

Canada



Compendium of approaches to improving competition in digital markets

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Contributing Authorities



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Bundeskartellamt



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I. Overview

The rapid growth of digital markets has brought significant benefits to businesses, consumers, and society as a whole. These benefits include revolutionizing financial services and fintech by increasing access; unlocking new labour market opportunities that can provide greater flexibility and productivity; transforming retail and consumer markets through online platforms and marketplaces; and enhancing efficiency and quality of care in healthcare delivery and operations. Alongside these advantages, however, it has also introduced a range of complex and evolving challenges for competition enforcement and policymaking. Given the global nature of digital markets, competition authorities across jurisdictions find themselves addressing similar issues, which could present a unique opportunity for the international competition community to share expertise, exchange experiences, and strengthen approaches to competition enforcement and policymaking in the digital age.

II. Background

In 2021, under the United Kingdom's (UK) G7 presidency, the UK Competition and Markets Authority (CMA) convened a meeting of G7 competition authorities and policymakers to discuss promoting competition in digital markets. In November of that year, the authorities published a Compendium that provided an overview of national approaches to fostering competition in digital markets. The Compendium identified commonalities and opportunities to share and build on ideas and approaches for policy development.

The 2021 Compendium proved to be a valuable resource for G7 authorities, competition agencies globally, stakeholders and the wider public. Building on the success of this initial edition, the Bundeskartellamt, under Germany's G7 presidency in 2022, and the Japan Fair Trade Commission (JFTC), under Japan's presidency in 2023, updated the Compendium. The revised editions reflected ongoing developments in competition enforcement and policymaking in digital markets.

The 2025 Compendium offers a comprehensive overview of how competition authorities across G7 jurisdictions continue to respond to the challenges posed by digital markets. It highlights key updates in approaches to both enforcement and policymaking. Structured around four topics, the Compendium consolidates insights on current issues, enforcement experiences, legislative and regulatory initiatives, capacity building, and forward-looking policy considerations from all G7 jurisdictions and the European Union.

This ongoing knowledge sharing among G7 jurisdictions can help foster a more coherent and adaptive global competition framework.

III. Topics

1. Latest enforcement and advocacy efforts in digital competition issues;

2. Examples of strengthening internal capabilities to better deal with digital competition issues;
3. Legislative and reform initiatives regarding digital competition issues;
4. Examples of collaboration with non-competition agencies and other policy areas.

IV. Key Challenges

G7 competition authorities identified several competition concerns in digital markets. Chief among these is the concentration of market power in a small number of dominant digital platforms. These dominant firms could leverage their positions across interconnected ecosystems through anti-competitive acts to harm competition by potentially restricting market entry and reducing consumer choice. A notable example discussed in previous editions of the Compendium is a practice known as “self-preferencing,” where platforms favour their own products or services over those of competitors, in contexts such as search results or app store rankings.

Another significant challenge relates to the control and use of data. Large digital platforms collect and process vast amounts of user data. These data provide a critical resource for the development of artificial intelligence (AI), but could also reinforce the companies’ market position. The growing importance of AI has led companies to rapidly change how they gather, store, and use data to sustain their competitive edge. Additionally, in cases where there is limited interoperability or high switching costs, both consumers and businesses may face difficulties in migrating across services or platforms. This, in turn, could reduce competitive pressure and stifle innovation.

As this year’s Competition Enforcers and Policymaker’s Summit highlighted, several authorities are also seeking to understand the potential changes to market dynamics due to the increasing use of algorithms, particularly in the context of pricing strategies and potential negative impacts on competition. Finally, more readily recognizable forms of exclusionary conduct, such as imposing excessively restrictive contractual terms, remain a focus of enforcement efforts across multiple jurisdictions.

V. Key Findings

When G7 jurisdictions have identified challenges in digital markets, they have used a broad array of tools, often combining enforcement actions, legislative and regulatory reforms, and advocacy efforts like market studies and public consultations. While traditional competition enforcement remains a cornerstone for most jurisdictions, several have introduced, or are in the process of implementing, new legislative frameworks specifically designed for digital markets. Notable examples include the European Union’s Digital Markets Act (DMA), Germany’s 10th amendment to the *Gesetz gegen Wettbewerbsbeschränkungen* (German Competition Act), and the United Kingdom’s Digital Markets, Competition and Consumers (DMCC) Act 2024, and the Japan Fair Trade Commission’s Mobile Software Competition Act, which provide specific rules for digital platforms even though the approaches differ in how these rules are applied.

In addition, some G7 authorities have used consultations and market studies to deepen their understanding of emerging risks. For instance, the Competition Bureau of Canada launched a public consultation in 2025 on pricing algorithms, aiming to examine both the potential benefits and risks associated with their use. The European Commission launched two calls for contributions on competition in virtual worlds and generative AI, followed by a workshop in June 2024.¹ France's *Autorité de la concurrence* published market studies on the competitive dynamics of the cloud computing sector (June 2023) as well as the rapidly developing generative artificial intelligence sector (June 2024). The Japan Fair Trade Commission (JFTC) published its "Report regarding Generative AI ver. 1.0" outlining its findings and key issues in the generative AI market. Moreover, Italy's *Autorità Garante della Concorrenza e del Mercato* is conducting a market study on the use of pricing algorithms in the airline industry. Launched under a new competition framework, which permits the imposition of structural and/or behavioural remedies, the study is expected to conclude by the end of 2025.

Beyond enforcement, reform, and advocacy, several additional trends have emerged in recent years. In several jurisdictions, merger review features increased scrutiny of acquisitions involving new competitors or firms holding significant data assets. Specialized digital or data units within competition authorities are also becoming more common, reflecting a response to the need for capacity building, horizon scanning, and interdisciplinary collaboration among legal, economic, and technical experts. This is increasingly including authorities developing their own tools to support their work. Alongside this, some authorities are placing greater emphasis on enhanced cooperation among competition, consumer protection, privacy, and other relevant regulators.² As well, some G7 competition authorities are contributing to wider digital policy discussions, including those related to AI governance, cybersecurity, and digital media. These cross-sector engagements underscore the view of some jurisdictions regarding the importance of integrated policy approaches that account for the interplay between different frameworks within the broader digital ecosystem.

VI. Conclusions and Next Steps

Looking ahead, several key insights emerge that may shape the future of competition enforcement and policy in digital markets.

First, all jurisdictions acknowledge the need for timely, agile, and effective competition enforcement regimes that are sufficiently flexible to adapt to the ever-evolving nature of digital markets. Second, international engagement remains essential. As digital platforms operate across borders, engagement among competition authorities can help promote competitive markets and innovation. Third, digital competition policy stands to benefit significantly from alignment with other policy frameworks, including data protection, and consumer protection. Finally, G7 competition authorities are well-positioned to contribute to these efforts.

¹ [EC DG COMP: See for more information https://competition-policy.ec.europa.eu/document/download/c86d461f-062e-4dde-a662-15228d6ca385_en]

² [CMA: See, for example, [CMA-ICO joint statement on competition and data protection law](#) - GOV.UK]

The lessons learned and tools developed over recent years provide a strong foundation for shaping a more agile and effective digital competition landscape — one that supports innovation, safeguards consumer choice, and ensures that digital markets remain open and contestable.

VII. Submissions

CANADA – Competition Bureau Canada

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

Enforcement

The Competition Bureau (Bureau) continues to prioritize enforcement efforts across different sectors in the digital economy, including against some of the largest digital platform companies. Since 2023, the agency has deepened its understanding of key features of data-driven digital markets while investigating various forms of conduct that harm competition. Active enforcement and advocacy projects in digital markets include:

- Following a thorough investigation (mentioned in the 2023 compendium), the Bureau [filed an application](#) with the Competition Tribunal against Google for anti-competitive conduct in online advertising technology services in Canada. [Info Notice: November 2024](#)
- The Bureau got a court order requiring Amazon to provide information for an investigation into the company's Fair Pricing Policy on its online Canadian marketplace, Amazon.ca, to determine if its conduct may be an abuse of dominance [Info Notice: July 2025](#)

The Bureau also got court orders to advance its civil investigations against other digitally-based companies, including:

- **Kalibrate:** To determine if Kalibrate's data, pricing and consultation services, including pricing guidance to gas station operators as well as visibility on their competitors through Kalibrate's products, may be having an adverse effect on competition [Info Notice: July 2024](#)
- **Quebec Professional Association for Real Estate Brokers (QPAREB):** To determine whether the QPAREB has engaged in practices related to data sharing restrictions that harm competition in the real estate brokerage services market, or that prevent the development of innovative online brokerage services in Quebec. [Info Notice: May 2025](#)
- **Broadridge Software Limited:** To determine whether Broadridge's practices related to book of record platforms in Canada may prevent competitors from supplying complementary software products to broker-dealers. The investigation also relates to potential effects on competition of Broadridge's acquisition of Securities Industry Services, a transaction processing platform for the securities brokerage industry in Canada. [Info Notice: November 2024](#)

Another area of enforcement which the Bureau has been very active in is deceptive marketing practices in digital markets. Recent enforcement actions have targeted practices such as:

- drip pricing ([SiriusXM Canada](#), [Cineplex](#) & [DoorDash Inc.](#)). Notably, in September 2024, the Bureau secured a significant win against Cineplex, a major movie theatre chain. Cineplex had made deceptive price representations by advertising unattainable movie ticket prices on its website and app, prices which were lower than what consumers had to pay. Cineplex was ordered to pay a financial penalty of over \$38.9 million.
- misleading urgency cue claims, inflated regular prices before a sale, and false or misleading impression of a sale ([Leon's Furniture Limited and The Brick Warehouse LP](#)).
- false representations about data plans or delivery fees ([Rogers Communications Inc.](#)).
- incentivized reviews ([Amazon](#)).

Promotion and Advocacy

- **Finance consultation 2024 - advocating for the adoption of consumer-driven banking:** On March 21, 2024, the Bureau made a [submission](#) to the Department of Finance Canada (Finance) public consultation on [Strengthening Competition in the Financial Sector](#). The Bureau's recommendations centred around lowering switching costs for consumers and meaningfully advancing competition. The Bureau encouraged Finance to swiftly adopt a consumer-driven banking framework that will boost competition and innovation by enabling new service providers and challenging established providers. For years, the Bureau [advocated](#) for an effective open-banking framework that can support competition in the financial sector. Many of the Bureau's recommendations factored into the federal government's Policy Statement on Consumer-Driven Banking, which was released in November 2023.
- **Summit 2024 - Market Dynamics in the AI Era:** On November 13, 2024, the Bureau published a [report](#) from "[Canada's Competition Summit 2024: Market Dynamics in the AI Era](#)," which took place in Ottawa on September 16, 2024. The hybrid event featured experts from domestic and international competition authorities, regulatory bodies, businesses and non-governmental organizations, as well as the legal and academic communities. The [report](#) distills the rich discussions into five main takeaways.
 - First, it emphasizes that artificial intelligence is already reshaping competition across all sectors of the economy, introducing both significant opportunities and new risks.
 - Second, the conversations underlined the need for regulatory frameworks to evolve to address the distinctive challenges that AI presents.
 - Third, participants agreed that international cooperation will be essential for effective regulation and enforcement in markets increasingly influenced by AI.
 - Fourth, the importance of transparency in AI systems was highlighted, as it is critical for maintaining accountability and fostering consumer trust.
 - Finally, the Summit explored the complex and sometimes contentious role that large technology firms play in the development of AI, a topic that continues to generate a great deal of debate and discussion.
- **Engagement with the telecom sector:** In relation to digital infrastructure, the Canadian Radio-television and Telecommunications Commission (CRTC) launched [a consultation to determine whether to implement disclosure requirements for internet service providers](#)

in late 2024. The CRTC's consultation follows the adoption in the US of a "broadband nutrition label" which requires ISPs to provide consumers with service information in a standardized format at the point of sale. The measure aims to help customers comparison shop for telecommunication services. The Bureau supported adoption of these measures, noting that barriers to customers switching are barriers to competition. The Bureau also noted that any disclosure requirements must be consistent with the deceptive marketing provisions of the Competition Act. As of June 2025, the CRTC collected several rounds of written comments and held a hearing on the topic, and a decision is expected soon. In 2023-24, the Bureau advocated for competitive wholesale high-speed access services, analyzing data and providing recommendations on FTTP network access in response to Telecom Notice of Consultation [CRTC 2023-56](#).

- **Consultation on Algorithmic Pricing:** On June 10, 2025, the Bureau launched a consultation on [Algorithmic Pricing and Competition](#) by publishing a discussion paper. The Bureau is using the consultation to improve its understanding of algorithmic pricing so it can respond swiftly and effectively to this emerging trend. The discussion paper poses questions on algorithmic pricing for further exploration. It examines the ways algorithmic pricing is currently being used in Canada and assesses its overall prevalence in the marketplace. The paper also delves into the sources of data that feed into pricing algorithms, considering the implications of where and how this information is collected. Further, it evaluates potential impacts on markets and consumers, exploring both positive and negative outcomes that may arise. Finally, the discussion addresses the specific challenges that algorithmic pricing poses for competition authorities as they strive to ensure fair and dynamic markets.
- **Data portability project:** The Bureau completed its research into the benefits of data portability for competition and consumers. The study aims to inform policymakers and Canadians about the potential value of data portability. Using a mix of research methods, including a public opinion survey and a case study of the insurance sector, the study examined data portability from a consumer and competition perspective, compared international frameworks, and developed recommendations for a balanced national approach. The Bureau expect to publish the final report in Fall 2025.

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence

Strengthening our institutional capabilities

Since the Bureau's last submission to the G7 Compendium, the agency has taken significant steps to better equip itself to deal with the complexities of digital competition. Across the Bureau, teams are more often using the special knowledge and skills of data scientists, behavioural scientists, and intelligence analysts from the Digital Enforcement and Intelligence Branch. These specialists help teams analyzing data-driven and multi-sided markets to better understand consumer behaviour, algorithmic pricing models, and other modern business

practices. Their input has enriched analyses of market definition, barriers to entry, and other competitive dynamics.

The Central Intelligence Unit has expanded and strengthened its capacity to proactively detect digital competition issues. The Unit secured access to advanced open-source intelligence (OSINT) platforms and recruited analysts with skills in coding, economics, and law enforcement.

The Data Analytics Unit is driving innovation through providing sophisticated analytics and developing proprietary code-based tools. “Eagle Eye,” for example, is a geospatial dashboard allows investigators to visualize and assess competition at the local market level. Meanwhile, the COMPASS (“Competition AI Secure System”) project is establishing a secure, generative AI platform to equip staff with advanced AI tools for sensitive data analysis. The Bureau’s data specialists work directly with investigative teams to customize digital tools, adding efficiency and effectiveness to the complex process of gathering, assessing, and displaying large amounts of information.

The Behavioural Insights Unit launched in March 2024 and further enhanced the Bureau’s capacity to understand the decisions of consumers and businesses by collaborating with competition promotion and enforcement teams.

Recognizing the need for continued capacity-building and knowledge-sharing, the Mergers and Monopolistic Practices Branch started a project in early 2024 to broaden digital market expertise across the Bureau. The Branch held biweekly all-staff meetings to explore topics ranging from digital platforms and artificial intelligence to case studies and potential remedies. In November 2024, the Digital Markets Workshop convened competition law officers, behavioural scientists, data scientists, economists, lawyers, analysts, and paralegals for in-depth discussions to deepen shared understanding of digital market enforcement. All-team digital markets meetings continue monthly, sustaining strong staff engagement and collective learning.

Advancing preparedness for Artificial Intelligence (AI)

In March 2024, the Bureau held a consultation on AI and competition by publishing a discussion paper and inviting public comment. This initiative was designed to:

- stimulate dialogue,
- expand the Bureau’s understanding of how competition is evolving within Canadian AI markets,
- explore effective strategies for protecting and promoting competition as AI technologies mature, and
- assess the Bureau’s readiness to address potential harms arising from the widespread adoption of AI.

Following the consultation, the Bureau published a report titled [*Consultation on Artificial Intelligence and Competition: What We Heard*](#).

3. List:

(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

In addition to changes to the Competition Act in 2022, two additional rounds of amendments became law on [December 15, 2023](#) and [June 20, 2024](#), respectively. These reforms strengthen the Bureau's ability to protect and promote competition in all sectors of the Canadian economy, including in digital markets. Some of the notable changes include:

- New formal powers for the Bureau to conduct market studies;
- Enhanced ability to prevent anti-competitive mergers, including through the repeal of the efficiencies defence, the adoption of rebuttable structural presumptions, and a stricter remedial standard;
- Restructured test for abuse of dominance, allowing for prohibition orders where a dominant firm or group is engaged in conduct with anti-competitive intent or effect;
- Expanded civil powers to address anti-competitive agreements, including the ability to challenge past agreements, the ability to challenge vertical agreements in certain circumstances, and the ability to seek administrative monetary penalties; and,
- Strengthened private enforcement regime, accessible to a broader range of private parties, with relaxed leave requirements, and with allowance for monetary payment remedies to successful applicants and others affected by the anti-competitive conduct.

The Bureau has ongoing projects to modernize enforcement guidelines to reflect these new changes and meet the demands of the digital economy.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

Canadian Digital Regulators Forum

Established in June 2023, the Canadian Digital Regulators Forum (the Forum) brings together the Competition Bureau, the CRTC, the Office of the Privacy Commissioner of Canada, and the Copyright Board of Canada to strengthen information sharing and collaboration on digital markets and platforms.

- **Year One:** Chaired by the Commissioner of Competition, the Forum launched an eight-part Artificial Intelligence (AI) Speaker Series. Open to all employees of member agencies, the series featured internationally recognized academics and industry leaders and covered topics like AI fundamentals, economics, opportunities and risks in innovation, ethics, and both Canadian and international approaches to regulation.
- **Year Two:** Chaired by the Privacy Commissioner of Canada, the Forum jointly authored a research paper on synthetic media and its implications across the mandates of Forum

members, communications, competition, privacy, and copyright. The paper, expected in Summer 2025, explores the uses, risks, and regulatory considerations of generative AI and synthetic media. The Bureau's contribution highlighted deepfakes and deceptive marketing, with the Behavioural Insights Unit (BIU) providing a behavioural science analysis on the effectiveness of synthetic media labelling strategies.

Enhancing public procurement through collaborative oversight

The Cartels Directorate at the Bureau meets regularly with foreign counterparts to discuss approaches to algorithmic collusion.

