

Open Letter to the European Commission on Google's Non-Compliance with the DMA

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Dear Executive Vice-President Teresa Ribera Rodríguez,
Dear Executive Vice-President Henna Virkkunen,

We, a group of challengers in the search engine and browser markets, civil society organisations and consumer bodies are writing to **express our concerns regarding Alphabet's ("Google") non-compliance with the Digital Markets Act (DMA)**.

Google, the sole search engine gatekeeper designated under the DMA, must comply with:

- Article 6(11) by providing fair, reasonable, and non-discriminatory (**FRAND**) **access to search ranking, query, click, and view data**.
- Articles 6(3) and 6(4), requiring the introduction of **choice screens** and mandating **easy switching**, including by enabling in-app prompts to change default settings.

These provisions are vital to restore fair competition, make the search and browser markets **more contestable**, and to ensure **consumer choice**.

Google both evades effective compliance and circumvents its obligations, continuously handicapping challengers' ability to compete. In particular, Google:

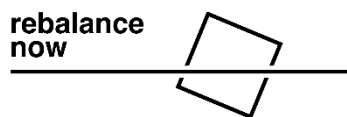
1. Fails to provide fair terms for the sharing of click and query data, including by abusing the anonymization safeguard built into Article 6(11) DMA, resulting in up to 99% of search queries being removed from the dataset.
2. Fails to ensure that all Android devices in scope of the DMA and in circulation prior to March 2024 were shown search and browser choice screens, significantly muting the impact of the choice screen on Android.
3. Maintains barriers to switching search defaults on Android, like locking certain search access points to Google and not allowing users to switch defaults via a single, easily accessible setting.
4. Blocks search apps from prompting users to change their search defaults on Android.

5. Shows unnecessary “scare screens” to users trying to switch search default via an extension on Chrome, and blocks competing search engines from directing users to the search default setting.

The European Commission must apply the DMA fully. Not doing so undermines the integrity of the Regulation and leaves both EU businesses and end users exposed to Google’s harms. In addition to the necessity to apply the DMA, the recent verdict in US v Google and the CMA’s decision to prioritise the designation of Google for its Search services under the new DMCC regime demonstrate a global willingness and momentum for tackling Google’s unfair practices. In the face of persistent obstruction, we request the Commission **to urgently open non-compliance investigations into Google under Articles 6(11), 6(4) and 6(3)**. Only by taking these steps can the DMA achieve its full potential for search and browser competition for the benefits of businesses and end users alike.

Yours sincerely,

AI FORENSICS



Independent experts

- Robin Berjon
- Ian Brown