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The Turkish Competition Authority dismisses reseller discrimination and anti-piracy licensing complaints against a 3D design software supplier and its systems integrator (*Dassault / KhanTech*)

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Reference: Turkish Competition Authority, *Dassault / KhanTech*, Case No. 25-45/1110-627, Decision, 4 December 2025 (Turkish)

In its decision concerning Dassault Systèmes SE, Dassault Systèmes International SAS, Dassault Systèmes SolidWorks Corporation (“**SolidWorks**”), Dassault Systèmes Istanbul Inovasyon Teknoloji Limited Şirketi (“**Dassault Istanbul**”) (together, “**Dassault**”) and KhanTech Bilgi Teknolojileri AŞ’nin (“**KhanTech**”), the Turkish Competition Board (the “**Board**”) examined two principal sets of allegations submitted in two different complaint filings to the Turkish Competition Authority. The first allegation concerned claims that Dassault and KhanTech discriminated between authorised resellers, potentially infringing Articles 4 and 6 of Law No. 4054 on the Protection of Competition (“**Law No. 4054**”). The second concerned allegations that certain practices adopted by SolidWorks in combating the use of pirated software also infringed Articles 4 and 6 of Law No. 4054. Following its preliminary investigation, the Board concluded that the evidence did not substantiate either set of allegations and decided not to initiate a full-fledged investigation under Article 41 of Law No. 4054.

The Investigated Undertakings

The Dassault group develops and supplies Product Life Management (“**PLM**”) software solutions used in areas including three-dimensional design, engineering, modelling, simulation and product-related data and process management. SolidWorks products form part of this broader software portfolio and are principally used for computer-aided design and related engineering functions. The products are supplied to customers through a distribution system involving authorised resellers, which may provide not only software licences but also maintenance, technical support, training and other complementary services.

KhanTech operates in the fields of information

systems, technical services, information systems consultancy, database consultancy, and information systems infrastructure and integration. As a Dassault Service Integrator, KhanTech provides consultancy, installation, integration and maintenance services based on customers’ needs and requests.

Relevant Market

The written submissions clarified the nature of the products and services concerned, the competitive conditions in which they are supplied, and the respective roles of Dassault, KhanTech and authorised resellers. Dassault described its portfolio as comprising PLM solutions covering product design, engineering, simulation, manufacturing, collaboration and data analytics. It submitted that the relevant product market could be defined as the PLM software market, in which global suppliers such as Siemens, Autodesk, PTC and Ansys offer overlapping solutions through direct sales, reseller networks and online platforms. Dassault also emphasised that customers are generally informed and price-sensitive, may use alternative providers, and can technically and contractually switch between software suppliers.

The submissions further explained Dassault’s distribution and after-sales structure. Customers may generally select and change authorised resellers, while maintenance and technical support are divided between first-level services provided by resellers and second-level support provided by Dassault where access to the source code is required. KhanTech stated that it does not sell or market Dassault software, but acts solely as a service integrator providing consultancy, installation, integration, maintenance and sustainability services. Yenasoft Yazılım Donanım ve Danışmanlık San. ve Tic. Ltd. Şti., one of Dassault’s distributors, similarly described Dassault’s principal solutions, the availability of competing PLM products, and the

operation of the reseller and partner-change systems. These explanations informed the Board's subsequent assessment of whether the market should be examined broadly as PLM software or through narrower functional segments.

Accordingly, the Board considered that the relevant product market could broadly be defined as the market for PLM software and solutions. Although narrower segments may be identified according to the specific functions of the software concerned, the Board found that a definitive market definition would not alter its assessment and therefore proceeded on the basis of a hypothetical PLM software and solutions market.

The Board also defined Türkiye as the relevant geographical market, considering that PLM software has no physical form or transportation costs and that Dassault's reseller agreements limit authorised territories to Türkiye, although it did not consider a definitive geographical market definition necessary for the assessment.

