Google

European Commission

Consultation on AI in the context of the DMA Review

Alphabet's Response to the Consultation dated 3 July 2025 - 24 September 2025

Executive summary

1. Alphabet Inc. (**Google**) welcomes this opportunity for consultation on the European Commission's exploration of the implications of the Digital Markets Act (**DMA**) for AI.[1] In our view, the DMA is not an appropriate regulatory tool for the AI sector, which is characterised by openness, dynamism, innovation and intensifying competitive pressure across all levels of the value chain, and shows no signs of contestability concerns.

2. When considering the DMA's applicability to AI, it is important to recognise that AI is a set of enabling technologies that support different digital products and services, not a standalone product. The DMA is technology-neutral: it defines its scope by reference to core platform services (**CPS**), not particular technologies. CPSs are multisided, connecting business users and end users and generating strong network effects. AI, by contrast, functions as an input shaped for specific applications and lacks these characteristics. There is therefore no such thing as an 'AI CPS'. The DMA becomes relevant to AI only insofar as AI is incorporated into a designated CPS operated by a gatekeeper.

3. This distinction matters because it shows that the DMA is not the appropriate primary framework for addressing the wider opportunities and challenges of AI. While the DMA may address conduct where AI is deployed within designated CPSs, it does not—and was not intended to—serve as a general regulatory regime for AI technologies. Broader questions about how AI should be developed and used responsibly go beyond the scope of the DMA and call for engagement across policy, industry, and society.

4. Realising AI's potential will require responsible innovation, transparency, and collaboration among all stakeholders. Google's focus is on ensuring that AI, when supporting CPSs, operates in ways that foster trust, fairness, and long-term benefits for users and society.

Introduction

5. Our approach to developing and harnessing the potential of AI is grounded in our founding mission—to organise the world's information and make it universally accessible

[1] European Commission, Consultation on AI in the Context of DMA Review.

and useful—and we believe both individual and collective efforts are essential to realising AI's potential.

6. Foundation models (**FMs**) are reshaping the way digital tools and services are built and used. By supporting advances in science, enabling new business applications, and helping governments deliver services more effectively, FMs offer the potential to address pressing societal needs.

7. As the Commission noted in its September 2024 policy brief, '*Generative AI and virtual worlds technologies are set to have a profound impact on many industries* and these technologies are likely to bring *"unprecedented and fast transformation*'.[2] The speed of innovation in AI is notable, with over 630 publicly known AI FMs globally.[3] These innovations are being driven by a wide range of players including grassroots developers, open-source software (**OSS**) organisations, academic institutions and a myriad of new start-ups, alongside established industry players. In the European Union (**EU**), players ranging from private sector organisations, such as Mistral AI, Kyutai, Aleph Alpha and DeepL, to public-private partnerships, such as the European High Performance Computing Joint Undertaking (EuroHPC), are contributing to advancing the frontiers of AI.

8. Our hope and expectation is that economies that embrace AI and its resulting innovations will see significant growth, outcompeting other economies that are slower to adapt. Today, the European Union (**EU**) has an opportunity to build on its existing strengths in AI to further encourage businesses to innovate for the future. We therefore welcome Commission President Ursula von der Leyen's recent expression of resolution to continue Europe's success in AI so far, when she highlighted that *"[t]his time, Europe is not playing catch-up – we are among the frontrunners"* but that *"[t]his is not a 'mission accomplished'. This is the mission of the next decade to make Europe one of the leading AI continents"*.[4] We agree with President von der Leyen's previously expressed view that *"AI will improve our healthcare, spur our research and innovation and boost our competitiveness. We want AI to be a force for good and for growth"* and welcome the InvestAI initiative launched by the EU early this year to mobilise €200

---

2 European Commission, Competition Policy Brief, Issue 3 | September 2024, 'Competition in Generative AI and Virtual Worlds'.