Protecting Canadians from harmful conduct in the digital economy

The Bureau is committed to helping Canadians recognize, and protect themselves from illegal activities through outreach activities. In 2024 and 2025, the Bureau released multiple consumer alerts about AI fraud, and Bureau staff delivered presentations to university students, businesses, and the general public about digital fraud risks.

Also, as a co-chair, alongside the Canadian Anti-Fraud Centre and the RCMP, the Bureau led the [March Fraud Prevention Month \(FPM\) Campaign and Fraud Prevention Forum \(FPF\)](#), a coalition now over 80 strong. The 2024 campaign, themed “20 years of fighting fraud: From then to now,” emphasized AI fraud, while the 2025 campaign addressed impersonation fraud and achieved a reach of approximately 112.6 million.

International collaboration

On international collaboration, the Competition Bureau plays an important role in advancing international competition policy coordination and enforcement cooperation. This year, the Bureau is responsible for organizing the G7 Summit on AI and algorithmic pricing. Further, it actively engages in global fora such as the ICN, OECD, and ICPEN, while managing other bilateral and multilateral relationships. Additionally, it leads on driving the development of new international instruments and strategic global partnerships to shape the future of competition enforcement.

McGill Policy Lab: Algorithmic pricing project

Since 2020, the Bureau has sponsored a yearly research project as part of the [McGill University Max Bell School of Public Policy's Policy Lab program](#). Each year, the Bureau poses a “challenge question” to a group of student researchers on a topic of interest in competition policy. Under the guidance of a faculty mentor, the research group spends the last semester of their degree researching the topic and producing a report that includes policy diagnosis and a prescription of potential solutions. In recent years, the topics have centred on technology and digital markets including electric vehicle charging markets and the competition implications of algorithmic pricing practices.

FRANCE - Autorité de la concurrence

The digital economy has consistently been a priority of the *Autorité de la concurrence* (the “*Autorité*”) over the past few years and, as such, it has devoted full attention to tackling the competitive issues arising in digital markets.

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

The *Autorité* has been particularly active in its enforcement effort in the digital economy, and several important decisions were issued, underlining its determination to use all available tools to tackle harmful practices by major digital players.

In this respect, *the Autorité* has dealt with a number of abuse cases having national competition law and article 102 TFEU as a legal basis.

- a. **Interim measures:** In May 2023, the *Autorité* made use of this instrument to order that Meta define objective, transparent, non-discriminatory and proportionate criteria for accessing and maintaining partnerships in the ad verification sector³. Previous instances of interim measures include the decision of April 2020 whereby the *Autorité* required that Google negotiate with press publishers and agencies the remuneration owed to them regarding the use of their protected contents, as per the legislation on related rights.⁴ Thereafter, having found that Google had not complied with these initial injunctions, the *Autorité* imposed a fine of €500 million and ordered that Google comply, subject to periodic penalty payment⁵.
- b. **Settlements and commitments:** In June 2022, after having investigated on the merits the above mentioned “related rights” case, the *Autorité* accepted Google's commitments to create a framework for negotiating and sharing the information necessary for a transparent assessment of the remuneration owed to press publishers and agencies for the reuse of their protected contents⁶. However, in 2024, the *Autorité* eventually fined Google in the amount of €250 million, under a settlement procedure, for breaching its commitment to cooperate with the monitoring trustee and to implement several of its commitments that aimed to secure a good faith, transparent and fair negotiation with the press sector⁷. Also in June 2022, the *Autorité* was also the first competition authority to accept commitments by Meta in the context of antitrust proceedings, with the aim of addressing competition concerns

³ [Decision 23-MC-01 of 4 May 2023](#) on a request for interim measures by the company Adloox

⁴ [Decision 20-MC-01 of 09 April 2020](#) on requests for interim measures by *Syndicat des éditeurs de la presse magazine, the Alliance de la presse d'information générale* and others and Agence France-Presse

⁵ [Decision 21-D-17 of 12 July 2021](#) on compliance with the injunctions issued against Google in Decision 20-MC-01 of 9 April 2020

⁶ [Decision 22-D-13 of 21 June 2022](#) regarding practices implemented by Google in the press sector

⁷ [Decision 24-D-03 of 15 March 2024 regarding compliance with the commitments in Decision 22-D-13 of 21 June 2022 of the *Autorité de la concurrence* regarding practices implemented by Google in the press sector](#)

in the French market for non-search related online advertising⁸, both among advertising intermediation service providers and between Meta and the complainant, Criteo.

A decision of June 2021⁹, upon a complaint by News Corp against Google, combined a settlement procedure, leading to a fine of €220 million, with commitments, which the *Autorité* accepted, to implement effective changes in the way Google operated display advertising and improve the interoperability of its services with those of third-parties, while ending preferential treatment of its own services.

- c. **Financial penalties:** The *Autorité* has imposed hefty fines sanctioning practices of major digital players.

In addition to fines imposed on Google and Meta in connection with a breach of interim measures or as part of a settlement procedure (cf. *supra*), the *Autorité* also fined Apple €150,000,000 for abusing its dominant position in the sector for the distribution of mobile applications on iOS and iPadOS. While the *Autorité* had previously rejected a request for interim measures, the investigation into the merits of the case led the *Autorité* to find that the way the App Tracking Transparency (ATT) framework is implemented is neither necessary for, nor proportionate with, Apple's stated objective of protecting personal data¹⁰.

- d. The *Autorité* has also paved the way for future intervention in relation with digital markets, by carrying out unannounced inspections in the graphic cards sector¹¹, and notifying a statement of objections to Meta in relation with practices implemented in the online advertising sector, likely to have consequences on several related markets for the provision of ad verification services and ad spaces¹². On the advisory front, the *Autorité* has started an *ex officio inquiry* into the competitive functioning of the online video content creation sector¹³ in France, including how AI is used to produce video content and the impact it may have on competition. Finally, the *Autorité* has launched internal work toward a short study into the issue of access to energy and energy consumption in the use of AI, and whether this may become a new barrier to entry as well as a competition parameter (e.g. in light of the development of more energy-efficient LLMs).

⁸ [Decision 22-D-12 of 16 June 2022](#) regarding practices implemented in the online advertising sector

⁹ [Decision 21-D-11 of 7 June 2021](#) regarding practices implemented in the online advertising sector

¹⁰ [Decision 25-D-02 of 31 March 2025](#) regarding practices implemented in the sector for mobile application advertising on iOS devices

¹¹ [Press release of 27 September 2023](#)

¹² Press release of 9 July 2025

¹³ Press release of 10 July 2024

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

The *Autorité* has been consistently strengthening its skills and expertise in the digital field, in order to be able to meet the challenges encountered in this area.

The dedicated Digital Economy Unit created in September 2020, which includes professionals from a variety of backgrounds (engineering, law, economy, data-science) is tasked with developing in-depth expertise on all digital subjects, collaborating with case handling teams on investigations into anticompetitive practices in the digital economy or involving digital matters, and devising new, tech-based investigative tools.

- a. In collaboration with CodeX Computational Antitrust, it has published the first interactive network graph tool¹⁴ capable of identifying within the *Autorité's* body of decisions and opinions the references to its other publications and to represent these interconnections in a graph. This allows for the identification of the interconnections between different publications at first glance and gives an overview of the *Autorité's* decisional and advisory practice¹⁵.

The Unit is also involved in the DATACROS project¹⁶ which aims to improve the prototype tool for assessing corruption risk factors in the ownership structure of companies (risks of collusion, corruption and money laundering in the European single market). In parallel, the *Autorité* has also begun working on its own detection tool of collusion in public procurements based on the open-access databases available (DECP, BOAMP, INPI, etc.) combined with in-house indicators. Finally, the Digital Economy Unit is currently developing a variety of automated tools for on-going cases investigated by the competition units within the *Autorité* and is also working on deploying generative AI tools and applications within the institution. For instance, it is currently in the process of building a prototype of a Retrieval Augmented Generation tool, which would allow case handlers to query the database made of all publications by the *Autorité* and its predecessor since 1988, in natural language. On the basis of a user's query, the tool would identify the segments closest to it, and provide them as context to a Large Language Model, which would aim to generate an answer to the question within said context.

¹⁴ <https://sen-codex.dev/>

¹⁵ The article entitled "Deploying Network Analysis in Antitrust Law" (January 2023) explains the whole process and the visualisation tool developed by the *Autorité* along with all the data are accessible to all as open data on the *Autorité's* GitHub (https://github.com/AutoriteDeLaConcurrence/publication_sen-codex_networkgraph).

¹⁶ <https://www.transcrime.it/en/datacros-ii-kick-off-meeting/>

- b. The Unit has also led the *Autorité*'s advisory activity regarding digital matters.

In June 2023, based upon the investigation carried out by this Unit, the *Autorité* issued a market study on the competitive functioning of the cloud sector¹⁷. In particular, the inquiry considers possible relevant markets and examines the competitive risks raised by tariff barriers, obstacles to interoperability or mergers between players in the sector. The *Autorité* also identifies market failures likely to be addressed by regulations such as the EU Data Act or the then draft French law to Secure and Regulate the Digital Space, now in Law 2024-449 of 21 May 2024 ("SREN Law").

Also in relation to the cloud sector, the *Autorité* issued in April 2023 an opinion on certain provisions of the above mentioned draft law, with the aim of ensuring consistency with the EU Data Act¹⁸.

The role of the Digital Economy Unit was also instrumental in initiating and conducting a market study into the fast-growing generative AI sector, resulting in an opinion published on 28 June 2024¹⁹. It chose to focus on the strategies implemented by major digital companies aimed at consolidating their market power upstream in the generative AI value chain (i.e. the design, training and fine-tuning of large language models [LLMs]) or at leveraging this market power in order to expand in the sector. The *Autorité*'s opinion looks in particular into practices implemented by operators already present in cloud infrastructure, and at issues relating to access to essential input – cloud infrastructure, computing power, data and a skilled workforce. The *Autorité* also examined investments and partnerships by major digital players, in particular in innovative companies specialised in generative AI. Finally, the opinion offers a number of recommendations aimed at boosting competition in the sector, while requiring no change to existing legislation.

Finally, the Digital Economy Unit is entrusted with the drafting of a report, mandated by the SREN Law, which will present the work of the *Autorité* in the area of self-preferencing and suggest any procedural or legislative improvement in this respect, to be submitted to the French parliament and government by end November 2025. To that effect, a public consultation was launched on 6 June 2025²⁰.

¹⁷ [Opinion 23-A-08 of 29 June 2023 on competition in the cloud sector.](#)

¹⁸ [Opinion 23-A-05 of 20 April 2023](#) on the draft law to secure and regulate the digital space.

¹⁹ [Opinion 24-A-05 of 28 June 2024](#) on the competitive functioning of the generative artificial intelligence sector

²⁰ Launch of public consultation on self-preferencing in connection with SREN Law, press release of 6 June 2025

3. List:

- (a) any reforms, new laws or regulations to better address digital competition issues, or
- (b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

The *Autorité* is keen to develop new tools and approaches and also update existing frameworks in order to maintain the relevance of competition law in taking up the specific challenges of the digital economy.

- a. The adoption of the **EU Digital Markets Act**, aiming at ensuring contestable and fair digital markets by regulating practices implemented by large digital platforms, has been a major milestone at EU level. The *Autorité* has strongly advocated an ambitious and effective DMA and has actively promoted an active role for national competition authorities in the implementation of the text in order to ensure an optimal coordination with competition law. Following the entry into force of the DMA in May 2023, the *Autorité* has been endowed by French “SREN Law” with investigative powers toward enforcing the DMA.
- b. The *Autorité* has observed that some transactions involving undertakings that may play a significant competitive role in the relevant markets escape **merger control** due to the target's low turnover. The Illumina/Grail ruling of 3 September 2024 by the Court of Justice of the EU limited the scope of Article 22 of the EU Merger Regulation in addressing this type of situations, yet invited the EU legislator and Member States to intervene to remedy any concern they may rise. Therefore, on 14 January 2025, the *Autorité* opened a public consultation on possible changes to the legal framework for controlling mergers below the current notification thresholds. Among the options presented, a targeted call-in power by the *Autorité*, based on quantitative and qualitative criteria, similar to frameworks already in place in several EU Member States, was better received. The *Autorité* is now continuing its work to propose a balanced reform that ensures effective control and sufficient legal certainty for companies.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

The *Autorité* is committed to ensuring that its work to promote competition in digital markets is consistent with other applicable regulatory regimes. The French legal framework makes for a comprehensive and efficient environment allowing the *Autorité* and sectoral regulators to consult one another²¹.

²¹ Article R. 463-9 of the French commercial code provides that the *Autorité* must notify every independent regulatory authority of all proceedings that are initiated in sectors falling within its competence. Conversely, under sectoral legislation, regulators have the possibility of referring cases to the *Autorité* if they identify a competition law problem in their field of activity.

The authorities concerned include *inter alia* the data protection agency (CNIL), the telecom regulator (ARCEP) and the media and broadcasting regulator (ARCOM).

Data protection and digital competition issues are, in particular, intrinsically linked.

As an example, the above mentioned ATT case, initiated by a referral from several associations of online advertising market players, was an occasion for the *Autorité* to solicit observations by the data protection agency (CNIL) on the data privacy issues likely to be raised by the alleged practices, in order to be able to appropriately assess the practices at stake. The *Autorité* received two opinions from the CNIL, of 17 December 2020 and 19 May 2020, and factored these findings into its competitive analysis, when adjudicating both the initial request for interim measures, and the merits of the case.

As a complement, it may also be noted that, following a complaint concerning the personalisation of adverts displayed in the App Store, the restricted committee of the CNIL, in a decision dated 29 December 2022, imposed on Apple an administrative fine of €8 million²².

Also, in 12 December 2023, the *Autorité* and the CNIL published a joint declaration entitled “Data protection and competition: a common ambition”²³, confirming their plan to further deepen their cooperation. At the request of the CNIL, the *Autorité* issued in September 2024 an opinion on draft recommendations on mobile applications, which came as a first concrete expression of the commitments made by the two institutions in said joint declaration.

Finally, at a working level, one may want to mention the internal seminar jointly held on 5 March 2025 by the CNIL and the *Autorité* to discuss the intersecting challenges of data protection and competition in the development of artificial intelligence.

²² CNIL Decision SAN-2022-025

²³ Joint declaration by the *Autorité* and the CNIL, 12 December 2023

GERMANY – Bundeskartellamt

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

The digital economy has been a key focus of the Bundeskartellamt's work for more than 15 years. During this time, it has successfully concluded numerous landmark proceedings against large companies in the digital sector, thereby gaining significant experience in this area.

The 10th amendment to the German Competition Act (*Gesetz gegen Wettbewerbsbeschränkungen*; hereinafter "GWB") further enhanced the Bundeskartellamt's control over the market activities of large digital companies. The new key provision (Section 19a GWB) introduced the concept of "paramount significance for competition across markets". The provision is designed around a two-step mechanism that differs from traditional abuse control in that it enables earlier and more effective intervention. In a first step the Bundeskartellamt may issue a decision declaring that an undertaking which is active to a significant extent on multi-sided or network markets is of paramount significance for competition across markets (Section 19a(1) GWB). The decision is issued irrespective of whether abusive practices exist. In a second step the Bundeskartellamt may then prohibit the addressee from engaging in certain behaviour (Section 19a(2) GWB).

In September 2024, the Bundeskartellamt determined in its latest designation proceeding that Microsoft is an undertaking of paramount significance for competition across markets. The Bundeskartellamt found that Microsoft's products are indispensable and omnipresent in companies, public bodies and private households. The Windows operating system has placed Microsoft in a dominant position which it has held for many years. Building on this established position, Microsoft has quickly developed strong market positions in a number of other areas, such as videoconferencing. It also plays a leading role in the cloud business and in the area of artificial intelligence.²⁴

Prior to the proceeding against Microsoft, the Bundeskartellamt had already rendered designation decisions against Google, Meta, Amazon and Apple²⁵, taking a holistic, cross-market perspective when assessing the economic power of these large digital companies. In all five cases, it found that these companies have a position of economic power across markets that allows for a scope of action across markets that is not sufficiently controlled by competition. In April 2024, the Federal Court of Justice (Bundesgerichtshof) upheld the Bundeskartellamt's decision determining that Amazon is of paramount significance for competition across markets.²⁶ In March 2025, the Federal Court of Justice also upheld the Bundeskartellamt's

²⁴ Bundeskartellamt, [press release](#) of 30 September 2024, [case summary](#).

²⁵ Bundeskartellamt, [press release](#) of 5 January 2022, [case summary](#) (Google); Bundeskartellamt, [press release](#) of 4 May 2022, [case summary](#) (Meta); Bundeskartellamt, [press release](#) of 6 July 2022, [case summary](#) (Amazon); Bundeskartellamt, [press release](#) of 5 April 2023, [case summary](#) (Apple).

²⁶ Bundesgerichtshof, [decision](#) of 23 April 2024 – KVB 56/22.

decision regarding Apple.²⁷ The other three designation decisions were not appealed by the respective companies.

The Bundeskartellamt has already conducted a number of cases under Section 19a(2) GWB, examining specific practices of the aforementioned companies. In a recently concluded proceeding, the authority examined Google's licensing practices relating to Google Automotive Services and the terms of use of the Google Maps Platform. As part of the proceeding, Google offered the Bundeskartellamt commitments under which it will license the services contained in Google Automotive Services also as separate stand-alone versions. In addition, Google will remove restrictive contractual provisions that have created incentives for customers to use Google services, including provisions on default settings or participation in advertising revenue. Google also committed to create the necessary conditions to enable interoperability with third-party services. As regards Google Maps Platform, it committed to remove the contractual provisions restricting the combined use of Google's map services and map services from other providers. In the future, map content from Google may also be displayed on third-party maps. In two decisions issued on 9 April 2025, the Bundeskartellamt declared Google's commitments binding and concluded the proceedings.²⁸ The commitments are not limited to Germany but rather cover the entire European market.