Legal Framework of Discrimination Under Law No. 4054

The Board assessed the allegations subject to the case file under Articles 4 and 6 of Law No. 4054. Under Article 4, discriminatory treatment may be relevant where it results from an agreement or concerted practice applying different conditions to equivalent transactions. Under Article 6, discrimination may constitute abuse where a dominant undertaking treats similarly placed trading partners differently, or different partners alike, without objective justification. The assessment focuses on comparability, differential conditions, competitive disadvantage, potential distortion and objective justification.

Assessment of Allegations Concerning Dassault

The allegations concerned claim that Dassault assigned customers to particular resellers in a discriminatory manner following events such as the termination of a reseller agreement or the detection of pirated software use. However, the on-site inspections revealed no evidence supporting those allegations. On the contrary, the evidence indicated, among other things, that certain resellers were preferred for prospective customers on the basis of criteria such as technical competence and experience; that customers changed resellers at their own request; and that notifications were issued stating that equal sales conditions would apply to all resellers in public procurement processes. Accordingly, the Board found no agreement or concerted practice between Dassault and any reseller aimed at excluding others and therefore identified no infringement of Article 4.

For Article 6, it proceeded on the assumption that Dassault could be dominant in the PLM software market or a narrower segment. The Board found that referrals arose in different contexts, including unallocated opportunities, expired reseller agreements, piracy-related cases and assignments based on technical capability. Customers could select certified resellers and, where Dassault made an assignment, competence, accreditation and geographical proximity could be considered. Different resellers received referrals, resellers could be supported on equal terms in public procurement opportunities, and customers could change reseller by paying the applicable transfer fee. The Board therefore found no indication that Dassault systematically favoured particular resellers or placed others at a competitive disadvantage. Accordingly, no infringement of Article 6 of Law No. 4054 was identified.

Assessment of Allegations Concerning KhanTech

The complaint alleged that KhanTech was Dassault's sole authorised systems integrator in Türkiye and discriminated between resellers. The Board found that other companies also operated as integrators and that customers could obtain installation and integration services from their own teams, Dassault Istanbul, resellers, authorised integrators or other technically competent providers. Dassault's arrangements did not prevent customers from choosing alternatives, while third parties required no specific authorisation. The on-site inspection also produced no evidence of discrimination. KhanTech was therefore not found to hold a monopoly position or to possess the ability to restrict competition through the alleged conduct.

Assessment of SolidWorks' Anti-Piracy Practices

The Board also examined claims that SolidWorks relied on copyright enforcement to impose excessive licence fees, obstruct licence negotiations and reinforce customer restrictions benefiting certain resellers. It noted that computer programs are protected works under Law No. 5846 on Intellectual and Artistic Works, which grants exclusive rights and imposes criminal sanctions for piracy. Action against unauthorised use may therefore constitute the lawful

exercise of statutory rights.

The Board nevertheless emphasized that the lawful exercise of rights remains subject to scrutiny under competition law. Accordingly, the fact that the conduct involves the exercise of a legal right does not, in itself, place that conduct outside the scope of Law No. 4054. However, the on-site inspections revealed no evidence that SolidWorks obstructed licence negotiations, imposed customer restrictions on resellers, or applied piracy-related licensing or pricing policies in a manner amounting to a competition infringement. The allegations therefore lacked sufficient support to justify a full-fledged investigation.

Conclusion and Commentary

In light of the information and documents obtained within the scope of the file, the Board unanimously rejected the complaints and decided not to launch an investigation against Dassault and KhanTech under Article 41 of Law No. 4054.

The decision shows that differing commercial outcomes within a distribution network do not alone establish unlawful discrimination. The decisive issue is whether comparable trading partners receive different treatment without objective justification and are thereby placed at a competitive disadvantage. It also confirms that copyright enforcement may be reviewed under competition law, but intervention requires evidence that it was used to restrict reseller or customer choice rather than merely to protect software rights.

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