3 Stanford, 'Stanford CRFM, Ecosystem Graphs for FMs'. This database captures FMs that are in the public domain; there may be others that are private. As of 17 September 2025, there are also more than 2 million models available on HuggingFace alone: https://huggingface.co/models. See also UK Competition and Markets Authority (the **CMA**), 'AI Foundation Models Update Paper', dated 11 April 2024, para. 11, referring to the overall number of known FMs globally to over 330 at the time, with reference to the above Stanford database.

4 European Commission, Opening keynote speech by President von der Leyen at the 'One Year After the Draghi Report' Conference, dated 16 September 2025.

billion for investment in AI (including a new European fund of €20 billion for AI gigafactories).[5]

9. Success will require sustained consideration of initiatives to support AI development. AI is a means, not an end, and the real winners in the geo-political competition will be the countries that deploy AI in the most innovative and beneficial ways. This broader policy context is important for the Commission to take into account in its review of AI and the DMA.

10. We see three key emerging factors / trends that could impact how AI models are developed, deployed and adopted, recognising that these trends may change given the fast-moving and dynamic nature of AI development.

    - **The AI value chain is characterised by a high degree of dynamism, bringing significant growth opportunities.** The AI sector is marked by extraordinary dynamism, with new companies forming at pace and tools diffusing quickly across industries. This innovation is spurring competition and enabling both small and large businesses to adopt and benefit from AI.

    - **Openness has been a cornerstone of AI, and will continue to drive innovation and contestability in this industry.** At Google we have been prominent supporters of open science and open software as a way to foster innovation and competition. We have been one of the leading contributors of open-source code, including fundamental technologies like Kubernetes and the Go programming language. And while we recognise the significant national security and public safety considerations at play, we have been key contributors to responsible open research (e.g., the revolutionary Transformers architecture) and open-source AI projects and open models (e.g., TensorFlow, JAX, PyTorch and Gemma) that have laid the foundation for today's progress.

    - **A growing focus on governance and safety is shaping how AI develops.** As AI capabilities advance, policymakers, industry, and civil society are increasingly engaged in shaping approaches that balance the benefits of AI with the need to mitigate risks of misuse and unsafe applications. This collective effort reflects a broader trend toward embedding responsibility into AI development and deployment.

[5] European Commission, EU launches InvestAI initiative to mobilise €200 billion of investment in artificial intelligence | Shaping Europe's digital future, dated 11 February 2025.

11. We therefore welcome the Commission's review of the DMA, including consulting on how it may apply to AI. Since the DMA obligations became applicable in March 2024, we have held over 60 meetings with the EC, responded to more than 85 RFIs, and made over 130 submissions in relation to compliance. We have made a large number of changes to how we provide our services in Europe, including significantly redesigning certain features and completely removing others - as we explain in our response to the main DMA consultation, these modifications often came with significant product degradations.[6]

12. In respect of the implications of the DMA for the AI sector, as we elaborate further below, the DMA applies to AI only where it is incorporated into a service that qualifies as a designated CPS of a gatekeeper. The DMA is not the appropriate tool to address contestability concerns surrounding AI technologies, even if AI becomes relevant within gatekeepers' CPSs.

13. This response sets out Google's view of the AI space and how its dynamics are evolving, as well as how AI should be viewed in the DMA context. We hope that this response serves as a helpful contribution to the Commission's DMA review.

There is dynamism at every layer of the AI value chain

14. We have observed—and via our own contributions fostered—increasing dynamism throughout the AI industry at every layer of the AI value chain. This dynamism coupled with ready and sustained access to key inputs for AI model development and deployment is driving intense competition between a variety of companies, including a host of new AI developers and providers. The result is a thriving, growing and contestable market that is delivering innovative products and services for both existing and new use cases.

Key inputs to AI are readily accessible for AI companies globally

15. A number of factors are lowering barriers to entry and access to economies of scale: readily available cloud infrastructure, declining focus on model size compared to the training quality and efficiency, a dynamic financing and incubation infrastructure and a deep and growing pool of talent for AI companies globally and in the EU. This makes it easier to develop, train and deploy AI models. We detail each of these points below.

---

[6] For further details, see: Google, 'Complying with the Digital Markets Act', dated 5 March 2024; 'An update on our compliance with the DMA', dated 26 November 2024.