Following another proceeding based on Section 19a(2) GWB, users in Germany now have greater control over their data when using certain Google services. The proceeding was concluded in October 2023, after Google made commitments to improve its data processing across services. Google must now enable users to give their voluntary, specific, informed and unambiguous consent to their data being processed across services. This obligation already applied to the Google services designated by the European Commission under the EU Digital Markets Act (DMA). In addition to these services, Google's commitments provided to the Bundeskartellamt cover the processing of data across services involving more than 25 other services (including Gmail, Google News, Assistant, Contacts and Google TV). The proceeding was conducted in close cooperation with the European Commission.²⁹

In an ongoing proceeding against Amazon, the Bundeskartellamt provided Amazon with its preliminary legal assessment in June 2025. The proceeding is based on Section 19a(2) GWB as well as the general abuse control provisions under Section 19 GWB and Article 102 TFEU. The Bundeskartellamt is examining the company's influence on the prices charged by sellers that are active on the Amazon Marketplace and compete with Amazon's own retail business. The price control mechanisms, i.e. the practice of controlling the prices set by third-party sellers using algorithms, are intended to prevent Amazon Marketplace sellers from charging prices which exceed certain price caps set by Amazon. In the Bundeskartellamt's preliminary opinion, this conduct may restrict the competitive process on the Amazon Marketplace and is likely to interfere with the Marketplace sellers' freedom to set their own prices. Furthermore, the price control mechanisms could serve to coordinate prices based on Amazon's own pricing principles

²⁷ Bundesgerichtshof, [decision](#) of 18 March 2025 – KVB 61/23 (in German only).

²⁸ Bundeskartellamt, [press release](#) of 9 April 2025.

²⁹ Bundeskartellamt, [press release](#) of 5 October 2023.

and ideas and may result in a uniform pricing strategy on the trading platform at the expense of other online sellers.³⁰

Another ongoing proceeding based on Section 19a(2) GWB concerns Apple's "App Tracking Transparency Framework" (ATTF). Since its implementation, app providers must obtain additional consent from users before gaining access to certain data for advertising purposes. However, these strict requirements only apply to third-party app providers and not to Apple itself. For example, third-party apps display up to four consecutive consent dialogues to users under the ATTF, while Apple's own apps display a maximum of two. Apple's consent dialogues also encourage users to allow Apple to process their data, while the consent dialogues for third-party apps steer users towards refusing third-party data processing. In the Bundeskartellamt's preliminary view, this conduct may contribute to Apple favouring its own apps over third-party apps and impeding the relevant market participants.³¹

Notable cases relating to the digital economy based on instruments provided under traditional abuse control include the Bundeskartellamt's landmark decision against Meta. In 2019 the Bundeskartellamt prohibited Meta from combining personal user data from different sources without user consent. After years of subsequent legal disputes, in which the Federal Court of Justice (2020) and the Court of Justice of the European Union (2023) essentially confirmed the Bundeskartellamt's position on matters of principle, Meta withdrew its pending appeal against the Bundeskartellamt's decision in October 2024. The decision is thus final. Moreover, to implement the authority's decision, Meta introduced an accounts centre that gives users a better choice as to the processing of their data. They can now use the individual Meta services with all essential functions separately. Alternatively, they can choose to link their accounts, which allows them to use additional functions across accounts. However, this means that Meta can also use data linked across accounts to display personalised ads. Based on the introduction of this accounts centre, the Bundeskartellamt concluded its proceeding against Meta in 2025.³²

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

The Bundeskartellamt continues to expand its focus on and expertise in the digital economy as well as its capabilities in the field of data science. Investigation methods are continuously being updated and adapted to meet the latest standards. In 2024 the Bundeskartellamt reorganised its IT section. The previous IT unit was separated from the central department and upgraded to a department in itself. Among other things, this new department intends to drive forward and significantly shape developments in areas such as artificial intelligence, cloud and data analysis, together with the specialist units.³³ The already well-established Digital Economy Unit within

³⁰ Bundeskartellamt, [press release](#) of 2 June 2025.

³¹ Bundeskartellamt, [press release](#) of 13 February 2025.

³² Bundeskartellamt, [press release](#) of 10 October 2024.

³³ Bundeskartellamt, [press release](#) of 1 August 2024 (in German only).

the General Policy Division supports the decision divisions' work in the digital area and carries out its work in collaboration with other internal support units and in consultation with other authorities.

In order to identify the potential for abuse in AI markets early on and to ensure that these markets remain open, the Bundeskartellamt hosted an expert group on AI and competition in June 2025. At the authority's invitation, representatives of companies and associations which represent key parts of the AI value chain participated in the event. The expert group discussed various issues, including market entry barriers relating to foundation models, lock-in effects in specific ecosystems, and the challenges faced by competitors of large cloud service providers.³⁴

3. List:

(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

The Bundeskartellamt's toolkit has evolved considerably over the years. In addition to the 10th amendment to the GWB in January 2021 mentioned above, the 11th amendment to the GWB entered into force in November 2023.³⁵ A key element of this amendment was that the Bundeskartellamt obtained new investigative powers to examine possible violations of the EU's Digital Markets Act. It also contains provisions to facilitate private enforcement of the DMA. In addition, the Bundeskartellamt's competences have been expanded to enable the authority to impose remedies following a sector inquiry. While sector inquiries are not limited to digital markets, the Bundeskartellamt has already used this instrument to gain a precise picture of the competitive situation in a specific economic sector of the digital economy. In particular, in June 2023 the Bundeskartellamt concluded its sector inquiry into non-search online advertising.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

The Bundeskartellamt continues to engage in a broad range of initiatives in the area of digital competition that involve close coordination with other regulatory bodies. These activities reflect the growing complexity of digital markets and increasingly address overlapping legal concerns, particularly in the areas of data protection, cybersecurity and consumer rights.

In 2024, the Bundeskartellamt joined five other federal authorities in establishing the "Digital Cluster Bonn", a strategic alliance designed to strengthen coordination on digital regulation. The initiative's members include the Federal Office for Information Security (BSI), the Federal Network Agency (BNetzA), the Federal Commissioner for Data Protection and Freedom of

³⁴ Bundeskartellamt, [press release](#) of 24 June 2025.

³⁵ Bundeskartellamt, [press release](#) of 7 November 2023.

Information (BfDI), the Federal Financial Supervisory Authority (BaFin) and the Federal Office of Justice (BfJ). Its purpose is to promote consistent and effective enforcement of new EU digital frameworks (including the DMA, Digital Services Act, Data Act and AI Act). By contributing their respective expertise and sharing knowledge and experience, the authorities work together to develop a common approach to enable the laws on digitalisation to be applied coherently. Moreover, the initiative aims to advance the digital transformation of public authorities through the sharing of “best practice” approaches and collaboration on projects such as modernising processes and data management and using AI within the authorities.³⁶

The Bundeskartellamt’s emphasis on strengthening technological capacities and expertise is also reflected in its engagement in international fora such as the International Competition Network (ICN). For example, the Bundeskartellamt contributed to the meetings of the ICN Technologist Forum held in 2024 and 2025, where representatives from competition and consumer protection authorities came together with the goals of sharing experiences and promoting the development of digital and technological capacity in regulatory and enforcement agencies.³⁷

Moreover, the Bundeskartellamt also extended its bilateral cooperation with the Federal Office for Information Security (BSI) in the area of digital consumer protection. In addition to maintaining a close dialogue, the two authorities will continue to assist each other in fulfilling their consumer protection-related tasks, such as conducting sector inquiries. For example, in the past, the BSI carried out a technical analysis alongside the Bundeskartellamt’s sector inquiry into messenger and video services.³⁸

In 2024, the Bundeskartellamt concluded its sector inquiry under consumer protection law into scoring practices used in the online retail sector. The sector inquiry dealt with retailers’ practices to check the credit standing of consumers shopping online. The authority reached the conclusion that online retailers, payment service providers and credit bureaus do not always comply with the applicable consumer law provisions. Furthermore, the Bundeskartellamt also reviewed the legitimacy of data processing and found that the data protection principle of data minimisation was not observed in all cases. During the inquiry, the Bundeskartellamt was in contact with consumer organisations, data protection authorities and the Federal Financial Supervisory Authority (BaFin), among others.

The aforementioned Meta proceeding, which was concluded in 2024 after years of legal disputes, is a prominent example of a case in which privacy considerations were relevant for the Bundeskartellamt’s finding of an abusive practice. When assessing the appropriateness of Meta’s behaviour under competition law, the Bundeskartellamt focused on the violation of the GDPR to the detriment of users. The Bundeskartellamt therefore closely cooperated with the data protection authorities during the proceeding.³⁹

³⁶ Digital Cluster Bonn, [press release](#) of 15 January 2024 (in German only).

³⁷ Bundeskartellamt, [press release](#) of 26 March 2024; ICN, [joint statement](#); Bundeskartellamt, [press release](#) of 9 May 2025.

³⁸ Bundeskartellamt, [press release](#) of 13 December 2023.

³⁹ Bundeskartellamt, [press release](#) of 10 October 2024.

ITALY - Autorità Garante della Concorrenza e del Mercato

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

Enforcement – ongoing cases

Case No. A576 – Meta AI (Tying). In July 2025, the Italian Competition Authority (hereinafter the AGCM or the Authority) launched an abuse of dominance investigation into Meta Platforms, to assess whether the decision to freely pre-install a new AI-based service into its WhatsApp instant messaging service may amount to an anticompetitive tying or self-preferencing conduct, capable of foreclosing the market for AI chatbot services.⁴⁰

Case No. A561 – Apple ATT (Privacy and advertising).⁴¹ In May 2023, the AGCM launched a probe into Apple's App Tracking and Transparency (ATT) policy which is allegedly more restrictive for third-party app developers than the privacy policy applicable to the company itself. Moreover, under the new policy, it appears third-party developers and advertisers are penalised in terms of the quality of the data made available by Apple for advertising purposes. The investigation is still pending. In October 2024, the Authority extended the scope of its investigation to include Apple's imposition, on third-party app developers, of conditions that may lack objectivity, transparency, and proportionality, potentially creating an unfair advantage for Apple, particularly in how user consent is obtained for the use of personal data for advertising purposes.

Enforcement – closed cases

Case No. A561 - Meta / SIAE (Unfair Negotiations). In May 2025, the Authority closed its first investigation pursuant to a new provision on abuse of economic dependence by digital platforms. The investigation concerned Meta's negotiations with SIAE, the main Italian copyright management organisation, for the licensing of Italian music rights on Meta's platforms. The Authority accepted Meta's proposed commitments, which include: i) sharing information on revenues generated from the use of artists' protected works, enabling SIAE to better evaluate licensing offers; and, ii) the obligation to conduct negotiations in good faith, ensuring transparency, timely communication, and prompt responses. The commitments seek to rebalance the bargaining power in negotiations and promote a fair and transparent dialogue, upholding intellectual property rights and the principles of fair competition.

Case No. A558 - Booking.com's loyalty programs.⁴² In December 2024, the AGCM concluded its investigation into Booking.com regarding a potential abuse of dominant position in violation of Article 102 of the TFEU. The investigation focused on Booking's alleged strategy to prevent accommodation providers from offering different prices on competing online platforms. This strategy involved programs such as Preferred Partner, Preferred Plus, and Booking Sponsored

⁴⁰ See AGCM press release of 30 July 2025: <https://en.agcm.it/en/media/press-releases/2025/7/A576>

⁴¹ See AGCM press release of 11 May 2023: <https://en.agcm.it/en/media/press-releases/2023/5/A561-A561B>

⁴² See AGCM press release of 19 December 2024: <https://en.agcm.it/en/media/press-releases/2024/12/A558-A558B>.

Benefit, which rewarded providers for maintaining competitive prices on Booking.com, sometimes even applying discounts without the provider's consent. To address these concerns, Booking offered several commitments: no longer considering prices set by providers on other online platforms when operating its promotional programs, clarifying communications with accommodation providers about these programs, and increasing transparency through direct updates and data sharing. The AGCM accepted these commitments, deeming them sufficient to resolve the antitrust concerns by promoting fair competition among online travel agents and helping accommodation providers make better-informed decisions. The process was coordinated with the European Commission to ensure alignment with the Digital Markets Act (DMA).

Case No. A552 – Google/Hoda (Data value and portability).⁴³ In July 2023, the Authority accepted commitments from Google to improve its processes for exporting its user data to third parties, to address the AGCM's concerns regarding Google's refusal to grant interoperability in sharing its user data with Hoda, a start-up that had developed an innovative data-portability service allowing consumers to monetise their data. These commitments ensure that users are able to exercise their right to data portability under Article 20 of the GDPR and exploit the economic value of their data by marketing it through a mandated intermediary. In March 2024, Google developed a direct portability solution, which anticipated its compliance with one of the obligations under the DMA.

Case No. A528 – Amazon's FBA (Access and visibility in online marketplaces).⁴⁴ In December 2021, Amazon was fined € 1.13 billion for leveraging its dominant position in the Italian market for marketplace intermediation services to favour the adoption of its own logistics service (FBA). The AGCM also imposed behavioural measures regarding sales benefits for and visibility of sellers on the Amazon Marketplace, in line with the commitments accepted by the European Commission in its parallel proceedings.

Case No. 1842 – Amazon & Apple (Access and visibility in online marketplaces).⁴⁵ In November 2021, the Authority ascertained a breach of Article 101 of the TFEU by Apple and Amazon for restricting certain resellers of Apple products, including those of the Apple-owned brand Beats, from accessing Amazon's online marketplace in Italy.

Case No. A529 – Google / Enel X (Refusal to deal and interoperability).⁴⁶ In May 2021, the Authority imposed a fine of over € 100 million on Google for refusing to include in its Android Auto system a rival app that provides innovative services related to the recharging of electric vehicles (ranging from mapping services to find a charging station to reserving a place at the station). Google's refusal attempted to secure the collection of new data generated by drivers using recharging services, with foreclosure effects on specialised mapping Apps. As such, Google was required to develop a template that would allow interested third-party developers to create apps on Android Auto.

⁴³ See AGCM press release of 31 July 2023: <https://en.agcm.it/en/media/press-releases/2023/7/A552>

⁴⁴ See AGCM press release of 9 December 2021, <https://en.agcm.it/en/media/press-releases/2021/12/A528>

⁴⁵ See AGCM press release of 17 December 2021, <https://en.agcm.it/en/media/press-releases/2021/12/1842>

⁴⁶ See AGCM press release of 13 May 2021: <https://en.agcm.it/en/media/press-releases/2021/5/A529>

Advocacy / Market Studies

IC56 Market Study. In November 2024 the AGCM published a preliminary report outlining the initial findings of its market study on the use of pricing algorithms for air passengers on connecting routes between mainland Italy and the islands of Sicily and Sardinia. The study was prompted by elevated fare levels during peak periods in 2022, coinciding with the resurgence of passenger air transport demand after the Covid-19 pandemic. The preliminary report found that sophisticated revenue management systems by airlines apply uniformly across all routes – without particular tailoring for inter-island flights – and rely largely on traditional fare matrices rather than artificial intelligence. Data analysis revealed that pricing strategies vary significantly: low-cost carriers adopt intense intertemporal discrimination and achieve higher seat occupancy, while legacy carriers favour higher base fares and less dynamic pricing. Although the analysis found limited evidence of personalised pricing via browsing behaviour, some airlines engaged in demand elasticity testing of prices and dynamic ancillary services.

Despite peak-season surges, average ticket prices show no abnormal spikes compared to similar EU routes. However, the inquiry also uncovered transparency and comparability issues. Consumers face difficulty comparing total flight costs due to inconsistent presentation of ancillary fees, mandatory multi-step browsing processes, and varied terminology across websites. Feedback on the Report from stakeholders, along with subsequent analysis, continues to point to poor comparability in the way flight ticket and ancillary service prices are displayed to users. The market study is set to be completed by December 2025. An English version of the executive summary of the preliminary report is publicly available.⁴⁷

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

In the context of the increasingly strategic use of big data, digital technologies, and artificial intelligence, in 2024 the AGCM established a new *Data Science Unit*, with the aim of developing advanced tools to support its daily activities. The Unit is responsible for supporting investigations, improving the efficiency of procedures, and promptly identifying potential anti-competitive behaviour, also through new algorithmic and document analysis techniques.

3. List:
(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

In recent years, the Authority has been endowed with new tools to address the challenges of an evolving world.

⁴⁷ At the following link: https://en.agcm.it/dotcmsdoc/news/IC56%20_EXECUTIVE%20SUMMARY%20en.pdf

Merger call-in power

A regime for reviewing transactions falling below the applicable thresholds was introduced in 2022 in order to capture acquisitions of nascent competitors. Under this new framework, the Authority may require the notification of a transaction when: i) there is a *prima facie* risk that the concentration would harm competition in the Italian market (or in a relevant part of it), also taking into account the detrimental effects on the development of small enterprises characterised by innovative strategies; ii) the transaction occurred no more than 6 months prior to the notification order; iii) the transaction meets one of the two existing filing thresholds or when the worldwide overall turnover of the undertakings concerned is higher than € 5 billion. In 2024, the AGCM examined seven below-threshold mergers, involving traditional as well as innovative markets (e.g., the production of chips such as GPUs for data centres). One of the below-threshold notifications was referred to the European Commission pursuant to Article 22 of EC Regulation 139/2004.⁴⁸

Abuse of economic dependence by digital platforms

With respect to the bargaining power of digital platforms, in 2022 the legislator updated the provisions on abuse of economic dependence (Section 9 of Italian Law no. 192/1998), which the AGCM has had the power to enforce since 2001 (provided that the abuse is “relevant” for competition in the affected markets). The existing provisions were amended to account for the intermediation power of digital platforms: more specifically, the law introduces a rebuttable presumption of economic dependence for operators dealing with digital platforms that offer intermediation services, where such platforms represent a key gateway to reaching end-users and/or suppliers. Furthermore, the reform indicates a non-exhaustive “black list” of conducts which builds upon the prohibitions stemming from Article 102 of the TFEU. The AGCM used this new provision for the first time against Meta (see response to question 1 above).

New competition tool

A 2023 law introduced a new framework for market studies, granting the Authority additional powers. Specifically, following a market study, the Authority may impose structural or behavioural measures on certain companies in order to address competition issues that hinder or distort the proper functioning of the market to the detriment of consumers. In such cases, the AGCM may exercise the same investigative (excluding home inspections), decision-making, and sanctioning powers as those available in antitrust proceedings under the Competition Act. In November 2023, the Authority launched a market study on airline pricing algorithms using these new powers (see reply to question 1 above). In May 2024, the AGCM issued a notice clarifying several aspects of these new powers.

