Response of Alphabet Inc. (Google) to European Commission consultation on the first review of the Digital Markets Act

24 September 2025

This submission contains Alphabet Inc.'s (Google) responses to the European Commission (Commission)'s public consultation on the first review of the Digital Markets Act (DMA).

Introduction

We remain committed to complying with the DMA and welcome this opportunity to respond to the Commission's public consultation on its first review.

We established an early and constructive dialogue with the Commission, seeking the views of affected third parties, and implementing multiple changes to our products to abide by the new rules. We have created new opportunities for third-party businesses and developers in Europe and proactively adapted our systems and processes. This work has involved the ongoing commitment of thousands of employees across all functions of our business.

We have appreciated the Commission's consistent openness to regulatory dialogue.

We have, however, encountered challenges.

First, almost two years after the DMA obligations started to apply, and after significant investments by Google in achieving compliance, there remains considerable uncertainty and unpredictability around what the Commission deems to be compliant. We have found that regulatory demands evolve often based on unverified and abstract feedback from different stakeholders and different interpretations of the DMA's text. A striking example of this has been our engagement on Art. 6(5) DMA, where we have made over 40 submissions on potential compliance solutions to the Commission. Stakeholders have also been provided with many workshop opportunities on our proposals - which we have supplemented with over 300 meetings and over 1,000 answers to questions directly from industry - yet we still seem stuck on different views over how our search results should be designed.

Second, many obligations appear to be assessed without a full appreciation of their practical consequences. DMA compliance has degraded some of our services, resulting in

worse experiences for users and European businesses. Users have reported worse online experiences with Search, having to search longer to find the same information. The fallout has been just as serious for European businesses, with hotels, travel services, and restaurants losing up to 30% of online traffic since the DMA obligations became applicable. A recent empirical study estimates the cost of the DMA to European businesses across sectors at up to €114 billion in revenue, with estimated losses ranging from €4.4 to €59 billion for retail businesses, and €1 to €14 billion for accommodation providers.

Third, we find it concerning that enforcement has proven to focus more on outcomes rather than an objective assessment of the fairness and contestability of our services. This has required us to implement various iterations of a compliance solution, engaging resources that could have been dedicated to product development and innovation. For instance, compliance with Art. 5(2) DMA has required extraordinarily extensive work—approx. 3,000 people, mostly engineers, over a period of two years—to introduce consent configurations for which there is no proven demand and which users find disruptive.

Fourth, a worrying trend of parallel DMA-related proceedings at the national level has emerged, both in private litigation before national courts and investigations by national authorities. Given the overlaps in areas in which gatekeepers are already engaged in advanced compliance solutions with the Commission, these proceedings risk undermining the DMA objective of harmonization of digital market rules—necessary for the creation of a single European market—as well as the regulatory dialogue between gatekeepers and the Commission. We have seen examples of troubling fragmentation in Italy and Germany, against a backdrop of what seems common agreement that single market harmony is a priority.

Fifth, procedural rights of gatekeepers are not currently adequately safeguarded by the DMA. We remain concerned that gatekeepers subject to non-compliance investigations do not receive full access to the Commission's file, which is inconsistent with the rights of defense well established in EU law, and the Commission's usual practice in other contentious proceedings. While gatekeepers' lawyers can access the Commission's file in a data room under restrictive conditions, defendant companies can never have full visibility of all the evidence that has informed the Commission's views in non-compliance proceedings, and could prove exculpatory. Google has also been subject to extensive information

requests that require us to provide thousands of internal documents, including disclosure of documents covered by US legal privilege rules. These requests often take place outside the context of formal proceedings, and require considerable resources.

Through our response, we aim to provide a greater insight to the considerable obstacles we have faced in DMA compliance and provide what we believe are balanced and constructive suggestions on how these issues can be addressed.

Overall, the DMA represents a significant shift in regulating the digital space, and initial compliance efforts are delivering, in some cases, tangible benefits. Changes like the implementation of choice screens—allowing users to select their preferred Search and Browser apps—and improved data portability tools are enabling greater user control and making it easier for developers to build competing services. These are positive steps towards creating fairer digital markets.