A maturing cloud infrastructure market offers a range of infrastructure options to AI companies.[7]

16. Access to highly scalable and cost-effective cloud infrastructure for developing and training AI models, and for deploying products powered by AI models, is available from a wide range of cloud services providers (including Google Cloud, Microsoft Azure, AWS, IBM Cloud, Oracle Cloud, OVHCloud, and CoreWeave). The wide availability of cloud compute offerings provides AI start-ups with industry-leading efficiency for both training and serving AI models, further lowering barriers to entry and expansion for new AI competitors and ensuring the contestability of AI markets.

Pivot from size to quality and efficiency.

17. AI models remain early-stage technologies. Through our own research, Google has learned that increasing the amount of computing power and volume of data does not necessarily improve AI model performance, or may have increasingly logarithmic effects.[8] It is not as simple as 'bigger is better', and research creativity is critical to building great models. R&D efforts are responding by increasingly emphasizing other ways to improve performance, such as improving training efficiency and data quality. AI model builders are increasingly focused on developing more efficient model architectures requiring less compute resources to train and serve.

18. Several of Google's leading models (e.g., Gemini, PaLM 2) and some of the most recent entrants (e.g., DeepSeek's series of models) illustrate a clear industry trend: developing more efficient architectures that deliver higher quality with less. These models demonstrate that cutting-edge performance does not require ever-larger scale; instead, breakthroughs in architecture, training methods, and data curation are enabling smaller models to outperform their larger predecessors. State-of-the-art AI is increasingly being achieved with significantly lower compute and data requirements, reducing barriers to training and deployment.

Dynamic financing and incubation infrastructure.

---

[7] Certain practices in the cloud infrastructure market may jeopardise its competitiveness. For example, the European Commission is currently investigating the impact of Microsoft's licensing practices on the provision of cloud services. The UK CMA has found that Microsoft's licensing practices are adversely affecting competition in cloud services. See CMA, 'Cloud services market investigation: Final Report', dated 31 July 2025.

[8] In its 'AI Foundation Models: Initial Report', dated 18 September 2023, the CMA found that 'there are increasing trade-offs between model size and the cost of computational requirements' and as a result, there is increasing focus on creating smaller and more efficient models- see paras. 3.70 et seq.

19. There is a hugely vibrant financing and incubation infrastructure to fund and support innovation in training new AI models, developing new apps and other new ideas that push the boundaries of AI. In the first half of 2025 alone, global venture capital investors pumped USD $49.2 billion into GenAI, surpassing the total for all of 2024 ($44.2 billion).[9] The inflow of capital into the AI sector will support a rapidly expanding European AI sector, which is expected to reach €51.2 billion in 2025.[10] This dynamic investment environment gives smaller, as well as more established, AI companies access to significant amounts of funding and technical and financing expertise, as evidenced by the increasing number of successful companies emerging, including EU unicorns such as Mistral AI, Parloa and Legora, and ensures AI markets remain contestable by new or smaller players.

Growing pool of talent.

20. There is a deep, liquid and growing pool of talent in the AI sector—both globally and in the EU—and many of the most promising start-ups in AI are founded and staffed by former employees of Google and other more established AI developers.[11]

From upstream to downstream, all layers of the AI value chain are characterised by dynamism and innovation

21. The ready availability of, and sustained access to, key inputs to AI development and deployment is **intensifying competitive pressure in upstream AI model building**.

22. An ever-increasing cast of established industry players (e.g., Microsoft, OpenAI, Meta, Amazon, Google, Oracle), agile and well-funded start-ups and unicorns (e.g., Anthropic, Cohere, AI21 Labs, stability.ai) and academic and open-source institutions (e.g., Together, Stanford CRFM) are producing innovative and powerful AI models for an ever-growing variety of use cases. In the EU, companies such as Mistral AI and DeepL—both developers of large language models—are now established players in the market for AI services and gaining increasing traction at a global scale.