⁴⁸ See European Commission press release on [Case M.11766 – NVIDIA / RUN:AI](#), 20 December 2024.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

The AGCM has long recognised the importance of a multi-disciplinary approach. In 2020, the Authority published the findings of an inquiry on big data, carried out jointly with the Communications Regulator and the Data Protection Authority.⁴⁹ The inquiry was a first attempt to explore the different dimensions of consumer data and its implications for competition, consumer protection and data protection, in a multi-disciplinary perspective.

The dual mandate in competition and **consumer protection** allow the AGCM to explore and understand the features of digital markets from multiple perspectives, favouring a holistic approach to case assessment. The two competences often reinforce each other, as expertise gained in one area enriches and informs the other. The virtuous outcomes of such coordination are particularly effective when enforcement responsibilities are vested within the same agency. The AGCM has intervened in digital markets to protect consumers from the use of default settings in data collection and from misleading information regarding the use of data for commercial purposes.

In July 2024, the AGCM launched an investigation into the way Google obtains user consent for combining and cross-using personal data for its various services, to ascertain whether the information provided is adequate, complete and correct.⁵⁰ In June 2024, the Authority fined Meta Platforms € 3.5 million⁵¹ for failing to provide users with clear information on the collection and use of their data for commercial purposes, when registering on Instagram or in cases of account suspension. The AGCM had previously fined WhatsApp in 2017 and Facebook in 2018 for unfair and aggressive commercial practices related to the utilisation of user data, such as the omission of information, deceptive practices in the collection and use of personal data, and the use of opt-in consent as the default setting for data sharing.⁵² In November 2021, the AGCM fined Apple and Google for similar unfair and aggressive commercial practices related to the utilisation of user data.⁵³ In April 2024, the AGCM sanctioned Amazon € 10 million for an unfair commercial practice consisting of the pre-selection of the recurring purchase option for a wide selection of products listed on its marketplace (<https://www.amazon.it>).⁵⁴

The Authority pays close attention to the pressure that digital operators exert on consumer choice, especially more vulnerable consumers, also through the use of personalisation. In

⁴⁹ See the [AGCM contribution](#) (section 3) to the OECD Roundtable on Consumer Data Rights which contains a summary of the main findings and the policy recommendations.

⁵⁰ See AGCM press release of 18 July 2024: <https://en.agcm.it/en/media/press-releases/2024/7/PS12714>.

⁵¹ See AGCM press release of 5 June 2024: <https://en.agcm.it/en/media/press-releases/2024/6/PS12566>.

⁵² See Case no. PS10601, [press release of 12 May 2017](#), Case no. PS11112, [press release of 7 December 2018](#) and [press release of 17 February 2021](#).

⁵³ See Cases no. PS11147-PS11150, [press release of 26 November 2021](#).

⁵⁴ See AGCM press release of 24 April 2024: <https://en.agcm.it/en/media/press-releases/2024/4/PS12585>.

March 2024, the AGCM imposed a sanction of € 10 million on TikTok for an unfair commercial practice. The company had failed to implement appropriate mechanisms to monitor content published on the platform, particularly content that may endanger the safety of minors and vulnerable individuals. Moreover, this content is systematically resurfaced to users as a result of algorithmic profiling, stimulating an ever-increasing use of the social network.⁵⁵

Finally, in June 2025, the AGCM opened an investigation into DeepSeek, a Chinese developer of generative artificial intelligence models, for failing to inform users, in a sufficiently clear, immediate and intelligible manner, that its AI models could encounter what is referred to in technical jargon as “hallucinations”: i.e. situations in which, in response to user input, the AI model generates one or more outputs containing inaccurate, misleading or invented information. Such omissions may constitute an unfair commercial practice, in breach of the Italian Consumer Code. The investigation is pending.

With the growing number of cases at the intersection of competition and **privacy** – and in the absence of a specific regulatory framework – in July 2025 the Authority signed a Memorandum of Understanding with the Data Protection Authority to establish informal cooperation mechanisms. This effort also considers the July 2023 preliminary ruling of the European Court of Justice on the German case involving Meta (Case C-252/21). The Court reaffirmed the centrality of the principle of loyal cooperation, emphasising that access to and processing of personal data have become key competitive factors in the digital economy. As a result, antitrust authorities must engage with data protection authorities when assessing potential abuses of dominant positions. Based on these considerations, the AGCM is set to sign a memorandum of understanding with the Data Protection Authority to enhance coordination between the two regulatory frameworks.

⁵⁵ See AGCM press release of 14 March 2024: <https://en.agcm.it/en/media/press-releases/2024/3/PS12543>.

JAPAN – Japan Fair Trade Commission

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

The Japan Fair Trade Commission (JFTC) has actively engaged in enforcement and advocacy to address emerging competition concerns, particularly in the rapidly evolving digital economy. Recent efforts include antitrust investigations into major digital platforms, merger reviews involving global tech firms, and market studies aimed at clarifying competitive conditions in areas such as generative AI, connected TV services, and ride-hailing applications. The following provides an overview of these key initiatives with illustrative case examples.

Latest enforcement Cases

- a. Google LLC's commitment plan approved by the JFTC (Approval of the Commitment Plan submitted by Google LLC)⁵⁶

On April 22, 2024, the JFTC approved a commitment plan submitted by Google LLC, resolving an antitrust investigation. The JFTC had investigated Google on suspicion of harming competition by restricting search advertising technology it provided to Yahoo Japan (now LY Corporation) between 2015 and 2022. This action allegedly hindered Yahoo's ability to compete in the mobile ad syndication market.

Under the approved plan, Google commits for the next three years to:

- Cease the restrictive conduct and not resume it without prior JFTC approval.
- Ensure its operational independence and information separation from Yahoo.
- Implement internal compliance training and monitoring.
- Report on its implementation of these measures to the JFTC.

The approval is not a formal ruling that Google violated the Antimonopoly Act (hereinafter referred to as the “AMA”). However, the JFTC can resume its investigation if Google fails to comply with the plan.

- b. Google LLC was served with a Cease and Desist Order (JFTC Issues a Cease and Desist Order to Google LLC)⁵⁷

The JFTC issued a cease and desist order against Google LLC on April 15, 2025 pursuant to the provisions of the AMA.

⁵⁶ <https://www.jftc.go.jp/en/pressreleases/yearly-2025/April/250415.html>

⁵⁷ <https://www.jftc.go.jp/en/pressreleases/yearly-2025/April/250415.html>

In this case, Google LLC has been committing an act that violates the provision of the Article 19 (falling under paragraph (12) [Trading on Restrictive Terms] of Unfair Trade Practices) of the Act.

The JFTC published the commencement of the investigation on October 23rd, 2023. In addition, in the process of this investigation, the JFTC exchanged information with overseas competition authorities that investigated Google LLC's act similar to this case.

Mergers and acquisitions

Regarding merger review, due to the increased necessity of properly dealing with mergers in the digital market in recent years and other factors, the JFTC stipulated its views on a definition of relevant market and competition analysis, etc. based on characteristics of digital service (multi-sided market, network effect, switching cost, etc.), in the 2019 amended Guidelines to Application of the AMA Concerning Review of Business Combination⁵⁸. Additionally, the JFTC has the authority to review mergers that do not meet notification thresholds. Based on existence of such cases in the digital sector and others, in the 2019 amendment to the Policies Concerning Procedures of Review of Business Combination⁵⁹, the JFTC stipulated as follows: Among merger plans that only the amount related to domestic sales, etc. of the acquired company does not meet notification standards, when the total consideration for the acquisition is large and the merger plan is expected to affect domestic consumers, the JFTC requests the parties to submit relevant documents, etc. and reviews the merger plans.

Furthermore, in June 2022, the JFTC made the policy statement that it would actively seek information and comments from third parties, concerning cases mainly in digital markets, regardless of whether or not the Phase II review begins. Following the statement, the JFTC sought information and comments from third parties concerning the proposed acquisition of Mandiant, Inc. by Google LLC⁶⁰ and the proposed acquisition of Activision Blizzard, Inc. by Microsoft Corporation in June 2022⁶¹, the proposed acquisition of Figma, Inc. by Adobe Inc.⁶² in April 2023, and the proposed acquisition of ANSYS, Inc. by SYNOPSYS, INC⁶³ in July 2024.

Regarding the acquisition of ANSYS, Inc. by SYNOPSYS, INC, based on the premise that the parties would implement their proposed remedies including divestiture of certain businesses to a third party the JFTC reached to the conclusion that the acquisition is unlikely to result in substantially restraining competition in any particular fields of trade. Accordingly, the JFTC has notified the parties concerned that it would not issue a cease and desist order, and published the results of its review in March 2025⁶⁴. In its review, the JFTC examined whether the acquisition would substantially restrain competition in the markets regarding semiconductor

⁵⁸ https://www.jftc.go.jp/en/legislation_gls/imonopoly_guidelines_files/191217GL.pdf

⁵⁹ http://www.jftc.go.jp/en/legislation_gls/imonopoly_guidelines_files/191217policy.pdf

⁶⁰ https://www.jftc.go.jp/en/pressreleases/yearly-2022/June/220616_1.html

⁶¹ https://www.jftc.go.jp/en/pressreleases/yearly-2022/June/220616_2.html

⁶² <https://www.jftc.go.jp/en/pressreleases/yearly-2023/March/230410.html>

⁶³ <https://www.jftc.go.jp/en/pressreleases/yearly-2024/July/240726.html>

⁶⁴ <https://www.jftc.go.jp/en/pressreleases/yearly-2025/March/250313/2.html>

design and analysis software and optical design software, which were presumed to be subject to significant competitive impact. The review was conducted drawing on the expertise of several digital analysts currently engaged by the JFTC.

Advocacy

In addition to enforcement and merger review, the JFTC has conducted a series of market studies and published reports in order to clarify the actual status of transactions and the state of competition in digital markets and to present the issues and the views as to the AMA and competition policy. With regard to the JFTC's efforts to market studies in digital areas since 2024, the JFTC published reports on Connected TV and Video On-demand Service, etc. in March 2024⁶⁵. Moreover, the JFTC published a discussion paper titled "Generative AI and Competition" to solicit information and opinions widely from parties concerned in October 2024⁶⁶. The JFTC published "Report regarding Generative AI ver. 1.0" as an update to the previous discussion paper in June 2025⁶⁷. The JFTC will continue to closely monitor developments in generative AI markets.

As part of its initiatives to assess the competitive environment in the digital economy, the JFTC has conducted a study to understand the actual condition of transactions related to ride-hailing applications, as well as the access of taxis and Japan's ride-hailing vehicles to taxi stands, and to present its views on competition policy and the AMA. The JFTC published the market study report on Ride-Hailing Applications in Japan on April 23, 2025⁶⁸.

The JFTC's Competition Policy Research Center ("CPRC") has been continuously organizing symposiums inviting authorities and academic experts on competition policy from foreign countries to function as the center of international exchange regarding competition policy. In March 2024, the CPRC 6th Osaka Symposium "Generative AI and Competition Policy ~ What is the Role of Competition Policy Toward Further Innovation? ~" was held⁶⁹. At that symposium, speakers and panelists discussed domestic and international trends in generative AI, impact of generative AI on competitive environment and future direction of competition policy. In March 2025, the CPRC 23rd International Symposium "Dark Patterns: the role of competition policy on deceptive web designs" took place⁷⁰. At that symposium, speakers and panelists discussed current situation of dark patterns, their regulatory trends and future issues in Japan and abroad and the way competition policy should approach dark patterns.

⁶⁵ <https://www.jftc.go.jp/en/pressreleases/yearly-2024/March/240306.html>

⁶⁶ <https://www.jftc.go.jp/en/pressreleases/yearly-2024/October/1002.html>

⁶⁷ <https://www.jftc.go.jp/en/pressreleases/yearly-2025/June/250606.html>

⁶⁸ <https://www.jftc.go.jp/en/pressreleases/yearly-2025/April/250423.html>

⁶⁹ <https://www.jftc.go.jp/en/cprc/events/symposium/240315.html>

⁷⁰ <https://www.jftc.go.jp/en/cprc/events/symposium/20250314.html>

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

Recognizing the increasing complexity and rapid evolution of digital markets, Japan has taken a range of institutional and operational steps to enhance the capacity of the Japan Fair Trade Commission (JFTC) in addressing digital competition issues. These efforts include organizational restructuring, recruitment of digital experts, deployment of advanced investigative tools, and proactive engagement in international dialogue. Key developments are outlined below.

Organization and staffing

In FY2025, Director General for Digital and International Affairs and Counsellor for Digital Affairs were newly established to strengthen the enforcement system in accordance with the enforcement of the “Act on Promotion of Competition for Specified Smartphone Software” and the number of staff was increased as necessary.

The JFTC has been recruiting Digital Analysts (part-time employees) as specialists in the digital field to engage in a broad range of tasks such as identifying and analyzing competition policy issues in digital markets, examining related challenges, and gathering information on digital markets both domestically and internationally. The JFTC hired four individuals in 2022, an additional two in 2024, and another four in 2025. As of July 2025, there are 10 Digital Analysts, including one Chief Technologist, who leads the Digital Analysts team.

Tools for Investigation

In recent cases of violation of the AMA, many businesses (employees) have used smartphone communication tools to exchange information that can be important evidence, and such cases are greatly increasing.

Therefore, we are equipped with forensic tools that can perform Full File System Extraction (FFS) in order to enable comprehensive analysis of the data stored on target devices.

We also possess multiple compatible FFS tools to accomplish data extraction as quickly as possible when smartphone OS versions are updated.

Symposiums

To prepare for the full enforcement of the Mobile Software Competition Act, an ex-ante regulatory framework for smartphone software, Japan is strengthening its international cooperation. Our country aims to drive international discussions and foster cross-border collaboration on the future of digital market regulations and raise awareness among stakeholders. As part of this effort, the JFTC hosted a public event, the 1st Global Forum on Digital Competition, on January 31, 2025, which brought together officials from competition

authorities in Europe, the United States, the United Kingdom, and Australia, along with academics, practitioners, and business leaders from large tech firms. The event featured panel discussions on responses by competition authorities and international cooperation in digital markets, communication between companies and authorities under digital regulation regimes, and how to make digital regulations "future-proof."

3. List:

(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

Reforms, new laws or regulations to better address digital competition issues,

The Mobile Software Competition Act, enacted during the ordinary session of the Diet in 2024, was promulgated on June 19, 2024.

Currently, the JFTC is preparing for the Act's full enforcement, scheduled on December 18, 2025. This process including the formulation of Cabinet Orders, JFTC Rules, and Guidelines, all of which articulate the Act and clarify how the JFTC plans on interpreting and enforcing regulations, based on discussions with an external expert panel and continued engagement with relevant stakeholders.

Once the Act takes full effect, designated software providers (businesses designated via Cabinet Order to be subject to the Act's regulations) will be obligated to comply with the Act's prohibited conducts and compliance requirements.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

The Ministry of Economy, Trade and Industry (METI) has found that Amazon Japan G.K. has committed an act that hinders the transparency and fairness of specified digital platforms and that such act violates the provisions of Article 19 of the AMA. In response, on November 25, 2024, the METI requested the JFTC to take appropriate measures against Amazon Japan G.K. pursuant to Article 13 of the Act on Improving Transparency and Fairness of Specified Digital Platforms.

On November 26, 2024, the JFTC initiated an investigation and conducted an on-site inspection of Amazon Japan G.K., after conducting the necessary preliminary review based on various information, including information provided by the METI through a request for measures.

UNITED KINGDOM – Competition and Markets Authority

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

Competition enforcement

The CMA continues to be active in its work to promote greater competition in digital markets and has a live portfolio of digital cases.

Investigation into suspected anti-competitive conduct by Google in ad tech

In September 2024, the CMA issued a statement of objections to Google relating to its Ad Tech conduct and is continuing to investigate whether Google is using anticompetitive practices in open-display advertising.⁷¹ The CMA provisionally found that Google has abused its dominant positions through the operation of both its publisher ad server and buying tools to restrict competition in the UK. The CMA's provisional findings relate to how Google 'self-preferences' its own ad exchange – harming competition and, as a result, advertisers and publishers. The CMA is currently considering the representations it has received from Google.

Investigation into Meta's (formerly Facebook) use of data

The CMA is continuing to monitor the implementation of commitments offered by Meta in May 2023 that were accepted later that year.⁷² The commitments limit how Meta can use the data it collects from advertising customers to preference its own classifieds service (Marketplace) and to develop new products.

Investigation into Google's 'Privacy Sandbox' browser changes

In June 2025, the CMA consulted on releasing Google from commitments after Google announced in April 2025 that it was abandoning plans to prompt users to decide if they want to block third party cookies in the Chrome browser.⁷³ The CMA's commitments were put in place to ensure that Google's Privacy Sandbox was developed in a way that benefits consumers. The commitments protected competition and consumers by ensuring that Google designed and developed the Privacy Sandbox in a way that did not favour its own ad-tech services over those of its competitors. The CMA believes the commitments are no longer necessary and will take a decision on whether to release them later this year.

⁷¹ [Investigation into suspected anti-competitive conduct by Google in ad tech - GOV.UK](#)

⁷² [Investigation into Meta's \(formerly Facebook\) use of data - GOV.UK](#)

⁷³ [Investigation into Google's 'Privacy Sandbox' browser changes - GOV.UK](#) and [Consultation on the notice of intention to release commitments previously accepted by the CMA in respect of Google's Privacy Sandbox Proposals | CMA Connect](#).

Mergers

The CMA has reviewed a number of mergers in digital markets and partnerships between major tech firms and Foundation Model developers. While the CMA has increased its scrutiny of digital mergers in recent years, it assesses each case objectively on its individual merits and only a handful of cases have been referred to an in-depth investigation and even fewer have ultimately been prohibited.

Mergers in digital markets

On 16 June 2023, the CMA completed an investigation into Amazon's takeover of iRobot, clearing it at phase 1.⁷⁴

On 26 April 2023, the CMA published its final report in Microsoft/Activision, concluding that the merger may be expected to result in a substantial lessening of competition in cloud gaming services in the UK.⁷⁵ Microsoft appealed the CMA's decision to the Competition Appeal Tribunal (CAT). On 22 August 2023, the CMA opened an investigation into a restructured proposed acquisition by Microsoft of Activision, which excluded Activision's cloud gaming rights outside of the European Economic Area (EEA).⁷⁶ On 13 October 2023, the CMA cleared Microsoft's restructured acquisition, subject to commitments that allow the CMA to enforce the terms of the sale of Activision's ex-EEA cloud gaming rights to Ubisoft.