However, for the DMA to truly succeed in achieving its aims without unduly burdening innovation, the Commission must now move decisively to ensure clarity and foster a constructive, forward-looking enforcement environment.

We believe the Commission must focus on the following four key areas for immediate improvement:

- **Prioritize regulatory dialogue over sanctions**. The Commission emphasizes the value of "soft" tools like regulatory dialogue to encourage early and effective compliance, guiding gatekeepers' behavior in real time rather than relying solely on sanctions. This means removing the 'Sword of Damocles' that currently hangs over some of us. We call on the Commission to make clear, timely decisions that move beyond the current state of legal uncertainty and inertia. Ambiguity and the perpetual threat of future action cannot be allowed to hang over commercial decisions and business strategy. A deeper commitment to regulatory dialogue is the path for adapting and evolving once those decisions have been taken.

- **Ensure consistency in application**. The effectiveness of the DMA hinges on its fair and consistent application. While the criteria for gatekeeper designation are clear, inconsistent application in practice can lead to legal uncertainty. We urge the

Commission to develop a consistent and transparent methodology in how designation decisions—specifically regarding which products and services are brought into scope—are taken across different gatekeepers. This will provide the predictability necessary for all market players to plan and comply, confident in a fair application of the rules.

- **Reinforce the goals of fairness and contestability over prescribed outcomes**. The DMA's objective is to ensure digital markets are contestable and fair. We believe the Commission should reinforce its commitment to this principle, steering clear of any perception that it is managing or targeting specific market outcomes. A level playing field that presents European citizens with real choices—over prescribing the services they ought to use—is key to promoting competition and innovation.

- **A public and strong commitment to proportionality**. The reality of complex regulation is that implementation can create significant burdens and costs that were not foreseen by the legislature. We ask the Commission to make a clear commitment to the central notion of proportionality when assessing and enforcing compliance changes. This should take account of the significant impact new demands place on consumers and businesses who must not be disproportionately penalized by complex compliance processes.

We remain committed to the goals of the DMA and stand ready to do our part in the changes we propose to ensure its more effective application.

Responses to the Consultation's Questions

1. YOUR DETAILS

Q1. Are you replying in your personal capacity or on behalf of an organisation?

1. On behalf of an organisation.

Q2. Type of respondent:

2. Gatekeeper.

Q3. Do you have any relation or affiliation with any of the current gatekeepers (e.g. legal adviser, consultant, recipient of funding from a gatekeeper, contractual links, etc.).

3. Yes.

Q4. If you have one, please indicate your organisation's transparency register number.

4. 03181945560-59.

YOUR CONTRIBUTION

2. LIST OF CORE PLATFORM SERVICES AND DESIGNATION OF GATEKEEPERS

Q5. Do you have any comments or observations on the current list of core platform services?

5. We have no specific comments on the current list of core platform services (CPSs).

6. In relation to the implications of the DMA for Artificial Intelligence (AI), as explained in more detail in our dedicated submission, we consider that the DMA is not an appropriate regulatory tool for the AI sector which is characterized by openness, dynamism, innovation and intensifying competitive pressure across all levels of the value chain, and shows no signs of contestability concerns.

7. When considering the DMA's applicability to AI, it is important to recognize that AI is a set of enabling technologies in digital products and services, not a standalone product. The DMA is technology-neutral: it defines its scope by reference to CPSs, not particular technologies. CPSs are multisided, connecting business users and end users and generating 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.

8. In general, the Commission's approach to identifying and adding any new CPS categories should be based on clear evidence of harm occurring and the DMA being the most appropriate regulatory tool to address identified harms.

Q6. Do you have any comments or observations on the designation process (e.g. quantitative and qualitative designations, and rebuttals) as outlined in the DMA, including on the applicable thresholds?

9. A company that meets the quantitative thresholds under Art. 3(2) DMA is presumed to be designated as a gatekeeper, and therefore subject to the DMA's obligations. This rigid basis for designation does not take the specificities of each CPS category into account, such as the competitive landscape or user behaviour. The rationale behind the DMA's quantitative thresholds is not apparent, and these thresholds bluntly capture services that might not raise any concerns around fairness or contestability in digital markets.