23. In turn, this intensifying upstream competition is **escalating entry and expansion of AI-powered app developers downstream**:

---

9 EY, 'Global Venture Capital investment in Generative AI surges to $49.2 billion in first half of 2025', dated 5 August 2025.

10 Center for the Promotion of Imports, Ministry of Foreign Affairs of the Netherlands, 'The European market potential for AI software development services', dated 30 June 2025.

11 The Economist, 'The war for AI talent is heating up', dated 8 June 2024.

- AI model builders are competing to offer access to a growing variety of base models, pre-tuned models and task-specific APIs with increasing powers and features;
- The maturing cloud infrastructure market is also making developing and deploying AI-powered apps fast, flexible, scalable and affordable for even the smallest developers; and
- The deep and liquid AI / tech talent pool and the dynamic financing and incubation infrastructure are also providing enormous support to creative ideas.

Dynamism and innovation means new entrants can—and do—compete across the highly contestable AI value chain

24. It is easier than ever before for an app developer—even one without extensive AI/machine learning (**ML**) experience—to start making and offering new AI-powered apps, or to transform existing apps with AI-powered features.

25. Advances in AI model capabilities have enabled brand new use cases and new classes of apps, including generative dialogue agents/assistants, image/art/video generators, coding, and more. More established AI model developers are facing competition from innovative developers who have created specialised models[12] and genre-defining new apps (often using AI models from third parties), which now populate the top charts across different app stores.

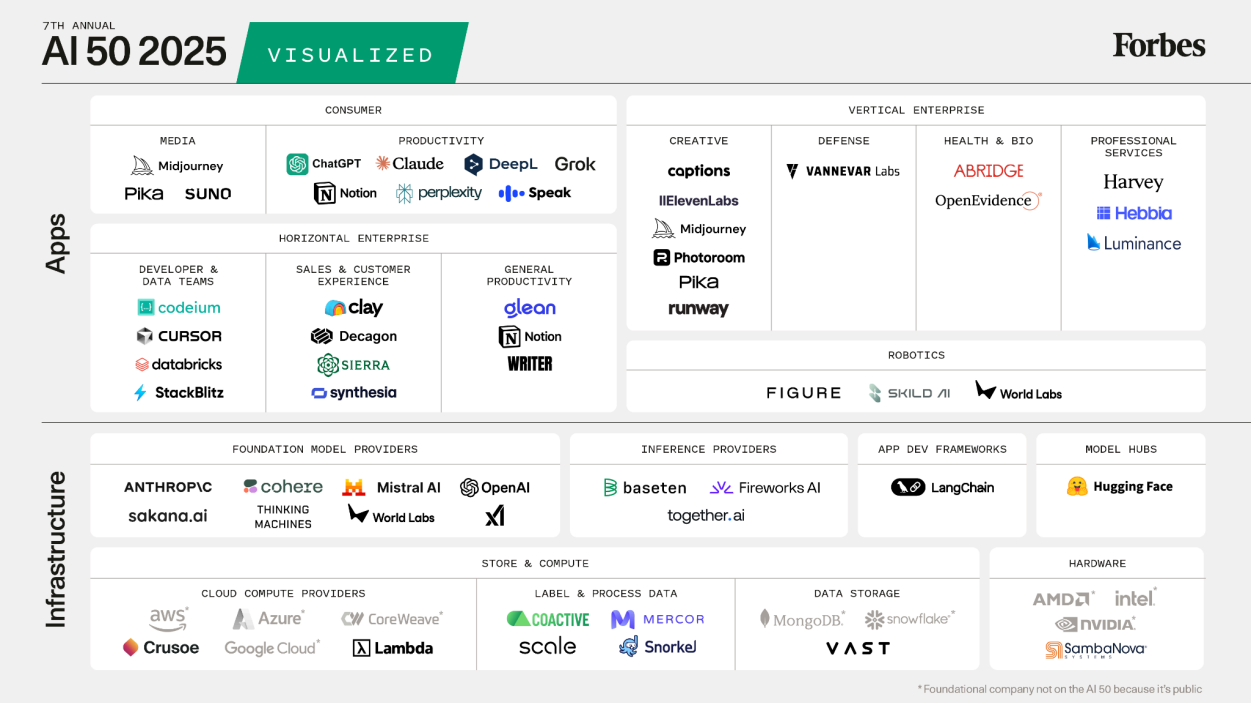
26. For existing use cases, AI models have created brand new possibilities that have shifted the paradigms. Consumers and businesses alike are expecting new and enriched experiences on these apps, as app developers race to introduce new AI-powered features to their existing apps, and new players take advantage of the opportunity created by this shifting demand to enter the market. A prime example of this type of rapid success is Deepseek, a Chinese model built with homegrown talent from Chinese universities and trained at significantly lower cost than comparable models, which became the most downloaded and highest-rated free app on the iOS App Store in the United States shortly after its launch—overtaking the well-established ChatGPT app.

