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Competition and Markets Authority
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Consumer and Competition Policy
Directorate
Department for Business, Energy and
Industrial Strategy
1 Victoria Street
London, SW1H 0ET

[Submitted by email](#)

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17 February 2021

Dear Sir/Madam,

Proposed acquisition of Simon & Schuster by Bertelsmann

I write in connection with the proposed acquisition of Simon & Schuster ('S&S') by Bertelsmann further to the open letter to the US Department of Justice of 29 January 2021 led by the Authors Guild and the National Writers' Union.

Founded in 1884, the Society of Authors ('SoA') is an independent trade union, representing over 11,500 writers of all types, from academics, broadcasters and journalists to novelists, translators and scriptwriters. Each year, we vet hundreds of our members' publishing, writing, performing and licensing agreements, providing them with valuable advice on their rights, whilst undertaking public policy work affecting the publishing and creative industries.

The Society of Authors shares the concerns raised by the Authors Guild and the National Writers' Union in their submission to the Department of Justice, a copy of which can be found [here](#). If approved, the merger would bring over half of key US book markets under the control of a single corporation and would have a similarly profound effects on UK markets. We understand that the transaction is subject to regulatory approvals in the US that are expected to close this year and we would ask that UK Government authorities ensure that domestic concerns about the acquisition are raised with their US counterparts without delay.

According to a report by the Bookseller of 25 November 2020 (copy [here](#)), the acquisition would further increase the gap between Bertelsmann company Penguin Random House ('PRH') and other UK publishers, with S&S already the ninth largest publisher in the UK at £27 million. Based on 2019 BookScan data, with PRH at £346 million, combined sales of the two companies would amount to some £374 million, providing a single corporate entity with potential market dominance in certain UK markets and/or a generally anti-competitive effect on prices for consumers and significantly adverse contractual terms for authors.

I look forward to hearing from you [by email](#), copying in our Public Policy and Contracts Advisor, [Eddie Reeves](#). We would be pleased to engage with BEIS and the CMA more fully ahead of representations being made to US authorities.

Yours faithfully,

Nicola Solomon
Chief Executive