10. The rebuttal procedure is the only avenue for gatekeepers to push back against designation. However, its 'exceptional' nature and the high legal standard required (the gatekeeper must present "sufficiently substantiated arguments manifestly calling into question the presumptions" under Art. 3(2) DMA) provides the Commission with significant discretion on whether to accept a rebuttal.

11. In practice, this discretion has led to significant inconsistencies in the standard of evidence the Commission has adopted for designations, resulting in (i) unjustified differences between the types of arguments the Commission can rely on for the purpose of designation vs the arguments gatekeepers can rely on for rebuttals, and (ii) unequal treatment of gatekeepers, i.e. engaging differently with the same type of arguments when raised by two different undertakings.

12. We have two concrete recommendations for improvements:

(1) Ensure a consistent approach for the types of arguments gatekeepers can rely on for rebuttals and the arguments the Commission can rely on for designation

13. The Commission appears to take the view that the arguments a gatekeeper can rely on in the context of a rebuttal procedure under Art. 3(5) DMA are limited to quantitative evidence, i.e. no qualitative points can be raised. At the same time, the Commission has relied on qualitative considerations when designating a CPS under Art. 3(8) DMA. For instance, the lack of network effects was not considered relevant in the Gmail exemption decision under Art. 3(5) DMA, while the existence of lock-in effects and network effects formed the central part of the Commission's justification for refusing to grant an exemption from designation for Apple's iPad OS.

14. It is unreasonable for the Commission to consider certain types of arguments as relevant under the qualitative designation procedure, while dismissing them when raised by gatekeepers for the rebuttal of the quantitative thresholds presumption. The ultimate question for the Commission regarding undertakings designated based on either criteria is the same: does the undertaking satisfy the requirements of Art. 3(1) DMA and therefore serve as an important gateway to end users. As such, the avenues open to undertakings in arguing against this conclusion must be the same as the ones the Commission uses in designating qualitatively.

(2) The Commission should adopt a more consistent approach on the type of evidence gatekeepers are allowed to present to avoid unequal outcomes in designation

15. The Commission accepted Microsoft's rebuttals for its Edge web browser, its Bing online search engine, and its Microsoft Advertising online advertising service, which relied mainly on these services' low relative scale of usage, i.e., their low market share in their respective markets when compared to their rivals, measured in terms of frequency and intensity of usage. However, Google was informed during its designation discussions that the rebuttal procedure was not an opportunity to open a discussion about market shares, market power or competitive position.

16. This difference in treatment would run contrary to core principles of non-discrimination and legal certainty.

3. OBLIGATIONS

Q7. Do you have any comments or observations on the current list of obligations (notably Articles 5 to 7, 11, 14 and 15 DMA) that gatekeepers have to respect?

17. The DMA's lack of predictability and the lack of a proportionality test around its obligations (in particular, Arts. 5 and 6) make it difficult for gatekeepers and other stakeholders to anticipate what successful compliance looks like, and to navigate the inevitable tradeoffs that DMA compliance often entails, given the complexity of the relevant services and various competing interests.

The lack of predictability prevents effective compliance with the DMA

18. Predictability is essential for the effective functioning of any regulatory framework. However, there remains considerable uncertainty around what the Commission deems to be compliant, and a lack of recognition that in many circumstances there may be more than one route to compliance. In some instances, such as the rebuttal procedure, similar circumstances have been treated differently by the Commission, and we find our business practices under scrutiny, while similar conduct remains unaddressed for other gatekeepers.

19. The Commission sometimes appears reluctant to adopt an interpretation of the DMA legal framework, with clear objectives grounded in facts and evidence. This leads to significant uncertainty for gatekeepers in how they can ensure compliance. With a more evidence-based approach and taking into account the actual impact a certain solution could have on users, we believe we could move more quickly and unblock various processes.

20. Currently, the lack of predictability prevents the latest technological advancements from reaching European consumers (for instance, the launch of AI Mode—Google's advanced AI-powered search experience—has been delayed in the EU due to regulatory uncertainty, despite AI Mode being available in other jurisdictions for

months) and fostering a 'second-class digital citizen' experience compared to other regions.