27. **Figure 1** below visualises the Forbes 2025 AI 50 List, setting out 50 of the most promising AI companies in the world. This presents a non-exhaustive sample of the wide

[12] For instance, Runway's 'Customer stories' indicates its generative AI video and image models are innovating to meet the demands of creatives such as film makers and advertisers.

variety of generative AI players that have emerged at the global level, driving dynamism and innovation in the market.

Figure 1: Forbes 2025 AI 50 List[13]



28. This dynamism is also emerging in the EU. By way of example:

- **At the upstream FM development level**: The French startup Mistral AI has established itself as a significant player in the AI space, with its models ranking highly on global leaderboards among models from American and Chinese developers such as OpenAI, Anthropic, x.AI, Google, DeepSeek, Alibaba and Kimi. Mistral AI also recently agreed a deal with the Dutch photolithography supplier ASML, which will invest €1.3bn in Mistral AI. Mistral AI was founded only in 2023 and is already valued at nearly €12bn, making it Europe's most valuable AI company.[14] DeepL, a German translation service provider, has announced its next-generation LLM which outperforms Google Translate, ChatGPT-4 and Microsoft in terms of translation quality.[15]

13 Source: Sequoia Capital, 'AI 50: AI Agents Move Beyond Chat | Sequoia Capital', dated 10 April 2025, citing Forbes, 'Forbes 2025 AI 50 List - Top Artificial Intelligence Companies Ranked', dated 10 April 2025. See also dealroom.co, Generative AI startups, last updated 11 August 2025, for a snapshot of the global generative AI startup landscape as of August 2025.

14 Reuters, 'Exclusive: ASML becomes Mistral AI's top shareholder after leading latest funding round, sources say', dated 7 September 2025; Financial Times, 'ASML and Mistral agree €1.3bn blockbuster European AI deal', dated 9 September 2025.

15 DeepL, 'DeepL's next-gen LLM outperforms ChatGPT-4, Google, and Microsoft for translation quality', dated 16 July 2024.

- **At the downstream app level**: German startup Parloa uses its AI Agent Management Platform to help enterprises develop AI agents to provide customer support. It has secured $120 million in Series C funding earlier this year.[16] Legora, a Swedish legal tech startup, provides an 'AI workspace' which assists lawyers in reviewing documents, conducting research and drafting. The product uses FMs built by upstream developers, including OpenAI and Anthropic,[17] and counts major law firms amongst its customers.

29. Overall, the dynamism and innovation we observe across all layers of the AI value chain means that AI markets are and can be expected to remain highly contestable.

Openness will continue to drive innovation in AI

30. **Since we first embarked on our AI/ML activities, our mission has been to promote an open, collaborative and responsible approach to AI technology.** Google recognises that an open ecosystem can encourage transparency, and the open-source community is an important force for creativity and innovation in the AI space—making key breakthroughs that propel dynamism, help reduce barriers for AI builders and app developers alike and ensure market contestability.