On 30 November 2021, the CMA prohibited the merger of Meta (Facebook) with Giphy.⁷⁷ Meta appealed the CMA's decision to the CAT and, in July 2022, the CAT upheld the CMA's decision on all substantive grounds of appeal, endorsing the CMA's framework for analysis of dynamic competition.⁷⁸ The CAT found in Meta's favour only on a procedural ground relating to the sharing of third-party confidential information, which resulted in the case being remitted to the CMA for re-assessment. The CMA announced its remittal decision in November 2022, finding a substantial lessening of competition in relation to both the dynamic competition and foreclosure theories of harm and concluding that Giphy would need to be sold off in its entirety to an approved buyer. Giphy was sold to the approved purchaser, Shutterstock, in May 2023.

On 29 September 2022, the CMA cleared Booking/eTraveli, in relation to online travel agent businesses in the UK and worldwide.⁷⁹ In 2022 the CMA also investigated and cleared Facebook/Kustomer,⁸⁰ a merger that concerned online display advertising, customer relationship management software and business to consumer messaging, and Microsoft/Nuance,⁸¹ which concerned voice recognition and transcription software.

⁷⁴ [Amazon/iRobot merger inquiry - GOV.UK](#)

⁷⁵ [Microsoft / Activision Blizzard merger inquiry - GOV.UK](#)

⁷⁶ [Microsoft / Activision Blizzard \(ex-cloud streaming rights\) merger inquiry - GOV.UK](#)

⁷⁷ [Facebook, Inc \(now Meta Platforms, Inc\) / Giphy, Inc merger inquiry - GOV.UK](#)

⁷⁸ [Judgment | Competition Appeal Tribunal](#)

⁷⁹ [Booking Holdings Inc / eTraveli Group AB merger inquiry - GOV.UK](#)

⁸⁰ [Facebook, Inc./ Kustomer, Inc. - GOV.UK](#)

⁸¹ [Microsoft Corporation / Nuance Communications, Inc. merger inquiry - GOV.UK](#)

In recent years, the CMA has conducted detailed reviews of mergers in a number of other digital markets including Uber/Autocab,⁸² Google/Looker,⁸³ Salesforce/Tableau⁸⁴ and Amazon/Deliveroo which have all resulted in clearance decisions.⁸⁵

As highlighted in the updated Merger Assessment Guidelines and in the CMA's recent practice, innovation competition, future competition and dynamic competition can be particularly relevant considerations when assessing mergers in digital markets.⁸⁶ The updated Merger Assessment Guidelines also signalled the CMA's willingness to take decisions about mergers based on the available evidence, analysis and information, even if it comes with some inherent uncertainty.

Partnerships between tech firms and Foundation Model developers

The CMA has taken a closer look at a number of partnerships between major tech firms and Foundation Model developers which potentially fell under UK merger control and potentially raised competition concerns. This includes Microsoft/Mistral,⁸⁷ Amazon/Anthropic,⁸⁸ and Google/Anthropic, where the CMA examined whether each of the partnerships involved an acquisition of material influence.⁸⁹ In Microsoft/OpenAI,⁹⁰ the CMA considered whether Microsoft had increased its control over OpenAI from material influence to de facto control. While the CMA ultimately found that each of these four partnerships did not qualify for investigation, its decisions in these cases provide businesses and investors with greater clarity around when partnership arrangements may fall within its jurisdiction. The CMA has also investigated Microsoft's arrangements with Inflection AI, including the hiring of most of Inflection's employees.⁹¹ While the CMA considered that the arrangements fell within the CMA's jurisdiction, it did not find that they gave rise to competition concerns and therefore cleared the transaction.

AI Foundation models

In September 2023, the CMA carried out an initial review into AI Foundation Models to help create an early understanding of: the market for foundation models and how their use could evolve; what opportunities and risks these scenarios could bring for competition and consumer protection; and, what competition and consumer protection principles will best guide the development of these markets going forward.⁹² The goal of the initial review was to help this

⁸² [Uber Technologies, Inc. / GPC Software Limited \(Autocab\) merger inquiry - GOV.UK](#)

⁸³ [Google LLC / Looker Data Sciences, Inc merger inquiry - GOV.UK](#)

⁸⁴ [Salesforce.com, Inc. / Tableau Software Inc merger inquiry - GOV.UK](#)

⁸⁵ [Amazon / Deliveroo merger inquiry - GOV.UK](#)

⁸⁶ [Merger Assessment Guidelines \(CMA129\)](#)

⁸⁷ [Microsoft / Mistral AI partnership merger inquiry - GOV.UK](#)

⁸⁸ [Amazon / Anthropic partnership merger inquiry - GOV.UK](#)

⁸⁹ [Alphabet Inc. \(Google LLC\) / Anthropic merger inquiry - GOV.UK](#)

⁹⁰ [Microsoft / OpenAI partnership merger inquiry - GOV.UK](#)

⁹¹ [Microsoft / Inflection inquiry - GOV.UK](#)

⁹² [AI Foundation Models: initial review - GOV.UK](#) and [AI Foundation Models: Update paper - GOV.UK](#).

emergent and rapidly scaling technology develop in ways that result in open, competitive markets that benefit people, businesses and the economy in the UK. The review proposed guiding principles to help ensure competition and consumer protection remain a driving force in the development and deployment of foundation models. In April 2024, the CMA published an update paper that outlined relevant developments since the initial review and the CMA's updated principles following feedback from stakeholders.⁹³ The CMA continues to monitor and understand developments in AI markets with a focus on implications for consumers, competition, investment, productivity and growth.

Digital Markets, Competition and Consumers Act 2024 (DMCCA)

The Digital Markets, Competition and Consumers Act (DMCCA) came into force in January 2025 and establishes a new digital markets competition regime in the UK.⁹⁴ This regime gives the CMA the power to designate powerful digital firms with Strategic Market Status (SMS) and to implement interventions to promote competition and innovation.⁹⁵

In January 2025, the CMA launched three SMS investigations under the DMCCA; one into Google in relation to its search and search advertising activities⁹⁶ and two into Google and Apple in relation to their respective mobile ecosystems' activities.⁹⁷ In June 2025, the CMA consulted on a proposed decision to designate Google as having SMS in relation to its general search and search advertising services and, in July 2025, consulted on decisions to designate Google and Apple as having SMS in relation to their mobile platforms. Alongside these proposed decisions, the CMA issued a roadmap of possible measures to improve competition in search and mobile platforms.⁹⁸

In March 2025, the CMA published the final report of the market investigation into mobile browsers and cloud gaming that was launched in 2022.⁹⁹ The investigation found competition concerns in relation to mobile browsers and recommended that the CMA seeks to address these concerns through its powers under the DMCCA.

Advocacy, Smart Data

The CMA is supportive of the UK government's ambitions to leverage the power of data to boost the UK economy, including through the development and growth of new smart data schemes under the Data (Use and Access) Act 2025.¹⁰⁰ In August 2025, the CMA published a paper on how price transparency schemes, enabled by new smart data legislation, can improve

⁹³ [AI Foundation Models: Update paper and technical update report](#)

⁹⁴ [Digital Markets, Competition and Consumers Act 2024](#)

⁹⁵ The CMA has published guidance regarding its substantive and procedural approach to the new digital markets competition regime, established by the DMCCA: [Digital markets competition regime guidance](#).

⁹⁶ [SMS investigation into Google's general search and search advertising services - GOV.UK](#).

⁹⁷ [SMS investigation into Google's mobile platform - GOV.UK](#) and [SMS investigation into Apple's mobile platform - GOV.UK](#).

⁹⁸ [Roadmap, search](#); [Roadmap, mobile platforms \(Google\)](#) and [Roadmap, mobile platforms \(Apple\)](#).

⁹⁹ [Mobile browsers and cloud gaming - GOV.UK](#)

¹⁰⁰ Smart data schemes typically facilitate the sharing of both customer data and business data with authorised third-party providers (ATPs), upon a customer's request, and may enable (with appropriate consent) ATPs to act on a customer's behalf.

consumer outcomes in markets. This followed a consultation response published in November 2023, which outlined design considerations for smart data schemes, drawing on insights from the CMA's experience with Open Banking.^{101, 102} The UK government plans to develop smart data schemes in a variety of sectors,¹⁰³ and the CMA expects to provide further support in this area.

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

In 2019, the CMA launched its Data, Technology and Analytics (DaTA) unit to strengthen its ability to tackle competition issues in digital markets. This team is a dedicated in-house capability that has been pivotal in helping the CMA meet the challenges of increasingly complex investigations, including all major digital cases and has driven proactive work on topics such as AI. More recently, the CMA established a new Executive Directorate for Data, Technology and Insight (DTI) that fully consolidates the CMA's capability and expertise across these important areas.

The DTI Directorate brings together professionals with a range of complementary skills, including: data scientists, data engineers; technologists; AI experts; behavioural scientists; specialists in eDiscovery and digital forensics; experts in technology infrastructure, systems, digital products and tooling; and experts in strategic, business and financial analysis. It provides support throughout the full lifecycle of the CMA's frontline work by providing expertise and analysis across most cases and investigations. It also serves as the CMA's internal AI Centre of Excellence by continuing to monitor and unpack technical and market developments in AI and other emerging technology – which informs and shapes the breadth of CMA work and has continued to demonstrate impact. For example, the team's forward look analysis of trends being a key input into the SMS assessment on Search and Mobile. The DTI Directorate leads on internal AI capability building for the CMA and has been developing AI solutions in scan-pilot-scale approach against important internal use cases. These include use cases to strengthen the CMA's ability to detect consumer and competition harms at scale, as well as to increase the CMA's pace and quality of evidence on cases and investigations.

The CMA is continuously modernising its digital workplace to enhance the efficiency and effectiveness of investigation teams from case initiation to conclusion. To ensure its enforcement and regulatory work is fit for the digital age, the CMA has built a sophisticated, end-to-end technology capability designed for pace, scale and security. A core component is the CMA's ability to manage vast quantities of digital evidence. The CMA's in-house Evidence Submission Portal streamlines the secure intake of information, while its strengthened Digital

¹⁰¹ [Smart data and price transparency schemes: discussion paper - GOV.UK](#)

¹⁰² Open Banking was initiated in 2017 as part of a package of remedies by the CMA following a market investigation into retail banking services.

¹⁰³ While all smart data schemes have the potential to support, create or utilise digital markets, the UK government has specifically started seeking views on potential uses of smart data in digital markets: [Smart Data opportunities in digital markets - GOV.UK](#)

Forensics and eDiscovery functions allows it to process and analyse it with speed and integrity. These critical functions are equipped with advanced forensic tools and operate in specialist environments, customised to each function and secured by design.

Engaging with experts in the digital space both in the UK and internationally has continued to be a priority for the CMA. The CMA has hosted a number of seminars, inviting experts to share their insights and has presented at leading external conferences and workshops. The CMA hosted this year's International Competition Network (ICN) Technologist Forum and the CMA has taken on the role of Chair.¹⁰⁴ The CMA will continue to engage with its counterparts, share information and exchange ideas to further strengthen its ability to respond to digital competition issues.

3. List:

(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

The digital markets regime is overseen by the Digital Markets Unit (DMU) within the CMA, after Part 1 of the DMCCA came into force in January 2025.¹⁰⁵ The regime applies to firms that the CMA designates as having Strategic Market Status (SMS). Firms can be designated with SMS if they are found to have substantial and entrenched market power in at least one digital activity, which provides them with a strategic position. These designated firms are expected to be subject to conduct requirements (CRs), which will set out how firms are expected to behave in respect of the activities in which they have been designated. In addition to CRs, the DMU has the power to impose pro-competition interventions on designated firms. Lastly, under the DMCCA the CMA has increased visibility over mergers involving SMS firms as they will have to report their most significant transactions prior to completion.¹⁰⁶ The CMA has launched SMS investigations into Google in relation to its search and search advertising activities and into Google and Apple in relation to their mobile ecosystems' activities.¹⁰⁷

The Data (Use and Access) Act 2025, which received Royal Assent in June 2025, establishes regulation-making powers to allow government to set up Smart Data schemes across the economy. The government is exploring the potential for Smart Data in digital markets – recently seeking evidence on how it can support growth through the competition and consumer benefits of data access.¹⁰⁸ The government's call for evidence ran from July to September 2025 and a response will be published in the autumn.

¹⁰⁴ [ICN Technologist Group](#)

¹⁰⁵ [Digital Markets, Competition and Consumers Act 2024](#)

¹⁰⁶ The CMA has published guidance that reflects changes brought about by the DMCCA: [Mergers: Guidance on the CMA's jurisdiction and procedure \(2025 - revised guidance\)](#).

¹⁰⁷ [SMS investigation into Google's general search and search advertising services](#); [SMS investigation into Apple's mobile platform](#); and [SMS investigation into Google's mobile platform](#).

¹⁰⁸ [Smart Data opportunities in digital markets - GOV.UK](#)

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

Consumer protection

Alongside its competition remit, the CMA is also responsible for enforcing consumer protection laws in the UK and has an active portfolio of work focused on increasing consumer trust in online markets. This includes investigating fake and misleading reviews on Google and Amazon¹⁰⁹ and investigating the disclosure of paid for endorsements on social media platforms.¹¹⁰ These investigations concluded in 2025 with undertakings from Google and Amazon committing to sanctioning businesses which rely on fake reviews. These actions were taken under the previous consumer protection legislation and regime.

The DMCCA gives the CMA new direct consumer enforcement powers that came into force on 6 April 2025 and enables it to decide whether consumer protection laws have been infringed (rather than litigating through the courts).¹¹¹ In addition to strengthening the CMA's enforcement powers, the DMCCA also makes changes to existing consumer rights by updating the law on prohibited unfair commercial practices, including a new banned practice relating to fake consumer reviews and a prohibition of the 'drip pricing' of unavoidable fees.¹¹²

In 2022, the CMA launched a programme of work to tackle potentially harmful online selling practices and launched enforcement cases investigating the use of online selling practices based on 'urgency claims' (such as countdown clocks) by the Emma Group¹¹³ and the Wowcher Group.¹¹⁴ The CMA also issued compliance advice for online businesses covering the use of urgency and price reduction claims and launched a consumer campaign to raise consumer awareness of misleading online sales practices.¹¹⁵ A further action was taken against Simba Sleep in 2023.¹¹⁶ In 2024, undertakings were secured from Simba and Wowcher. Court action was launched against Emma. Also in 2024, following the announcement of a reunion tour by Oasis and concerns raised by apparent 'dynamic pricing' of tickets, the CMA launched action against Ticketmaster.¹¹⁷ This focused on transparency of the ticket pricing strategy. A consultation letter has been issued to Ticketmaster.

¹⁰⁹ [Online reviews - GOV.UK](#)

¹¹⁰ [Social Media Endorsements - GOV.UK](#)

¹¹¹ [The Digital Markets, Competition and Consumers Act 2024 \(Commencement No. 2\) Regulations 2025](#). The CMA has published guidance on its new consumer enforcement powers under the DMCCA: [Direct consumer enforcement guidance](#).

¹¹² For further detail, see the CMA's guidance on [Unfair commercial practices](#).

¹¹³ [Emma Group: consumer protection case - GOV.UK](#)

¹¹⁴ [Wowcher Group: consumer protection case - GOV.UK](#)

¹¹⁵ [Using urgency and price reduction claims online - GOV.UK](#)

¹¹⁶ [Simba Sleep Limited: consumer protection case - GOV.UK](#)

¹¹⁷ [Ticketmaster: consumer protection case - GOV.UK](#)

Cloud services market investigation

The CMA has also considered matters related to digital markets under its markets powers. This includes an investigation into the supply of public cloud infrastructure services in the UK.¹¹⁸ On 31 July 2025, the CMA published the independent inquiry group’s findings in the Cloud Services Market Investigation that found that competition is not working as well as it could be, recommending that the CMA Board prioritises commencing an SMS investigation of AWS and Microsoft’s digital activities in respect of cloud services. The CMA Board will consider these findings alongside wider factors when deciding on the timing and scope of any further SMS designation investigations.

UK Digital Regulation Cooperation Forum (DRCF)

The CMA is committed to ensuring its work to promote competition in digital markets is coherent with wider regulatory regimes in the UK. The CMA is a founding member of the DRCF, which was established in 2020 as a non-statutory forum to ensure coordination and cooperation between regulators in digital markets. The CMA, alongside the other DRCF member regulators – the Office of Communications (Ofcom), the Information Commissioner’s Office (ICO) and the Financial Conduct Authority (FCA) – work together to ensure coherence between their respective regimes, foster collaboration on shared challenges and build capacity across regulators to deliver an effective and coherent approach to digital regulation.

Through the DRCF, the CMA has collaborated with the ICO on matters such as interoperability and harmful design.¹¹⁹ The CMA and the FCA have also collaborated on matters such as data portability and digital wallets.¹²⁰

In 2024, the DRCF set out its three-year vision for 2024-2027 to protect and empower people online while unlocking digital innovation and economic growth.¹²¹ Now in its fifth year, the DRCF is focusing on areas such as AI, the regulatory implications of emerging technologies, promoting competition, building internal capability and improving users’ online safety.¹²² Last year the DRCF ran the AI and Digital Hub, an informal advice service that offered a single-point-of-access for businesses to apply for free, informal advice on cross-regulatory queries.¹²³ This year, the DRCF will be working with the UK Government’s Regulatory Innovation Office to support the creation of a unified digital library. The library will provide “one-stop” access to digital policy and regulation for innovators – helping to free up businesses to focus on growth and innovation.¹²⁴

¹¹⁸ [Cloud services market investigation](#)

¹¹⁹ [Competition and data protection in digital markets joint statement](#) and [ICO-CMA joint paper on Harmful Design in Digital Markets](#) | DRCF.

¹²⁰ [Exploring the Future of Digital Identity - DRCF Findings](#) | DRCF

¹²¹ [DRCF Workplan 2024/25](#) | DRCF

¹²² [DRCF Workplan 2025/26](#) | DRCF

¹²³ [AI and Digital Hub](#) | DRCF

¹²⁴ [DRCF to develop “one-stop” digital regulatory tool to break down barriers for innovators](#) | DRCF

The CMA is engaging with international agencies with a similar cross-regulatory focus to the DRCF through the International Network for Digital Regulation Cooperation¹²⁵, a network set up by the DRCF in 2023 to foster a global dialogue on the challenges and opportunities of cross-regulatory cooperation. The network currently includes Australia, Canada, Ireland and The Netherlands.