The lack of a proportionality assessment is causing harm to online products and European users

21. The DMA does not include an express proportionality safeguard to mitigate against adverse consequences of regulatory intervention on the relevant platforms or third-party stakeholders. As a result, we are concerned that the DMA rules are often applied without adequate consideration of their real-world consequences.

22. The changes Google had to implement under the DMA self-preferencing obligation (Art. 6(5) DMA) are an example of this dynamic. To comply with Art. 6(5) DMA, Google was required to change how it displays its search results, making it harder for users to find directly what they were looking for (seeking to subsidize artificially a small subset of companies). As we have written in the past, these changes resulted in European businesses losing up to 30% of traffic and European consumers receiving a degraded service and facing higher prices. Our DMA changes have raised negative views among consumers (with some so frustrated that they resorted to clunky workarounds to get to the companies and information that they want).

23. We are also concerned that the Commission's investigations into our Art. 5(4) DMA Android compliance solutions will push for changes that will hurt European business users and consumers. In particular, Art. 5(4) DMA is making it difficult to protect users from scams and malicious links, thereby threatening their security and safety. A stronger commitment to an assessment of proportionality—here taking account of the specific risks for the Android ecosystem—would reduce these harms.

24. DMA compliance translating into degraded Google services and worsened experience for business users and consumers is confirmed by third-party studies and surveys:

    - A recent empirical study on the economic impact of the DMA estimates that European businesses across sectors could face revenue losses of up to €114 billion. Sectors like retail and accommodation are particularly impacted, with

estimated losses ranging from €4.4 to €59 billion and €1 to €14 billion respectively. The study explains that the cost borne by businesses from the DMA provisions is driven by diminished reach, lower personalization, increased transaction costs, the loss of valuable integrations, and lower incentives to invest in quality and innovation in CPSs.

- Similarly, the online consumer experience has worsened as a result of the DMA's obligations. A recent industry survey carried out by Nextrade of 5,000 European consumers has found that:
    - Most consumers feel their online experience has gotten worse since the DMA took effect. Six in ten European consumers have to search longer than before the DMA, and use more complex terms to find what they need.
    - European consumers also report a decline in the quality of specific online services, such as map services (35% report a decline) and relevance of search results (33% report a decline).
    - 42% of Europeans that travel at least once a month say that search results for flights and hotels are less helpful today than before the DMA.
    - Many Europeans find online services to be less personalized and less relevant.
    - Europeans prefer the prior status of many of the online services degraded by the DMA: for example, going directly to apps rather than having an app choice screen on the phone (59 percent), and readily accessing diverse shopping results to compare products and prices (57 percent).
    - The majority of Europeans in multiple countries, and over 70 percent in Southern Europe, would like to restore pre-DMA services. A significant number of consumers would even be willing to pay to get their pre-DMA services back.

Q8. Do you have any other comments in relation to the DMA obligations?

25. Please see our response to question 7 above.

4. ENFORCEMENT

Q9. Do you have any comments or observations on the tools available to the Commission for enforcing the DMA (for example, whether they are suitable and effective)?

26. The Commission emphasizes the value of "soft" tools like regulatory dialogue to encourage early and effective compliance, guiding gatekeepers' behavior in real time rather than relying solely on sanctions.

27. We call on the Commission to withdraw the current non-compliance investigations and adopt a deeper commitment to regulatory dialogue. Ambiguity and the perpetual threat of future action cannot be allowed to hang over commercial decisions and business strategy.

Q10. Do you have any comments in relation to the enforcement to the DMA?

DMA enforcement should focus on fair and contestable processes not market outcomes

28. The DMA is an ex-ante regime with serious consequences for non-compliance. Against that, we find it concerning that enforcement has proven to focus more on outcomes like uptake, rather than an objective assessment of compliance. For instance, in the context of Art. 6(3) DMA compliance, the fact that users end up keeping the same browser or the same search engine does not mean that the choice screen solution is badly designed or non-compliant with the DMA.