31. Throughout the history of AI, the open-source community and industry players have built on each other's innovations, which has led to the impressive advancements we have seen today. As shown by examples such as Koala, Alpaca, Vicuna-13B, and more recently R1 and V3 from China's DeepSeek, open models can achieve cutting-edge performance and utility compared to proprietary AI models when leveraging existing AI models and using efficient and cost-effective tuning techniques such as synthetic RLHF datasets. An open and healthy AI ecosystem will depend on both open and proprietary models playing a role, with the symbiotic relationship between them driving innovation, performance and accountability.

32. Subject to concerns regarding AI safety and responsibility, Google has freely shared many of our AI breakthroughs, helping advance the state of technology for all. Our open approach has allowed a broad ecosystem of users to benefit from our state-of-the-art technology even as they are able to access a range of alternatives. We have contributed to many important open research and open-source AI projects, and we are proud to be

[16] Parloa, 'Parloa raises $120M Series C to reinvent customer service with agentic AI', dated 16 July 2025.
[17] The Legal Wire, 'Legora implements GPT-5 from day one - The Legal Wire', dated 8 August 2025; Anthropic, 'Legora helps lawyers work more efficiently with Claude'.

ranked as the leading contributor to OSS.[18] The contributions we have made to the OSS AI community include:

- **Major research breakthroughs**, such as the Transformer paper,[19] which now forms the backbone for the large FMs that sit behind most AI capabilities. The transformer technology—the "T" in ChatGPT—is what enables generative AI and was developed by Google researchers and made freely available in 2017;

- **Industry-wide AI/ML software**, such as the TensorFlow, JAX and PaxML ML frameworks, which are coding libraries designed to streamline the FM development process;

- **Open data sets**, which include not only our TensorFlow datasets, which comprise of a large collection of high quality datasets from a wide variety of sources across web crawl data, news data, scientific papers and cleaned-up Wikipedia data, but also our continued efforts to make a diverse range of data publicly available via the Google Cloud Public Datasets program, which includes datasets hosted on Google Earth Engine and on BigQuery, with data ranging from our COVID-19 Open Data project to European Private Companies Rich Data Set and Cloud-to-Ground Lightning Strikes data provided by third parties.

33. **Open FMs**, which began with our OSS model BERT (on top of which the AI community developed numerous innovations, e.g., RoBERTa), and recently our new family of smaller-scale open models, Gemma. In particular, Gemma can be run on a laptop and hosted by rival cloud platforms, thereby lowering barriers to entry and spurring innovation.

34. In addition to contributing its own breakthroughs to the OSS AI community, Google is also actively working towards increasing the general availability of FMs for developers through Vertex AI, Google's AI development platform. Model Garden on Vertex AI makes available to users 200+ models including third-party and open-source models, such as Mistral's Mistral-7B and Mixtral, Meta's Llama series, OpenAI's GPT-oss series, Alibaba's Qwen, DeepSeek's V3 and R1 and many others.

35. **Google is also keenly aware of the safety challenges that open AI models present** – in particular with respect to the most advanced ('frontier') AI systems and if model

[18] According to the Open Source Contributor Index: see https://opensourceindex.io/.

[19] 'Attention is all you need', originally published 2 June 2017 and last revised 2 August 2023, pioneered the 'Transformer' architecture, which sits behind most current generative AI models, e.g., Google's Gemini, OpenAI's GPT models and Anthropic's Claude models.

weights are made publicly available. This is because, unlike other digital services, the proliferation of AI model capabilities (especially 'frontier' capabilities) to and by bad actors could pose serious safety challenges. It is therefore critical to strike the right balance between harnessing the benefits of open source and managing AI's significant risks.[20]

36. As a result, we release AI systems only when we determine that the benefits significantly outweigh the risks. We understand that models with open weights can pose unique risks, because it is impossible to reverse the decision to make weights available widely. For example, we open-sourced AlphaFold only after extensive consultations with bioethicists, and the tool is now used by 1.5 million biology researchers around the world. Likewise, the release of our Gemma family of open models was grounded in our thorough approach to safety and responsibility, including an assessment that the benefits of the release significantly exceeded the risks. As a founding member of the Frontier Model Forum, we are committed to advancing AI safety research and developing best practices for the industry.