¹²⁵ <https://www.drcf.org.uk/projects/projects/international-network-for-digital-regulation-cooperation-indrc>

UNITED STATES OF AMERICA – Federal Trade Commission

1) Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

FTC Enforcement Matters

The FTC continues to vigorously enforce United States antitrust laws to protect and promote competition in digital markets. On the conduct side, the FTC's monopolization cases against [Meta](#) and [Amazon](#) continue.

The Meta case, filed under the first Trump Administration, went to trial in April 2025. In that case, the FTC alleged that Meta engaged in a systematic strategy, including the acquisition of nascent competitors WhatsApp and Instagram, to maintain its personal social networking monopoly. During the six-week trial, the FTC presented evidence that Meta viewed WhatsApp and Instagram as competitive threats to Facebook prior to buying them. The FTC also adduced evidence on the competitive importance of data, noting that privacy degradation can constitute an antitrust harm. The FTC is seeking the divestiture of Instagram and WhatsApp and other relief to restore competition and remedy the harm caused by Meta's conduct.¹²⁶

In the Amazon matter, the FTC and 17 state attorneys general alleged that Amazon engaged in a course of exclusionary conduct to maintain its monopoly in the online superstore and the online marketplace services markets. The complaint alleges that Amazon's conduct has prevented third-party sellers from lowering prices, degraded quality for shoppers, overcharged sellers, stifled innovation, and prevented rivals from fairly competing. These alleged tactics include anti-discounting measures that deter online sellers from offering lower prices than those available on Amazon, maintaining higher prices for products across the internet, and conditioning online vendors' ability to obtain Prime status on the use of Amazon's costly fulfillment services. In September 2024, the court denied Amazon's motion to dismiss the FTC's claims. Pretrial discovery continues, and a trial is set for February 2027.

The FTC and two state attorneys general are also pursuing monopolization claims against [Deere & Co.](#), alleging that Deere has forced farmers who rely on its equipment to use only authorized dealers for needed repairs. As agricultural equipment becomes increasingly complex, repairs require access to not just parts, but also software tools to diagnose a problem and repair equipment. The complaint alleges that Deere maintained its monopoly for the repair of certain large agricultural equipment by making a key diagnostic tool available only to Deere dealers, denying farmers the ability to repair their own equipment or choose their preferred service providers.

On the merger side, the FTC continues to scrutinize consolidation in technology markets, and it will not hesitate to challenge those that it believes are anticompetitive. Since the last update of

¹²⁶ If the court finds against Meta, the remedy phase of the proceeding would commence.

this compendium, the FTC has settled its investigation of the [Synopsys/Ansys](#) merger. In that matter, the FTC alleged that the acquisition would be anticompetitive across three markets in which the companies directly competed – optical software tools, photonic software tools for designing and simulating photonic devices, and RTL power consumption analysis tools. The FTC’s order requires the companies to divest certain assets relevant to those overlap markets and preserves competition in software tool markets that are key to the design of semiconductors and light simulation devices needed for everyday digital products (e.g., cars, smartphones, cameras, and televisions). This structural remedy fully addresses the areas of competitive concern. It also satisfies the conditions of what longstanding agency experience has shown are needed for a successful remedy, including the sale of discrete business units, a divestiture package that includes the assets needed for the buyer to succeed, and a buyer with a strong track record.

FTC Research Initiatives

The FTC plays a key role in monitoring competition in evolving industries and dynamic markets. The agency has issued several recent requests for information (RFIs) or public comment and is conducting a market study under Section 6(b) of the FTC Act to better understand business practices and market trends in crucial technology markets:

- Technology Platform Censorship: In February 2025, the FTC issued an [RFI](#) seeking comments from the public to better understand how technology platforms deny or degrade (such as by “demonetizing” and “shadow banning”) users’ access to services based on the content of their speech or affiliations and how this conduct may have violated the law. As the RFI notes, “technology platforms may employ opaque or unpredictable internal procedures to restrict users’ access to services, often without any advance notice, leaving affected users with little ability to mitigate the related harm. Users may also receive little information about the alleged violations that led to their dismissal or downgrading on the platform.” Among the issues about which the FTC sought comment are: (1) the circumstances under which platforms denied or degraded users’ access based on the content of users’ speech or affiliations; (2) the policies or other public-facing representations made by the platforms about how they would regulate, censor, or moderate users’ conduct on and off the platform; (3) the platforms’ representations about users’ ability to appeal or challenge adverse actions; (4) the effect the platforms’ actions had on users; (5) the factors motivating the platforms’ decisions; and (6) the extent to which the platforms’ actions were made possible by a lack of competition or affected competition. The FTC received nearly 3,000 [public comments](#) in response to its RFI, and FTC staff are reviewing these comments to determine next steps.
- Deregulation: Pursuant to President Trump’s [Executive Order](#) (EO) regarding Reducing Anticompetitive Regulatory Barriers, the FTC is working with the U.S. Department of Justice Antitrust Division (DOJ) and U.S. federal agency heads to identify anticompetitive regulations that warrant recession or modification. This spring, the FTC issued an [RFI](#) seeking public comments on how federal regulations can harm competition and

innovation in the American economy, by, for example, excluding new market entrants, protecting dominant incumbents, and predetermining winners and losers. As President Trump noted in his EO, “regulations that reduce competition, entrepreneurship, and innovation – as well as the benefits they create for American consumers – should be eliminated.” Several of the nearly 200 [public comments](#) received touched on competition in digital markets and how government regulations might stymie competition in those markets.

- Personalized Pricing: In 2024, the FTC issued [Section 6\(b\) orders](#) to initiate a study on the topic of companies’ use of consumer data and algorithms, AI, and other technologies to personalize pricing. FTC staff’s work on the study is ongoing. To gain a better understanding of potential impacts on consumers and businesses in the digital marketplace, the FTC’s Section 6(b) orders were tailored to seek information regarding any “user segmentation solutions” and “targeted pricing solutions” from intermediary companies that offer these tools to businesses seeking to categorize their clients and optimize their customer pricing strategies.

Advocacy

In addition to its casework, the FTC continues to use its expertise to offer insight to courts, government offices, or other organizations that are considering cases or policies that affect consumers or competition. Since the last compendium update, for example, the FTC has submitted statements of interest or amicus briefs in several matters involving algorithms and digital platforms. The goal of these submissions is to provide information that can help the court make its decision in a way that protects consumers and promotes competition.

- *United States v. Google, LLC*: The FTC filed an [amicus brief](#) in support of the DOJ’s revised proposed final judgment related to Google’s antitrust violations. In August 2024, a federal judge found that Google violated Section 2 of the Sherman Act by maintaining monopolies in general search services and general text advertising. DOJ’s proposed remedy for these violations involved requiring Google to share targeted portions of its search index, user, and ads data with certain competitors for a limited period with suitable security and privacy safeguards. Although Google contended that DOJ’s proposed remedy could raise privacy and data concerns, in its brief, the FTC explained that the proposed remedy is consistent with the FTC’s privacy and data security orders.¹²⁷
- *Epic Games Inc. v. Google LLC*: The FTC and DOJ filed an [amicus brief](#) addressing how to remedy Google’s antitrust law violations.¹²⁸ The FTC and DOJ argued that injunctive relief should not only directly stop anticompetitive conduct from continuing, but also can include “forward-looking provisions” to restore competitive conditions. As

¹²⁷ The court issued a decision in the remedy phase of the proceeding in September 2025. See *United States v. Google LLC*, 2025 WL 2505828 (D.D.C. Sept. 2, 2025).

¹²⁸ In a prior stage of the proceeding, Google had been found liable for violating the antitrust laws.

explained in the brief, crafting an effective remedy in digital platforms cases often requires the court to consider the “particular characteristics of digital markets, which can allow monopolists that achieved or maintained dominance through exclusionary conduct to perpetuate entry barriers and maintain monopoly conduct long after that conduct has stopped.” The FTC also submitted an [amicus brief](#) addressing antitrust remedies in the district court, and the FTC and DOJ jointly submitted an [amicus brief](#) at the stay stage addressing errors of law in defendants-appellants’ filing.

2) Set out any steps your jurisdiction has taken to strengthen its competition agency’s capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

The FTC’s Office of Technology (OT), established in 2023, continues to provide invaluable support for the agency’s competition and consumer protection mission. OT has built a team of technologists with deep expertise across a range of specialized fields, including security and software engineering, data science, AI, machine learning, human-computer interaction design, and social science. Given the importance of maximizing its value to the agency, OT focuses its limited resources on helping case teams in their law enforcement investigations and litigations where technical expertise would prove most valuable. This includes OT leveraging its technical expertise to inform agency discovery and remedies in cases that involve technology issues.

3) List:

- (a) any reforms, new laws or regulations to better address digital competition issues, or**
- (b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.**

In late 2024, the Commission voted unanimously to finalize updates to the [premerger notification form](#) and associated instructions, as well as the premerger notification rules implementing the Hart-Scott-Rodino (HSR) Act. The updates respond to changes in corporate structure, deal-making, and market realities in the ways businesses compete. For example, some of the changes—including requiring parties to describe the deal rationale, to identify actual or potential overlaps as well as supply relationships, and to submit general business plans that often reflect industry horizon scanning or competitive threats—will help the FTC and DOJ better identify overlaps regarding nascent competitive threats or products in development, which can be of particular importance in transactions involving digital markets. The updates went into effect in February 2025 and are subject to ongoing litigation in U.S. district court.

Additionally, in December 2023, the FTC and DOJ jointly issued new final [merger guidelines](#). The final guidelines describe the factors and frameworks the agencies use when reviewing mergers and acquisitions, and they reflect the dynamic and complex nature of modern markets, including platform competition. Guideline 9, for example, addresses multi-sided platforms. It notes that multi-sided platforms have characteristics that can exacerbate or accelerate competition

problems, and explains that when evaluating mergers involving a platform, the FTC and DOJ will account for market realities associated with platform competition.

4) Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

The FTC has legal authority over both competition and consumer protection matters, and it also handles data privacy and security matters. When appropriate, the FTC leverages this broad experience in several ways. The *United States v. Google LLC* amicus brief described above, which drew upon the FTC's prior data privacy and security work to support DOJ's proposed competition remedy, is one example. Additionally, the FTC regularly works within the broader U.S. government inter-agency process and with other domestic government entities to support the FTC's efforts to promote market-based competition and policy convergence. The FTC's work in response to President Trump's EO on reducing anticompetitive regulations is an example of this effort.

UNITED STATES OF AMERICA – Department of Justice – Antitrust Division

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

Antitrust Enforcement

Given the growing importance of digital markets to consumers, the U.S. Department of Justice Antitrust Division (DOJ) aggressively enforces the antitrust laws in the digital markets sphere. Through these enforcement efforts, DOJ seeks to maximize consumer welfare defined broadly to include not only price, but also quality, output, innovation, and any other factors that affect consumers, workers, and other market participants. This broad definition is important in digital markets, where some products are provided free of charge to one side of a platform and non-price attributes such as innovation and privacy are important to consumers.

Some of DOJ's most significant digital markets enforcement matters are:

- *Google search*: DOJ filed suit against Google for monopolizing search and search advertising in October 2020.¹²⁹ Following a trial in late 2023, the district court ruled in August 2024 that Google engaged in unlawful monopolization of the markets for general search services and general search text advertising, resulting in market foreclosure and diminished incentives of rivals to invest and innovate.¹³⁰ The court then conducted a second trial in spring 2025 to determine an appropriate remedy. On September 2, 2025, the U.S. District Court for the District of Columbia prohibited Google from entering or maintaining exclusive contracts relating to the distribution of Google Search, Chrome, Google Assistant, and the Gemini app; ordered Google to make certain search index and user-interaction data available to rivals and potential rivals; and ordered Google to offer search and search text ads syndication services to enable rivals and potential rivals to compete.¹³¹
- *Google advertising technologies*: In January 2023, DOJ sued Google for monopolizing digital advertising technologies (ad tech).¹³² Following a September 2024 trial, the district court ruled that Google violated antitrust law by monopolizing open-web digital advertising markets, harming Google's publishing customers, the competitive process, and, ultimately, consumers of information on the open web.¹³³ The case has now proceeded to a second phase to determine the appropriate remedy to address the

¹²⁹ See Press Release, U.S. Dep't of Justice, Justice Department Sues Monopolist Google for Violating Antitrust Laws (Oct. 20, 2020), <https://www.justice.gov/archives/opa/pr/justice-department-sues-monopolist-google-violating-antitrust-laws>. This suit was joined by 49 states and the District of Columbia.

¹³⁰ *United States v. Google LLC*, 747 F. Supp. 3d 1 (D.D.C. 2024).

¹³¹ *United States v. Google LLC*, 2025 WL 2505828 (D.D.C. Sept. 2, 2025).

¹³² See Press Release, U.S. Dep't of Justice, Justice Department Sues Google for Monopolizing Digital Advertising Technologies (Jan. 24, 2023), <https://www.justice.gov/archives/opa/pr/justice-department-sues-google-monopolizing-digital-advertising-technologies>.

¹³³ *United States v. Google LLC*, 778 F. Supp. 3d 797 (E.D. Va. 2025). See also Press Release, U.S. Dep't of Justice, Department of Justice Prevails in Landmark Antitrust Case Against Google (Apr. 17, 2025), <https://www.justice.gov/opa/pr/department-justice-prevails-landmark-antitrust-case-against-google>.

competitive harms found by the court. A remedies trial is currently scheduled for September 2025, following which the court will issue a decision on remedies.

- *Apple*: In March 2024, DOJ filed suit against Apple for monopolizing or attempting to monopolize smartphone markets.¹³⁴ The complaint alleges that Apple has used its control over the iPhone to engage in a broad, sustained, and illegal course of conduct designed to maintain Apple's monopoly power over smartphones by undermining apps, products, and services that would otherwise make users less reliant on the iPhone, promote interoperability, and lower costs for consumers and developers. For example, the complaint alleges that Apple has degraded the functionality of cross-platform messaging apps, diminished the functionality of non-Apple smartwatches, and blocked super apps that would allow consumers to switch away from the iPhone more easily. The court recently denied Apple's motion to dismiss the case but has not yet set a trial date.
- *RealPage*: In August 2024, DOJ filed suit against RealPage, a seller of commercial revenue management software to residential landlords, alleging that RealPage violated the antitrust laws by using non-public, competitively sensitive information that landlords agreed to share to generate price recommendations for each landlord and its competitors, and by designing and licensing software that not only generates price recommendations but also provides a pricing matrix that landlords agree to use in setting rents, with the effect of aligning their pricing.¹³⁵ DOJ later amended the complaint to name six large property management companies as defendants.¹³⁶ The court has not yet set a trial date for this case.

Amicus Program

Through its amicus program, DOJ provides expert input to U.S. courts on digital markets to address topics including the legal standards applicable to cases involving sellers of algorithmic pricing tools, remedies in monopolization cases, and speech-related anticompetitive conduct.

- In March 2025, DOJ filed a statement of interest in *In Re MultiPlan Health Insurance Provider Litigation*, a case involving allegations that health insurers conspired to suppress reimbursement rates to providers, to address two points: (1) using a common pricing algorithm can qualify as concerted action for purposes of the U.S. antitrust laws and (2) competitors' exchange of competitively sensitive information can violate the

¹³⁴ See Press Release, U.S. Dep't of Justice, Justice Department Sues Apple for Monopolizing Smartphone Markets (Mar. 21, 2024), <https://www.justice.gov/archives/opa/pr/justice-department-sues-apple-monopolizing-smartphone-markets>.

¹³⁵ See Press Release, U.S. Dep't of Justice, Justice Department Sues RealPage for Algorithmic Pricing Scheme that Harms Millions of American Renters (Aug. 23, 2024), <https://www.justice.gov/archives/opa/pr/justice-department-sues-realpage-algorithmic-pricing-scheme-harms-millions-american-renters>.

¹³⁶ Amended Complaint, *United States v. RealPage, Inc.*, 1:24-cv-00710-LCB-JLW (M.D.N.C. Jan. 7, 2025), <https://www.justice.gov/atr/media/1383471/dl>. DOJ has reached proposed settlements with two of the property management companies, including the largest landlord in the United States. See Press Release, U.S. Dep't of Justice, Justice Department Reaches Proposed Settlement with Greystar, the Largest U.S. Landlord, to End Its Participation in Algorithmic Pricing Scheme, <https://www.justice.gov/opa/pr/justice-department-reaches-proposed-settlement-greystar-largest-us-landlord-end-its>.

antitrust laws even if those exchanges occur through an intermediary.¹³⁷ DOJ previously filed statements of interest and/or amicus briefs in several other cases involving allegations relating to the use of common pricing algorithms in setting residential rental rates and hotel room prices.

- In the appeal of *Epic Games, Inc. v. Google LLC*, DOJ (with the Federal Trade Commission) filed an amicus brief in October 2024 addressing the standards applicable to remedies for unlawful monopolization.¹³⁸
- In July 2025, DOJ filed a statement of interest in *Children’s Health Defense v. Washington Post*—a case in which the plaintiffs alleged that the defendant news organizations colluded with one another and with large digital platforms to suppress competition from independent perspectives that rival mainstream media—to underscore that the antitrust laws protect free markets, including viewpoint competition in news markets.¹³⁹

Merger Guidelines and Merger Enforcement

DOJ enforces the antitrust laws to prevent anticompetitive mergers affecting digital markets and technologies. In December 2023, DOJ and the Federal Trade Commission jointly released new U.S. merger guidelines.¹⁴⁰ The guidelines explain that healthy competition can lead to not only lower prices, but also improved wages and working conditions, enhanced quality, innovation, and expanded choice. The guidelines describe how U.S. merger review considers various features of digital markets such as multi-sided platforms and network effects. In particular, Guideline 9 addresses how the agencies examine competition when a merger involves a multi-sided platform. In addition, Guideline 3 discusses the use of pricing algorithms in the context of secondary factors that may meaningfully increase the risk of coordination, even absent the primary risk factors.