29. Gatekeepers must comply with the letter of the law, and specific outcomes should not be the benchmark against which such compliance is assessed. An initially low uptake of a compliance solution by business or end users could indicate there was no problem to begin with and there is little genuine demand for the solution from the market (other than a handful of commercially-motivated complainants), or that the specific DMA requirement itself has yet to be properly understood by the market. A consent screen cannot force users to make specific choices, and the opportunity to

port data does not make that a mandatory action for users.

30. We call on the Commission to publicly reinforce its commitment to fairness and contestability over specific market outcomes.

The Commission should issue guidance to address fragmentation of enforcement at national level

31. A worrying trend of parallel DMA-related proceedings at the national level has emerged, both in private litigation before national courts and investigations by national authorities. These developments counter the DMA's legal basis in Art. 114 TFEU, which requires the DMA to ensure legal harmonization and prevent regulatory fragmentation in Europe's digital markets. This objective is explicitly acknowledged in Recital 6 DMA, which states "*A number of regulatory solutions have already been adopted at national level or proposed to address unfair practices and the contestability of digital services or at least with regard to some of them. This has created divergent regulatory solutions which results in the fragmentation of the internal market, thus raising the risk of increased compliance costs due to different sets of national regulatory requirements*". To counter this trend, whilst allowing for some enforcement at the Member State level, the DMA designates the Commission as the "sole enforcer" of the regulation (Recital 91 and Art. 38(7) DMA).

32. Despite the Commission's clear role in centralizing digital regulation, there is an ever-increasing number of actions at the national level. These new proceedings overlap with areas in which gatekeepers are already engaged in advanced compliance discussions with the Commission and give rise to a host of concerns, including wasteful duplication, risk of contradictory and incoherent outcomes, and undermining the objectives of the DMA.

33. At the time of writing this response, Google is involved in a number of proceedings before national authorities and courts that overlap with areas where Google is simultaneously engaged in discussions with the Commission under the DMA.

34. If national courts or authorities issue their own interpretations or remedies conflicting with Commission enforcement, it will create a chaotic enforcement

landscape. This not only risks undermining the DMA's effectiveness, and the goal of a single European digital market, but also creates legal uncertainty for businesses.

35. Furthermore, parallel enforcement leads to a significant and unnecessary increase in the compliance overhead for gatekeepers. Instead of dealing with one central regulatory body, companies are forced to explain their practices in multiple jurisdictions, which is a wasteful duplication of effort.

36. Fragmentation also risks undermining the ongoing regulatory dialogue between the Commission and gatekeepers. When national authorities and courts initiate their own proceedings, they can complicate or even derail this central process, reducing the Commission's ability to act as the primary enforcer.

37. Publication by the Commission of guidance on the enforcement of the DMA at the national level, whether that be by national authorities or by private litigants before national courts, would go a long way towards providing greater clarity in this area. This guidance should ensure that any assessment at a national level is coordinated with the Commission. By doing so, the Commission would send a strong signal to prevent the DMA's effectiveness from being diluted by uncoordinated, fragmented enforcement. It would also ensure that the Commission's role as sole enforcer of the DMA is not undermined.

The Commission should also address the problem of additional digital markets requirements being introduced at the Member State level

38. The Commission should also address the problem of additional digital markets requirements on top of the DMA, introduced at the Member State level. These forms of "gold-plating", which can both extend DMA rules and directly overlap with them, intensify the fragmentation mentioned above to the detriment of legal certainty. This risk has been called out by the current President of the European Central Bank, Christine Lagarde, and "gold-plating" has also been identified as a core concern relating to digital regulation in Europe by the former President of the European Central Bank Mario Draghi, in his landmark report on EU competitiveness (p. 30).

39. An example of these national rules is the German Section 19a GWB framework,

which overlaps with the DMA in terms of practices covered but has a lower threshold for intervention and a broader scope. On the basis of this law, the German competition authority initiated a data consent case against Google, requiring user consents for over 25 Google services, whereas the DMA mandated data consent for only 8 designated CPSs. Google worked simultaneously on compliance with both the Commission and the German competition authority, resulting in a complicated and duplicative effort in terms of resources.

