliminary pharmaceutical sector report

The Turkish Competition Authority (TCA) published its preliminary pharmaceutical sector inquiry report, building on the 2013 sector report and revisiting competition issues across the pharmaceutical supply chain. The earlier report focused, among other things, on facilitating generic entry and improving the regulatory framework. The 2026 report takes a broader view of market practices and existing

regulation, identifying areas likely to attract closer competition-law scrutiny and proposing further regulatory changes.

The TCA's report focuses in particular on generic entry. It identifies patent clustering, misuse of patent proceedings, pay-for-delay arrangements, and product hopping as potential competition concerns when used to delay or hinder market entry. It also stresses that compliance with patent or regulatory rules does not preclude competition-law scrutiny where those mechanisms are used strategically against rivals.

It also raises concerns about reimbursement and distribution, including reimbursement benchmarks based on products that are not available on the market, the use of a single authorised distributor in public procurement, and the sharing of competitively sensitive information under retrospective discount arrangements with public institutions.

More broadly, the report signals that pharmaceutical companies may face closer scrutiny not only for traditional pricing and distribution conduct, but also for their strategic use of patent, licensing, reimbursement, and market-entry mechanisms.

TCB investigates TEVA over generic entry

The TCB opened an investigation into TEVA for potential abuse of dominance that may restrict generic competition. Following the expiry of the core-molecule patent, the TCB will examine whether TEVA used divisional patent applications, which are later applications derived from an earlier patent and may cover manufacturing methods or dosage regimens,

together with related withdrawal practices, to delay competitors.

The investigation also concerns allegations that TEVA misled health authorities about the safety and effectiveness of rival medicines. The case illustrates the report's warning that patent and regulatory procedures may attract scrutiny when used to obstruct generic entry.

AVIXA case concludes with settlement and commitments

The TCB closed its investigation into AVIXA following a settlement and commitments. The case concerned two nasal sprays with the same composition and formula that were distributed under a co-marketing arrangement. Although one product received a higher discount under the Social Security Institution's reimbursement scheme, AVIXA kept that product's market presence below 1%.

The TCB found that keeping the product effectively unavailable enabled AVIXA to influence reimbursement conditions, making market entry more difficult for competing dual-active-ingredient nasal sprays and causing a loss to the public. It fined AVIXA TRY 23.8 million (approximately EUR 423,000) for abuse of dominance.

AVIXA also committed to seek the suspension and cancellation of the product's marketing authorisation and its removal from the reimbursement list. The decision reflects the preliminary report's concern that products may remain in the reimbursement system despite not being genuinely available to patients.

GenTemizer is a Turkish law firm based in Istanbul, Türkiye. We advise various businesses in relation to their investments, M&A, competition law/antitrust, project financing and construction projects as well as on operational and dispute resolution matters in the context of the Turkish regulatory framework. We have also advised investors in relation to government sponsored privatisation projects.

We are listed in *Legal 500*, *IFLR1000* and *Chambers and Partners* as one of the leading law firms in Türkiye. Each of our partners have also been recognised as one of the leading lawyers in Türkiye. We understand and can meet the demanding requirements and innovative, responsive thinking required for an investment transaction in Türkiye.

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