2. Set out any steps your jurisdiction has taken to strengthen its competition agency’s capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

DOJ has extensive experience investigating and litigating digital markets competition issues. To investigate these matters, DOJ relies on attorneys and economists with deep experience

¹³⁷ Statement of Interest, *In re MultiPlan Health Insurance Provider Litigation*, 24-cv-06795 (E.D. Ill. Mar. 27, 2025), <https://www.justice.gov/atr/media/1394631/dl?inline>.

¹³⁸ Brief of the United States and the Federal Trade Commission as Amici Curiae in Support of Plaintiff-Appellee, *Epic Games, Inc. v. Google LLC* (9th Cir. Jan. 7, 2025), <https://www.justice.gov/atr/case/epic-games-inc-v-google-llc>. The Ninth Circuit Court of Appeals recently upheld the district court’s injunction. See *In re Google Play Store Antitrust Litigation*, 147 F.4th 917 (9th Cir. 2025).

¹³⁹ See Press Release, U.S. Dep’t of Justice, Justice Department Files Statement of Interest on Suppression of Competition in the Marketplace of Ideas Through Deplatforming of Rival Viewpoints (July 11, 2025), <https://www.justice.gov/opa/pr/justice-department-files-statement-interest-suppression-competition-marketplace-ideas>.

¹⁴⁰ U.S. Dep’t of Justice and Federal Trade Commission, Merger Guidelines (Dec. 18, 2023), <https://www.justice.gov/atr/merger-guidelines>.

addressing competition issues in digital markets as well as technologists such as in-house data scientists.

3. List:

(a) any reforms, new laws or regulations to better address digital competition issues, or
(b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.

While the United States Congress has considered several proposed laws related to digital competition, ranging from broad-based antitrust reforms to narrowly targeted bills that address topics such as algorithmic collusion, no such proposals have advanced to become law. DOJ believes that the current U.S. antitrust laws provide sufficient enforcement tools to address competitive harms in digital markets as reflected in our successful prosecution of the Google matters discussed above.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

DOJ consults with non-competition law enforcers and regulatory agencies to better understand the ways in which the non-competition law or regulations may affect competition in digital markets. In addition, DOJ often provides input to regulatory agencies whose responsibilities may touch on digital markets competition. For example, in March 2025, DOJ launched an Anticompetitive Regulations Task Force to advocate for the elimination of anticompetitive state and federal laws and regulations that undermine free market competition.¹⁴¹ The formation of this task force followed President Trump’s executive order declaring it the policy of the executive branch to “alleviate unnecessary regulatory burdens placed on the American people,”¹⁴² and a subsequent order directing federal agencies to identify regulations that, among other things, “impose undue burdens on small businesses and impede private enterprise and entrepreneurship.”¹⁴³ DOJ will support other agencies’ deregulatory initiatives, including as they relate to digital markets.

¹⁴¹ See Press Release, U.S. Dep’t of Justice, Justice Department Launches Anticompetitive Regulations Task Force (Mar. 27, 2025), <https://www.justice.gov/opa/pr/justice-department-launches-anticompetitive-regulations-task-force>.

¹⁴² Executive Order 14192, Unleashing Prosperity Through Deregulation (Jan. 31, 2025), <https://www.federalregister.gov/documents/2025/02/06/2025-02345/unleashing-prosperity-through-deregulation>.

¹⁴³ Executive Order 14219, Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative (Feb. 19, 2025), <https://www.federalregister.gov/documents/2025/02/25/2025-03138/ensuring-lawful-governance-and-implementing-the-presidents-department-of-government-efficiency>.

EUROPEAN COMMISSION – Directorate-General for Competition

1. Outline the latest enforcement and advocacy efforts led by your competition agency. Include case examples.

The European Commission (“the Commission”) continues its active role to ensure that digital markets in the European Union remain competitive using all the relevant tools available to it, including competition law tools and the Digital Markets Act (“the DMA”).

a. Antitrust

In the past, the Commission has adopted a high number of antitrust decisions in the digital sector including on Microsoft Internet Explorer¹⁴⁴ and more recently, on Google Shopping,¹⁴⁵ Android¹⁴⁶ and AdSense.¹⁴⁷ The Commission’s Android decision was upheld in September 2022 by the General Court of the European Union and is now subject to an appeal to the Court of Justice. While the AdSense fine was annulled by the General Court of the European Union on 18 September 2024¹⁴⁸, the Court of Justice of the European Union upheld the Google Shopping decision on 10 September 2024, confirming the Commission’s June 2017 decision that Google abused its market dominance in general search by treating its own comparison shopping service more favourably than competing comparison shopping services.

The Commission has continued to be an active enforcer of EU antitrust rules in digital markets, in particular in relation to cases under Article 102 TFEU concerning the abuse of a dominant market position.

In January 2024, the Commission adopted a decision in which it made legally binding the commitments by Renfe, the Spanish state-owned rail incumbent operator. The Commission concluded that the commitments addressed its preliminary concerns that Renfe may have infringed Article 102 TFEU by refusing to supply all its content and real-time data to rival third-party ticketing platforms. Renfe’s commitments open up competition in online rail ticketing in Spain, contributing to more affordable rail services and promoting environmentally-friendly means of transport.¹⁴⁹

On 4 March 2024, the Commission fined Apple EUR 1.84 billion for abusing its dominant position on the market for the distribution of music streaming apps used by iPhone and iPad users through its App Store¹⁵⁰. The Commission found that Apple applied restrictions on app developers preventing them from informing iPhone and iPad users about alternative and cheaper music subscription services available outside of the app (anti-steering provisions).

¹⁴⁴ https://ec.europa.eu/commission/presscorner/detail/en/IP_09_1941

¹⁴⁵ https://ec.europa.eu/commission/presscorner/detail/en/IP_17_1784

¹⁴⁶ https://ec.europa.eu/commission/presscorner/detail/en/IP_18_4581

¹⁴⁷ https://ec.europa.eu/commission/presscorner/detail/en/IP_19_1770

¹⁴⁸ The AdSense judgment by the General Court is now subject to an appeal by the European Commission to the European Court of Justice.

¹⁴⁹ https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_24_201/IP_24_201_EN.pdf

¹⁵⁰ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_1161

Apple's conduct, which lasted for almost ten years, may have led many iPhone and iPad users to pay significantly higher prices for music streaming subscriptions. Apple's anti-steering provisions also led to non-monetary harm in the form of a degraded user experience.

The decision has been appealed to the General Court of the European Union and the case is pending.

On 11 July 2024, the Commission concluded its Apple Pay investigation in the market for mobile payment services (mobile wallets). The Commission adopted a decision in which it found that Apple's final commitments addressed its competition concerns in relation to the company's conduct and decided to make them legally binding.¹⁵¹ The Commission preliminarily considered that Apple had abused its dominant position by refusing to supply the Near Field Communication (NFC) function on iPhones for payments in stores, reserving the NFC access to its own solution Apple Pay. The Commission was concerned that Apple's conduct may exclude competitors, and reduce innovation and choice for mobile wallet users on iPhones.

In November 2024, the Commission adopted another decision in digital markets finding that Meta breached Article 102 TFEU with two separate conducts. First, the Commission found that Meta abused its dominant position on the EEA-wide market for personal social networking services including hybrid social media platforms such as Snapchat, Instagram or TikTok by tying of Facebook Marketplace to the Facebook personal social network. The Commission found that competitors of Facebook Marketplace may be foreclosed as the tie gives Facebook Marketplace a substantial distribution advantage that competitors cannot match. Second, Meta imposed unfair trading conditions on online classified ads providers that advertise on Meta's platforms abusing its dominant position on the national markets for online display advertising on social media in the EEA. The Commission established that this conduct allowed Meta to use ads-related data of those partners to the benefit of Facebook Marketplace. The decision imposes a total fine of approximately EUR 798 million for those two separate conducts.

To comply with the decision, regarding the tie, Meta is required to operate Facebook Marketplace as an independent app untied from the Facebook social network or to put in place a user choice, in the form of a choice screen in the Facebook social network, or equivalent. In the case of the unfair trading conditions, Meta must stop using ads-related data of rival online classified ads services for the benefit of Facebook Marketplace. Meta must amend its terms and conditions to that effect.

The decision has been appealed to the General Court of the European Union and the case is pending.

On 25 June 2024, the Commission issued a Statement of Objections ("SO"), preliminarily finding that Microsoft breached EU antitrust rules by tying its communication and collaboration product Teams to its popular productivity applications included in its Office 365 and Microsoft 365 suites for businesses. Through the tie, Teams may have been given a distribution advantage, which was further exacerbated by interoperability limitations between Teams'

¹⁵¹ https://ec.europa.eu/commission/presscorner/api/files/document/print/fin/ip_24_3706/IP_24_3706_EN.pdf

competitors and Microsoft's offerings. This potentially hindered Teams' competitors from competing and innovating to the detriment of customers. In response, Microsoft offered commitments aiming to address these concerns. The commitments include offering suites without Teams at a lower price than the suites with Teams, providing rivals with access to interoperability information and enabling customer data portability. Following formal market test feedback, the Commission adopted a decision on 12 September 2025 making binding commitments by Microsoft that address the concerns regarding the tying of Teams with Microsoft's productivity applications.¹⁵²

On 5 September 2025, the Commission adopted a decision imposing a fine on Google of €2.95 billion for breaching EU antitrust rules by distorting competition in the advertising technology industry ("adtech"). Google did so by favouring its own online display advertising technology services to the detriment of competing providers of advertising technology services, advertisers and online publishers. The Commission has ordered Google (i) to bring these self-preferencing practices to an end; and (ii) to implement measures to cease its inherent conflicts of interest along the adtech supply chain.¹⁵³

b. Cartels

The Commission has undertaken the following recent enforcement actions related to cartel cases with links to digital markets:

- **Food delivery:** In June 2025, the Commission adopted a fining decision against Delivery Hero and Glovo, two of the largest food delivery companies in Europe, for participating in an EEA-wide cartel in the online food delivery sector by which the two companies agreed not to poach each other's employees, exchanged commercially sensitive information and allocated geographic markets. The cartel was facilitated by Delivery Hero's minority shareholding in Glovo enabling anti-competitive contacts between the two rival companies. It allowed Delivery Hero to obtain access to commercially sensitive information and to influence decision-making processes in Glovo, and ultimately to align the two companies' respective business strategies.
- **Data centres:** In 2024, the Commission conducted unannounced inspections in the data centre construction sector investigating, in particular, concerns of possible collusion in the form of no-poach agreements. No-poach agreements can seriously hinder the mobility of workers, artificially suppress wages and prevent workers moving where can contribute most effectively to the economy. This can be particularly relevant in a knowledge driven, innovative and fast-growing industry.
- **Replacement Tyres:** In 2024, the Commission conducted unannounced antitrust inspections in the tyre sector, at the premises of companies operating in the industry, as well as a consultancy, in several Member States. The inspections were prompted by concerns about potential price coordination among tyre manufacturers for new

¹⁵² https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2048

¹⁵³ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1992

replacement tyres for passenger cars, vans, trucks, and buses sold in the European Economic Area.¹⁵⁴ The Commission suspected that companies may have used public communication channels to collude on prices. This inspection was pioneering in its use of modern digital detection methods, including automated monitoring of corporate communications during earnings calls and data analysis utilizing advanced text-analysis techniques.

c. Merger control

In 2024, the Commission reviewed several acquisitions in the digital and tech sector taking place in growing and innovative markets including in the field of Artificial Intelligence (“AI”). Examples are NVIDIA’s acquisition of Run:ai¹⁵⁵, Synopsys’s acquisition of Ansys¹⁵⁶, Hewlett Packard Enterprise’s acquisition of Juniper¹⁵⁷ and Amazon’s proposed acquisition of iRobot that was abandoned¹⁵⁸ after the Commission issued its Statement of Objections¹⁵⁹.¹⁶⁰ In these cases, the Commission investigated the acquisitions by large companies of start-ups or small firms with complementary businesses, where the acquiring company aimed to either expand to neighbouring markets by leveraging its market power and foreclosing rivals for instance by hampering access or interoperability; or rather entrench and protect its market position by either taking out a potential competitive threat or increasing entry and expansion barriers. For instance:

- **Synopsys / Ansys:** The Commission conditionally approved the acquisition of Ansys by Synopsys, providers of chip design software, after they committed to divest to a suitable purchaser the entire overlap on the three global software markets where the Commission identified competition concerns. Aside from investigating the possible impact of a proposed transaction on the actual competition between the parties, the Commission also investigated but cleared potential competition concerns by analysing Synopsys’ and Ansys’ R&D activities, as well as potential interoperability degradation between the merged entity’s and third-parties’ chip design software.
- **NVIDIA/Run:ai:** The Commission approved unconditionally the acquisition of a GPU orchestration software provider Run:ai by NVIDIA. The Commission investigated but cleared a potential concern that post-Transaction NVIDIA would entrench its likely dominant position in the global market for GPUs (a type of chip used in data centres particularly for AI workloads) by hampering the compatibility between its GPUs and the

¹⁵⁴ https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_24_561/IP_24_561_EN.pdf,
https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_24_3365/IP_24_3365_EN.pdf

¹⁵⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_6548.

¹⁵⁶ https://ec.europa.eu/commission/presscorner/detail/ro/ip_25_181.

¹⁵⁷ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4101.

¹⁵⁸ On 29 January 2024, Amazon abandoned its proposed acquisition of sole control over iRobot. The abandonment took place twelve working days before the statutory deadline for the Commission to decide on the deal and prompted the end of DG COMP’s in-depth investigation without a formal decision.

¹⁵⁹ A Statement of Objections is a formal step in an investigation, where the Commission informs the companies concerned in writing of the objections raised against them. The sending of a Statement of Objections does not prejudice the outcome of the investigation.

¹⁶⁰ https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5990.

GPU orchestration software of Run:ai's competitors, and the compatibility between Run:ai's software and the GPUs of NVIDIA's competitors with the aim to protect its position in GPUs.

- In addition, the Commission is closely following new structures of deals in digital sector such as '**acqui-hires**' (type of transaction where one company acquires another by hiring its talents). This is to ensure that such transaction- and investment – formats, which in practice amount to a concentration, do not slip through merger control systems. The EU Merger Regulation¹⁶¹ provides the Commission with enough flexibility to capture the acqui-hires. To the extent that such concentrations do not reach European or national merger thresholds, there are tools available to enable review at the EU level. Under Article 22 EU Merger Regulation, Member States with competence under their national rules can refer a merger to the Commission (including Luxembourg where no national merger regime exists yet). Several Member States have put in place call-in provisions or alternative jurisdictional tests, such as deal-size thresholds or market share thresholds. For example, in 2024, upon a request for referral from several Member States, the Commission looked at Microsoft's acquisition of Inflection, an 'acqui-hire', where Microsoft combined the hiring of the vast majority of Inflection's employees with a licencing agreement. While we considered such a case to constitute a concentration, following the Illumina/Grail judgment, the referring Member States decided to withdraw their referral requests.

d. DMA

As envisaged by the European legislator, the Commission has been engaging in a continuous and all-inclusive regulatory dialogue with gatekeepers and interested third parties to ensure gatekeepers' effective compliance with the DMA. Against this backdrop, in 2025, the Commission organised a series of compliance workshops¹⁶² and published its second annual report on DMA implementation.¹⁶³ The Commission is also in regular contact with the compliance officers of all gatekeepers to take stock of the ongoing regulatory dialogue.¹⁶⁴

Such dialogue covered all areas included in the DMA and led to improvements in the interfaces, software, transparency and business relations towards business users. Examples include: the prohibition of data combination without consent, which resulted in amended consent screens across gatekeepers; obligation to offer choice screens, which has led to a significant increase in uptake of smaller or alternative browsers on Android and iOS/iPadOS; data portability obligations, which led to development and deployment of new tools and APIs made available by each of the gatekeeper.

¹⁶¹ Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) (Official Journal L 024, 29/01/2004 P.1, available at <https://eur-lex.europa.eu/eli/reg/2004/139/oj/eng>.

¹⁶² https://digital-markets-act.ec.europa.eu/commission-organises-dma-compliance-workshops-alphabet-amazon-apple-bytedance-meta-and-microsoft-2025-05-13_en.

¹⁶³ See https://digital-markets-act.ec.europa.eu/commission-publishes-annual-report-dma-implementation-2024-2025-04-25_en.

¹⁶⁴ See: https://digital-markets-act.ec.europa.eu/document/download/8ed232e8-a674-4434-a13e-8712ea42b0f5_en?filename=DMA_annual_report_2024.pdf, page 5.

In a few instances, however, the regulatory dialogue with gatekeepers did not make the appropriate progress prompting the Commission to open formal proceedings. Five non-compliance proceedings were opened in March 2024 and an additional non-compliance proceeding was opened in June 2024. In addition, the Commission also started using an innovative tool in the DMA toolbox, i.e. specification proceedings.

Following the opening of those proceedings, the major actions were the following:

- On 19 March 2025, the Commission concluded two “specification proceedings” by adopting two sets of measures that Apple must take regarding its interoperability obligations under Article 6(7) DMA.¹⁶⁵ The first set of measures concerned the access of app developers and hardware manufacturers to nine iOS connectivity features, predominantly used for connected devices such as smartwatches, headphones or TVs. The second set of measures improves the transparency and effectiveness of the process that Apple devised for developers interested in obtaining interoperability with iPhone and iPad features.
- On 23 April 2025, the Commission closed two non-compliance proceedings imposing a fine on Apple and Meta for failing to comply with the DMA.¹⁶⁶ The Commission found that Apple had failed to comply with Article 5(4) DMA, which obliges gatekeepers to allow app developers to inform customers of alternative offers outside of the app store, steer them to those offers and allow them to make purchases. Meta was fined for not complying with Article 5(2) DMA, which obliges gatekeepers to seek user consent for combining personal data between services and to provide a less personalised but equivalent alternative for non-consenting users.
- On the same date, the Commission also communicated preliminary findings of non-compliance to Apple regarding its business model and the obstacles it put to the distribution of apps by means other than through the Apple’s app store.¹⁶⁷
- The Commission also communicated to Alphabet its preliminary findings of non-compliance in two open proceedings.¹⁶⁸ The first concerned the failure to ensure the transparent, fair and non-discriminatory treatment of third-party services on Google Search, and the second concerned its compliance measures relating to anti-steering obligation under Article 5(4) DMA.