40. The German competition authority considers these rules to apply to business practices outside of Germany that have a "potential effect" in Germany - this extends the scope of application of the German "national DMA" well beyond Germany and even the EU, in contrast with the DMA, whose application is clearly limited to CPSs provided to business and end users in the EU.

41. These kinds of proceedings create a situation where companies have to navigate competing demands from different authorities, undermining the DMA's goal of a unified digital regulatory framework.

5. IMPLEMENTING REGULATION AND PROCEDURE

Q11. Do you have any comments or observations on the DMA's procedural framework (for instance, protection of confidential information, procedure for access to file)?

42. The current access to file procedure falls below the general legal standard for the rights of defense in the EU.

43. The Commission should grant full access to file of case documents for gatekeepers. Under the Commission's Implementing Regulation, gatekeepers subject to Preliminary Findings (PFs) have no access to the Commission's file but only documents cited in the PFs. Moreover, gatekeepers' lawyers can access the Commission's file only in a data room and only for a short time period, without access to their resources and without protection of legal privilege. Gatekeepers' lawyers are therefore not in a position to work on their defense briefs while having access to the file. This is incompatible with established rights of defense.

44. Art. 34(4) DMA provides that the gatekeeper concerned is "*entitled to have access to the Commission's file*", not merely to documents cited in PFs. The same principle follows from general, fundamental rights of defense that are well-established as a matter of EU law. EU Courts (e.g., case T-30/91, Solvay, para. 81; case T-235/18, Qualcomm, paras. 199, 202-206) have consistently held that the right of access to the file is a corollary to the respect for the rights of the defense, which the Commission is bound to safeguard in DMA proceedings. Gatekeepers should therefore be provided with the full case file, with appropriate measures taken to redact only the information that is genuinely confidential to third parties.

45. The access to file procedure should be possible electronically. The Implementing Regulation provides for the possibility of conducting data room procedures electronically. Such a process would considerably improve the efficiency of the review. No justification has been provided as to why only a physical data room is proportionate and necessary.

46. A full index of the file should be provided. This is necessary so that gatekeepers can properly prepare and plan for data room access and it is also necessary to ascertain whether the Commission's file is complete.

Information requests should be targeted and proportionate.

47. The Commission's requests for information, in particular those targeting internal documents, are far reaching and inconsistent with its usual practice of scoping for relevance to the proceedings. Keywords are often vague or imprecise, and require us to submit thousands of documents that are not relevant for the purpose of DMA compliance.

48. For instance, the Commission has requested a considerable number of internal documents in the ordinary course of compliance monitoring. Following back and forth with the Commission on various iterations of search terms, final terms have resulted in Google being required to provide more than 100,000 documents, without a relevance review. While Google is required to comply with the Commission's request to avoid regulatory sanctions, we have persisted in carrying out a responsiveness review to distinguish relevant documents from those that fall

outside the scope of the Commission's compliance monitoring, in view of potential proceedings that might rely on these documents. This effort and the time constraints imposed by the Commission have also required us to engage an external reviewer, which is unusual for information requests outside the scope of formal proceedings.

49. In order to improve efficiency of information requests and preserve the undertakings' procedural rights, we call on the Commission to:

    - Narrow down the scope of its internal documents requests on the basis of relevancy to the investigation.
    - Justify RFIs requiring the production of internal documents with regard to a material threshold of concern, for instance a substantiated complaint by a third party.
    - Not request disclosure of internal documents covered by legal privilege according to US rules.

Q12. Do you have any comments in relation to the Implementing Regulation and other DMA procedures?

50. The Commission is generally empowered "*to adopt implementing acts laying down detailed arrangements for the application of certain aspects of [the DMA]*". The Implementing Regulation has the aim of providing greater legal certainty, ensuring good administration and a dedicated procedural framework for the DMA. We believe that it is the most effective and suitable method to include an express proportionality safeguard to mitigate against adverse consequences of regulatory intervention, provide detailed guidance on DMA national proceedings and procedural aspects of enforcement (see responses to questions 7, 10, and 11 above).