We abide by clear principles in our approach to AI

37. As a leading proponent for Responsible AI, Google takes our AI Principles seriously and implements them under robust governance at each step of the development, training and deployment of AI systems, including in relation to when and how we make AI systems available to others. This careful balancing of openness, opportunity, responsibility and security underpins our approach to AI development and access.

38. **We develop best practices based on these principles that help reduce the risk of harm when designing AI systems**. These include, for example, using a human-centered design approach (e.g., by making appropriate disclosures and incorporating human feedback before and throughout development); using more than one metric to assess training and monitoring; directly examining the raw training data when possible; understanding and disclosing the limitations of a model; conducting rigorous testing; and continuing to monitor and update the system after deployment. We are proud to have joined other leading AI developers in making commitments to heightened safety and security practices for our most advanced models.

39. **We help third-party developers mitigate risks to users.** For example, we provide to developers and publishers the open-source Perspective API, which helps detect and

[20] In using Gemma models, developers agree to avoid harmful uses, reflecting our commitment to developing AI responsibly while increasing access to this technology. See Google's Gemma Prohibited Use Policy here.

filter out potentially toxic comments in training datasets and can reduce the chance that a generative language model will produce toxic text.

40. **We invest in AI safety research that guides and enables our Responsible AI efforts.** Our dedicated research teams are working on various research programmes from foundational questions (e.g., how to make AI evaluation standards more robust), socio-technical issues (e.g., how to strengthen the involvement of under-represented or vulnerable communities by understanding and mitigating both AI-related and non-AI-related biases), to specific products (e.g., DeepMind's research into useful and safe dialogue agents that led to the experimental Sparrow).

41. **We have launched and support a number of proactive safety and security initiatives to improve accountability and responsibility throughout the AI supply chain.** Beyond the Frontier Model Forum, Google is a founding member of the Partnership on AI and actively contributes to safety benchmarking of AI systems via the ML Commons. In June 2023, Google also launched our Secure AI Framework (SAIF), which offers best security practices for the development and deployment of AI systems across the public and private sectors.

42. **We are also supporting official initiatives to promote AI safety, security and transparency.** For example, as the UK and Korean governments announced at the AI Seoul Summit in May 2024, Google and other companies agreed to the Frontier AI Safety Commitments, undertaking to develop and deploy frontier models responsibly. Google has also signed the EU AI Code of Practice and is committed to working with the European AI Office to ensure the Code is proportionate and responsive to the rapid and dynamic evolution of AI.

'AI' are foundational technologies that permeate the digital sector in different shapes and forms, and not 'products' or 'platforms' in their own right of the type the DMA seeks to regulate

43. Google welcomes the Commission's exploration of dynamics in the AI sector and how to ensure fairness and contestability, as well as the extent to which the DMA can address *"emerging challenges, such as the rollout of AI-powered services"*.

44. In the DMA context, it is crucial to recognise that 'AI' is an umbrella term for a group of versatile technologies that have for many years been applied in different ways to create new kinds of digital products and services, and to improve existing ones for businesses

and consumers alike.[21] Just like the earlier generations of digital technologies known generally as 'algorithms' or 'HTML', that gave rise to and underpin all kinds of new online services in the Web 1.0 and Web 2.0 eras, AI (including more recently, generative AI) plays a similar role in the Web 3.0 era. In fact, virtually any modern, sophisticated digital product incorporates AI technologies to better anticipate and serve consumer demands.

45. Similar to these earlier foundational technologies, a helpful way to think about AI—especially pre-trained general purpose FMs—is that it is a material (like steel or rubber) with certain fundamental properties, including the ability to review a large dataset and generate textual, visual or audio outputs (like steel's strength, or rubber's elasticity). Like a material, AI is generally not a product or a form of communication or expression in itself—instead, AI, in particular FMs, are highly configurable and, like steel or rubber, can be moulded (i.e., fine-tuned) to support specific products serving a specific purpose (just like how steel can be made into a razor or a butter knife). It is this specific purpose that developers and customers are drawn to, not the underlying AI technology itself.