¹⁶⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_816.

¹⁶⁶ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1085.

¹⁶⁷ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1086.

¹⁶⁸ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_811.

2. Set out any steps your jurisdiction has taken to strengthen its competition agency's capabilities to better equip it to deal with digital competition issues. For example, this could include forming a special unit, recruiting more data specialists, building new investigative tools, or gathering new/different evidence.

a. The Chief Technology Office

To strengthen its digital enforcement capabilities, DG Competition set up a specialised technology Unit. Since January 2023, the Data Analysis and Technology Unit reports to the Chief Technology Officer¹⁶⁹. The Unit is multi-disciplinary bringing together a diverse range of profiles such as lawyers, economists, intelligence analysts, AI and data science specialists, data engineers, e-Discovery specialists, IT forensic specialists and IT Security specialists. It currently supports DG Competition across all areas of enforcement (mergers, antitrust and cartels, State aid, DMA, Foreign Subsidies Regulation) by leveraging AI and other advanced digital solutions for detection, technological expertise, digital forensics or e-discovery.

The Unit consists of three teams: the Intelligence and AI team, the forensic IT team and the e-Discovery team. The Unit's main tasks are as follows:

- deliver actionable intelligence to all operational units by performing advanced Open Source Intelligence (OSINT) activities enhanced with AI solutions. This ranges from monitoring markets, gathering leads and collecting evidence to strengthen ex-officio detection and support investigative activities;
- support case teams on technology related matters by providing in-depth technical expertise. This includes assisting in the analysis of how AI systems deployed by companies function, how they are designed and how they make decisions in order to uncover algorithmic strategies that could result in potentially anticompetitive conduct;
- follow technology developments, with a particular focus on innovations that have the potential to impact market dynamics and competition;
- provide state of the art forensic IT support for unannounced inspections;
- develop and support case teams with eDiscovery expertise in complex cases with large case files.

The Unit leads DG Competition's Data Science Network (gathering data scientists to exchange on AI projects and act as a forum of ideas for the incorporation of data science and AI in DG Competition processes). The Unit also leads the Digital investigations and AI working group of the European Competition Network.

The Unit collaborates with technology units in other competition agencies and institutions, builds links with Academia and makes upfront, targeted investments in IT infrastructure and software solutions to stay ahead of technological developments.

¹⁶⁹ Position currently under recruitment. The Chief Technology Officer reports directly to the Director-General.

In addition to trainings on OSINT, forensics IT and eDiscovery, the Unit leads AI literacy initiatives across DG Competition to ensure that AI is applied safely and effectively in investigations and enforcement. To this end, it provides guidance and training to raise staff's awareness of AI opportunities and risks. The Unit also promotes ethical and compliant AI adoption.

b. Cartels

The Commission has enhanced its capabilities in detecting cartels and collusive agreements by dedicating senior and junior **experts in data analysis** to its ex-officio cartel detection activities, including highly qualified economists. This interdisciplinary approach, which combines data analysis with economic insights, enables the Commission to gather and analyse market data more effectively, identifying potential indications of collusion. Since this initiative, the Commission has undertaken multiple formal investigative measures informed by economic analysis, demonstrating the value of this approach in detecting anti-competitive practices.

The detection of **algorithmic collusion** remains a top priority for the Commission. To address this concern, the Commission is proactively monitoring market developments where algorithmic pricing may be employed. As part of its ongoing efforts, the Commission has leveraged OSINT tools to systematically monitor publicly available information related to **pricing algorithm providers** and their current or potential clients. This proactive approach enables the Commission to stay informed about potential collusive practices and identify emerging trends in the use of algorithmic pricing.

To enhance its ex-officio cartel detection capabilities, the Commission prioritises staying abreast of the latest trends and developments in detecting collusion, including the emerging threat of algorithmic collusion. As part of this effort, the Commission engages in active **academic outreach**, fostering a collaborative dialogue with leading academics to share insights and expertise on the latest advancements in cartel detection methods. This collaboration has not only deepened the Commission's understanding of complex and novel cartel issues, in particular in digital markets, but also informed the development of more effective enforcement strategies, ultimately strengthening the Commission's ability to detect and deter cartels.

A digital enforcement effort where the Commission registered a particular success has been the use of cutting-edge text analysis methods to detect potential collusion. By analysing large volumes of data, such as **earnings call transcripts**, the Commission has been able to identify patterns of language that may indicate anti-competitive behaviour, such as coded invitations to collude. This innovative approach informed the Commission's decision to undertake inspections at the premises of car tyre manufacturers and of a consultancy firm and has the potential to be applied to other public documents, further enhancing the Commission's ability to prevent anti-competitive practices and promote fair competition in the digital economy.¹⁷⁰

¹⁷⁰https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_24_561/IP_24_561_EN.pdf,
https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_24_3365/IP_24_3365_EN.pdf

To reinforce the ex-officio **detection of collusion through bid-rigging**, the Commission has developed various initiatives to raise EU procurement officials' awareness on how to detect anomalous patterns (so-called "red flags") in the procurement data and to report such patterns to DG COMP for further investigation. These initiatives include online and physical training sessions, newsletters, video material and an e-learning tool.

c. DMA

The DMA, which is a separate regulatory tool designed to complement the enforcement of competition law, is put into effect by a team equally comprised by members of two different services of the European Commission, notably the Directorate-General of Competition ("DG COMP") and the Directorate General for Communications Networks, Content and Technology ("DG CNECT"). Following the adoption of the DMA in March 2022, the Commission put into place the relevant structures to draw from the respective strengths of both DGs and ensure that the enforcement of the DMA has been fully operational from day one. In addition, the DMA allows the Commission to use the expertise and assistance of Member States authorities and to appoint external experts. Against this backdrop, several national authorities have seconded their experts to the Commission's DMA team, and the Commission has contracted in a pool of external experts in support of DMA enforcement.

Furthermore, the Commission has set up new bodies envisaged in the DMA, including the Digital Markets Advisory Committee with Member State representation which assists the Commission in the enforcement of the DMA as well as the High-Level Group consisting of members of several European bodies and authorities pursuant to Article 40 DMA (for additional information about this Group see also below at page 66).

3. List:

- (a) any reforms, new laws or regulations to better address digital competition issues, or**
- (b) any significant proposed reforms pending before national legislative or regulatory bodies to better address digital competition issues.**

At EU level, the most important new law has been the DMA, which was adopted on 11 November 2022 and became applicable as of 2 May 2023.¹⁷¹ Apart from the DMA, the Commission recently completed important reforms to better address digital competition issues, including the reviews of the Commission's Market Definition Notice,¹⁷² and of the Horizontal

¹⁷¹ For a more detailed description of the DMA, see, e.g., G7 Hiroshima summit, 'Compendium of approaches to improving competition in digital markets', 8 November 2023, page 108 et seq., available at https://www.jftc.go.jp/en/pressreleases/yearly-2023/November/231108G7_result2EN.pdf.

¹⁷² Communication from the Commission – Commission Notice on the definition of the relevant market for the purposes of Union competition law, C/2023/6789, OJ C, C/2024/1645, 22.2.2024, available at: https://ec.europa.eu/commission/presscorner/api/files/document/print/Texas_architecture/ip_23_6001/IP_23_6001_EN.pdf

and Vertical Block exemption Regulations¹⁷³ and their respective related guidelines.¹⁷⁴ For the same purpose, the Commission is also carrying out additional reforms, including the reviews of Regulation 1/2003¹⁷⁵, the Horizontal and Non-horizontal Merger Guidelines¹⁷⁶, the Technology Transfer Block Exemption Regulation¹⁷⁷ and related guidelines, as well as the drafting of Guidelines on exclusionary abuses of dominance.

The **DMA** intends to protect openness and innovation in digital markets. It does so by prohibiting certain practices by large gatekeeper platforms that have proven harmful. In doing so, it enhances the contestability and fairness of digital markets in the EU.

One of the DMA's key concepts is that of "gatekeepers". These are digital platforms that provide an important gateway between business users and consumers. Their position can grant them the power to act as a private rule-maker and create bottlenecks in the digital economy. Companies operating one or more of the so-called "core platform services" ("CPS") listed in the DMA¹⁷⁸ qualify as a gatekeeper if they meet three (cumulative) criteria for designation which are proxies for gatekeeper characteristics, namely, (a) the company has a significant impact on the internal market, (b) the service is an important gateway, and (c) the gatekeeper has an entrenched and durable position. The Commission can designate companies either quantitatively or qualitatively, and since the DMA has become applicable, the Commission has designated seven gatekeepers presently covering 23 core platform services.¹⁷⁹

Following their designation, gatekeepers must ensure compliance with the DMA's obligations within six months. These obligations are dos and don'ts covering in particular data-related practices, neutrality provisions, provisions to encourage multi-homing and advertising-related practices. They are directly applicable to provide the speed and legal certainty needed in these markets.

As provided for by the DMA, the Commission will report by 3 May 2026 to the European Parliament, the Council and the European Economic and Social Committee on its evaluation of the DMA, in particular whether the aim to ensure contestable and fair markets has been

¹⁷³ Commission Regulation (EU) 2023/1066 of 1 June 2023 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements, OJ L 143, 2.6.2023, p. 9; Commission Regulation (EU) 2023/1067 of 1 June 2023 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements, OJ L 143, 2.6.2023, p. 20; Commission Regulation (EU) 2022/720 of 10.5.2022 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices, OJ L 134, 11.5.2022, p. 4.

¹⁷⁴ Communication from the Commission – Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements, OJ C 259, 21.7.2023, p. 1; Communication from the Commission, Guidelines on vertical restraints, OJ C 248, 30.6.2022, p. 1.

¹⁷⁵ Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, OJ L 1, 4.1.2003, p. 1.

¹⁷⁶ Guidelines on the assessment of non-horizontal mergers under the Council Regulation on the control of concentrations between undertakings, OJ C 265, 18.10.2008, p. 6.

¹⁷⁷ Commission Regulation (EU) No 316/2014 of 21 March 2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements, OJ L 93, 28.3.2014, p. 17, available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.093.01.0017.01.ENG.

¹⁷⁸ These services are: online intermediation services such as app stores, online search engines, social networking services, certain messaging services, video sharing platform services, virtual assistants, web browsers, cloud computing services, operating systems, online marketplaces, and advertising services.

¹⁷⁹ For an overview of these gatekeepers and CPS, see https://digital-markets-act.ec.europa.eu/gatekeepers_en.

achieved. To this end, the work has already started, and the Commission launched a public consultation of interested third parties in July 2025.¹⁸⁰

The DMA applies in parallel to competition law and is being enforced within the broader EU regulatory framework governing the digital space. Among the most important regulations affecting issues in this area are: (a) the General Data Protection Regulation (GDPR), which is an EU regulation on data privacy in the EU and the European Economic Area (EEA); (b) the Data Act, aimed at facilitating and promoting data exchange and use within the EEA; (c) the European Electronic Communications Code (EECC), established by Directive (EU) 2018/1972, which sets comprehensive rules for electronic communications within the EU; (d) the AI Act, which addresses the risks associated with artificial intelligence within the EU; and (e) the Digital Services Act, aimed at ensuring safe online environment. In parallel, an Act to promote the deployment of Cloud and AI is in preparation.

The revision of the Commission's **Market Definition Notice** was completed on 8 February 2024 with the adoption of a revised Market Definition Notice. The new Market Definition notice provides up-to-date guidance on the Commission's approach to market definition with a number of references to the specificities to be taken into account when defining markets in the digital economy, including for instance in the context of zero-price or multi-sided markets and digital ecosystems.

On 27 March 2023, the Commission launched an initiative to adopt for the first time **Guidelines on exclusionary abuses of dominance** under Article 102 TFEU and on 1 August 2024 the Commission published draft Guidelines for public consultation.¹⁸¹ The draft Guidelines seek to provide greater clarity on the current state of law in the application of Article 102 TFEU to exclusionary abuses, building on the Commission's experience and a large number of Union Court judgments. While they apply to all economic sectors, they particularly draw from the Commission's experience gained in enforcing Article 102 TFEU in digital markets, discussing among others the analytical approach to abuses such as tying and self-preferencing.

On 5 September 2024, the Commission concluded the **evaluation of Regulation 1/2003**, its antitrust procedural regulation, with the publication of a Staff Working Document (SWD), summarising the findings of the evaluation.¹⁸² The evaluation was launched in 2022 to ensure that the Commission's procedures for antitrust case are adapted to the challenges of the future and, in particular that they are 'fit for the digital age'.¹⁸³ The evaluation process has shown that Regulation 1/2003 has worked very well. At the same time, the evidence from the evaluation revealed some concerns as regards (i) some areas where adjustments to our procedures could increase our efficiency and effectiveness, also to keep pace with the challenges brought by the digitalisation of the economy and (ii) certain aspects in relation to co-enforcement with national competition authorities and courts.

¹⁸⁰ See: https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act-2025-07-03_en.

¹⁸¹ https://competition-policy.ec.europa.eu/antitrust-and-cartels/legislation/application-article-102-tfeu_en

¹⁸² https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4550

¹⁸³ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_4194

The evaluation showed that digitalisation has had an impact on the Commission's antitrust investigations, from the way information is collected to the way access to file is granted. The proliferation of data makes investigations more complex and time-consuming for both the Commission and businesses. Some possibilities for reform could include powers for the Commission to impose a preservation order, for example through a freeze of information held on companies' servers; powers to conduct remote inspections with no need for the Commission officials to be at the premises of the inspected company (as physical premises are less important and information is mainly stored in the cloud); or alternative methods of access to file, with more systematic use of confidentiality rings to handle digital files in an efficient way.

Based on the results of the evaluation, the Commission has in July 2025 launched the process for the revision of Regulation 1/2003 by publishing a call for evidence and a public consultation questionnaire, inviting stakeholders to share their views on options for reform stemming from the results of the evaluation.

The Commission has recently also launched a consultation for the **revision of its Horizontal and Non-horizontal Merger Guidelines**. Since their adoption in 2004 and 2008, respectively, the markets and our practice has evolved, and the initiative aims to provide an up to date yet stable and predictable framework for the merger assessment in the EU. As a first step, the Commission has published on 8 May **two parallel public consultations**. A **public consultation** covers (i) **high-level questions** on how the Commission should assess mergers within the framework of the Merger Regulation and on the principles that should underpin its revised Guidelines, and (ii) an **in-depth consultation** with more **detailed technical questions on 7 topics targeted at expert audience**: competitiveness and resilience, market power, innovation, sustainability, digitalisation, efficiencies, as well as public policy, security and labour market considerations. The deadline for accepting contributions is 3 September 2025.

The review of the Merger Guidelines is an opportunity to reflect on some of the key aspects relevant for all industries, including digital. Our experience showed that markets shaped by digitalization face specific challenges such as "winner-takes-all" dynamics, which can more easily lead to market dominance and entrenchment and raising barriers to entry and expansion. Although the Commission's recent case practice has aimed at reflecting these shifts, they are not yet enshrined in our Guidelines. The consultation seeks feedback on several key aspects related to mergers in digital markets, such as the role and impact of specific market dynamics (tipping, network effects and customer inertia) in the merger assessment, the interrelatedness of different markets that are part of an ecosystem, as well as the type of framework of analysis that would capture adequately the potential entrenchment effects of a dominant company acquiring a complementary business or the risks linked to the accumulation of data.

Finally, the Commission is revising the **Technology Transfer Block Exemption Regulation ("TTBER")** and the related Guidelines on Technology Transfer Agreements. The TTBER exempts certain technology transfer agreements from the prohibition against anti-competitive agreements provided by Article 101(1) of the Treaty on the Functioning of the European Union.

The Guidelines provide guidance on the application of the TTBER and on the wider assessment of technology transfer agreements under EU competition law. The Guidelines also contain guidance on other types of arrangements concerning technology rights, including technology pools. The TTBER is set to expire in April 2026.

On 11 September 2025, the Commission launched a public consultation on drafts of a revised TTBER and Guidelines. The draft revised Guidelines include new guidance on the licensing of certain types of data. This responds to the findings of the Commission's evaluation of the current rules, which showed that data licensing agreements are increasingly important in the market and that stakeholders would welcome additional guidance on their competition law assessment.

4. Provide a short description of any enforcement, regulatory, or policy work by your agency on digital competition issues that involved non-competition agencies. Include any intersections with other laws or policy areas – for example privacy, security, or consumer protection.

As mentioned above, the DMA is jointly enforced by DG COMP and DG CNECT. Moreover, coordination with other digital enforcers and policy makers is ensured regularly, in particular when it comes to data protection, artificial intelligence, cloud and other technologies. The broader coordination with the policy and enforcement concerning online harms and online safety (the EU DSA) is ensured with the integration of part of the DMA team in the same EU Commission department.

The DMA introduced a new body, the High-Level Group, which is composed of nominated representatives from the Body of the European Regulators for Electronic Communications ("BEREC"), the European Data Protection Board ("EDPB") and the European Data Protection Supervisor ("EDPS"), the European Competition Network ("ECN"), the Consumer Protection Cooperation Network ("CPC Network"), and the European Regulators Group for Audiovisual Media Services (now European Board for Media Services) to facilitate the interaction with other laws and policy area.¹⁸⁴

The High-Level Group provides the Commission with advice and expertise to ensure that the DMA and other sectoral regulations applicable to gatekeepers are implemented in a coherent and complementary manner. It can also provide expertise in market investigations into emerging services and practices, to help ensure that the DMA is future-proof. An example for this pan-regulatory approach is the creation of a dedicated sub-group to coordinate efforts to ensure that the development of artificial intelligence aligns with the DMA objectives.¹⁸⁵

Another example of such work across policy fields is the agreement between the EDPB and the Commission to develop guidance on the interplay between the General Data Protection

¹⁸⁴<https://digital-strategy.ec.europa.eu/en/news/digital-markets-act-commission-creates-high-level-group-provide-advice-and-expertise-implementation>

¹⁸⁵https://digital-markets-act.ec.europa.eu/high-level-group-digital-markets-act-public-statement-artificial-intelligence-2024-05-22_en

Regulation (“GDPR”) and the DMA.¹⁸⁶ This work is ongoing and expected to be concluded by the end of the year.

¹⁸⁶ See https://www.edpb.europa.eu/news/news/2024/edpb-work-together-european-commission-develop-guidance-interplay-gdpr-and-dma_en.