



GOOGLE VS. DIGITAL MARKETS ACT

The Digital Markets Act (“DMA” or “Regulation”) aims to establish objective and clear criteria for designating large online platforms as “gatekeepers,” in order to ensure fair competition in the sector and thus promote greater contestability in the market.

Having reached one year since the Regulation came into force, the European Commission has decided to launch a public consultation to assess its impact.

In this context, Google, in alignment with Apple, has stated that the Regulation is causing unintended harm to both users and small businesses, basing its “accusation” on four main arguments:

PROTECTION AND SECURITY

Google claims that the Regulation makes it harder to protect users against fraud and malicious links within the Android system, as it forces the removal of Google’s legitimate security measures.

QUALITY OF USER EXPERIENCE

Google notes, first, that companies that have not yet begun this transition are currently non-compliant and risk being subject to enforcement procedures.

In addition, it highlights some unintended consequences of the Regulation’s implementation on the search experience, such as the requirement that Google Search stop displaying travel results that

link directly to airline and hotel websites, and instead show links to intermediary sites.

According to Google, these measures reduce traffic to businesses and make it harder for users to quickly find useful and reliable information.

INNOVATION AND COMPETITIVENESS

Google warns of delays in the implementation of new features due to the regulatory obligations at stake, arguing that the regulatory burden and uncertainty are postponing the launch of new products – such as the artificial intelligence tools currently being developed. This, it claims, poses a challenge to fostering innovation and competitiveness.

UNFAIR COMPETITION

Finally, Google criticizes the Regulation as a law that “favors a few,” arguing that the

changes required in Google Search “*prioritize the commercial interests of a small group of intermediary websites*” at the expense of most companies’ ability to sell directly to their customers.

Google’s criticisms raise an inevitable question: is the Digital Markets Act a brake on innovation – or merely a brake on the power of the tech giants that have long dominated the market?

IN CONCLUSION,

In Google’s view, “*compliance with the DMA should improve digital markets, not undermine security, integrity, quality, or usefulness.*”

Google’s criticisms thus raise an unavoidable question: is the DMA a brake on innovation – or simply a brake on the power of the major tech companies that play a decisive role in the market?

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