51. The DMA's information request and access to file procedures are already covered by Arts. 2 and 8 of the Implementing Regulation. The Commission is empowered to expand on these provisions, and can also provide much needed detail on other aspects of DMA enforcement through implementing acts, without the need for a protracted legislative procedure.

6. EFFECTIVENESS AND IMPACT ON BUSINESS USERS AND END USERS OF THE DMA

Q13. Do you have any comments or observations on how the gatekeepers are demonstrating their effective compliance with the DMA, notably via the explanations provided in their compliance reports (for example, quality, detail, length), their dedicated websites, their other communication channels and during DMA compliance workshops?

52. Google is fully committed to DMA compliance and this has translated into an unmatched level of engagement:

- Compliance reports: our DMA compliance reports offer granular specifics, explicit examples of implemented changes, and descriptions of how feedback influences the compliance solutions. Other gatekeepers have not always followed the format of the reporting template, nor adhered to a suitable length allowing for comprehensive information.

- Engagement with the EC: our work began well before designation, and we reached out to the Commission in April 2022 to start discussions. 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 engaged with the EC constructively and in good faith, seeking to find common ground where possible and to deepen discussions where further engagement was needed to find an agreement.

- Engagement with third parties: we have also extensively engaged with third-party users regarding our compliance solutions. For instance, in 2024 we collected feedback from various supplier groups (airlines, merchants, hotels, vertical search services (VSS)) on our Art. 6(5) DMA choice-based frameworks, by attending more than 30 meetings and responding to more than 40 questions. We also hosted five roundtables on Google Play with developers across all app categories, coupled with extensive bilateral outreach. On choice screens, we have met with choice screen participants to understand their preference in terms of performance and design, and we

have engaged extensively with major OEMs in bilateral meetings to enable them to push the updated choice screens onto their devices.

- Engagement with users: beyond regulators and businesses, we are also trying to ensure user perspectives are not ignored, by conducting extensive user experience tests for significant changes. Users' preferences and expectations do, we believe, merit more attention.

Q14. Do you have any concrete examples on how the DMA has positively and/or negatively affected you/your organisation?

53. As mentioned in our response to question 7 above, and based on our experience, third-party assessments, and user surveys, the DMA has had considerable unintended consequences. It has increased uncertainty in digital markets, degraded the quality of our products in the EU, and harmed large numbers of businesses, often to the benefit of a small subset of companies. The DMA also imposes large operational costs, and has held back innovation in the EU due to the lack of predictability.

54. The operational costs of compliance are high and unsustainable. The DMA obligations go to the very heart of our business, and the operational costs of compliance cannot be overstated. The work required isn't just for legal teams, and has involved thousands of Google employees across our product teams implementing technical changes and undergoing training, all alongside their primary roles of making innovative and useful products for European consumers and businesses. The unprecedented demand on our engineers' and product teams' time is not sustainable, nor is it conducive to delivering the best products to our users.

55. Legal uncertainty is negatively impacting commercial decisions. In spite of our significant investments in DMA compliance, there is still considerable uncertainty. This lack of predictability makes forward planning extremely difficult, and routinely causes us to hold back innovative features and products in the EU, effectively preventing the latest technological advancements from reaching European consumers.

Q15. Do you have any comments in relation to the impact and effectiveness of the DMA?

56. The DMA aims to ensure contestable and fair digital markets, but in reality we do not believe it is currently on the path to achieving these objectives. Instead, DMA enforcement has resulted in less useful products and reduced innovation, often to the benefit of a narrow subset of companies. In practice, the DMA has introduced friction into the very services that many European companies, including SMEs, rely on for growth.

57. A reset of the DMA is required. We call on the Commission to take steps to ensure that enforcement is user-driven, with a single minded focus on what matters: European consumers and ensuring that they benefit from high quality products and services. DMA compliance should improve digital markets, and should not come at the expense of security, system integrity, quality, or functionality of products and services.

7. ADDITIONAL COMMENTS AND ATTACHMENTS

Q16. Do you have any further comments or observations concrete examples on how the DMA has positively and/or negatively affected you/your organisation?

58. No.

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