46. As a result, in the specific context of the DMA, it is not appropriate to think of 'AI' as a 'product' or a 'platform'—in the same way that it is not appropriate to think of steel as a shaving instrument or silverware. The DMA does not seek to define or regulate an 'Algorithm CPS' or an 'HTML CPS' today, but instead defines, designates and regulates a list of specific 'core platform services' enabled by these foundational technologies. There is by the same token no clearly definable 'AI CPS' in the general sense, because the foundational AI technologies (like FMs) have neither any clearly definable group of 'business users' or 'end users', nor any of the key characteristics of CPSs as outlined in Recital 2 of the DMA, such as the ability to connect many of these 'business user' and 'end user' groups with each other through the multisidedness of a 'service', or any significant degree of dependency by both groups, and the strong network effects that ensue as a result. In any event, the DMA is technology neutral, as stated explicitly in Recital 14, and its scope of application is defined by reference to products (i.e., designated CPSs of gatekeepers) rather than the specific technologies underpinning those products.

---

[21] Google has had a long history of using AI to provide products and services, even before the current wave of public and investor attention towards AI following the launch of ChatGPT in late 2022. For example, Google has been using AI to help provide users with relevant, quality results to their search queries for decades - when a user enters a query in Google Search, AI is used to assist with spelling correction, better understanding words in context, and understanding information across multiple languages and modalities. YouTube's recommender system is another longstanding example of AI being used to power a product.

47. We welcome that the wording of the present consultation appears to reflect a clear recognition of this on the Commission's part, given its references to *"AI-powered services"*, *"products and services based on AI models"*, *"integrate AI into [...] existing products and services"*, *"third-party AI-based products or services"*, etc. In our view, the recognition of AI as a group of technologies rather than a product in itself provides a clear guiding principle for the application of the DMA to AI. If a product is designated as a CPS provided by a gatekeeper, it will fall under the scope of the DMA, regardless of whether or not it uses AI. Conversely, if a product is not designated as a CPS provided by a gatekeeper, it falls outside of the DMA's scope, including when it uses AI. This interpretation is confirmed by the Commission's policy brief mentioned above.[22]

48. In summary, there is therefore no 'AI CPS' in the abstract and the DMA is relevant to AI only insofar as AI is incorporated into a designated CPS of a gatekeeper. We do not believe the DMA would be an appropriate regulatory tool to address contestability concerns in AI, if any. In this regard, it is also important to keep in mind the wider competitive landscape as we set out above, whereby the AI sector is characterised by openness, dynamism and innovation and is seeing intensifying competitive pressure across all levels of the value chain.

Google stands ready to engage with the Commission and the global AI community

49. We believe that ensuring the full potential of AI is realised requires a collective effort by researchers, developers, deployers, academics, businesses, consumers and governments. It requires all stakeholders to work together to find solutions that strike a careful balance that recognises the great potential of AI to benefit people, society and humanity, encourages innovation and the safe and beneficial use of the technology, while avoiding misapplication, misuse and harmful uses.[23]

50. Google sees its engagement with the Commission as just one step towards this collective effort. We look forward to working with the Commission and global AI

---

22 *"There are two main ways in which the DMA will be relevant for generative AI services. First, a generative AI player may offer a core platform service and meet the gatekeeper requirements of the DMA. Second, generative AI powered functionalities may be integrated or embedded in existing designated core platform services and therefore be covered by the DMA obligations."* This confirms the interpretation that the key criteria for the DMA's application is the presence of a CPS provided by a gatekeeper. European Commission, Competition Policy Brief, Issue 3 | September 2024, 'Competition in Generative AI and Virtual Worlds', page 9.

23 For example, we believe that regulation and policies can support AI innovation and enable responsible deployment - such as by establishing a competition safe harbor for open public-private and cross-industry collaboration on AI safety research (see Google, 'A Policy Agenda for Responsible Progress in Artificial Intelligence', dated 19 May 2023, p.6).

community on AI's impact both on the fairness and openness of digital markets and on society more broadly.

***