

EN
E-000215/2021
Answer given by Mr Breton
on behalf of the European Commission
(31.3.2021)

1. The proposal for a Digital Markets Act (DMA)¹ provides that the Commission can impose any behavioural or structural remedies on a gatekeeper if the latter has systematically infringed the obligations listed in Articles 5 and 6 of the DMA and has further strengthened or extended its gatekeeper position. The proposal includes a framework where structural remedies can be applied, while respecting the principle of proportionality
2. In general terms, it is common practice in the industry for a device manufacturer to supply devices with a pre-installed browser and a search service set as default on that browser. Many users will simply use the search service that is set as default, so that the browser developer or the device manufacturer may seek to monetise that space, for instance by entering into a revenue sharing agreement with a search service. However, under Article 6(1)(c) of the proposal for a DMA, a gatekeeper has to allow end users to un-install any pre-installed software applications. Therefore, while there is no prohibition of default applications as such, users will remain free to choose the service that best serves their needs.
3. In the context of the Commission's ongoing monitoring of the effectiveness of the remedies implemented by Google following the Google Android Decision of 18 July 2018², the Commission will take into account the arguments put forward by market players, including the FairSearch organisation.

¹ https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/digital-markets-act-ensuring-fair-and-open-digital-markets_en.

² https://ec.europa.eu/competition/antitrust/cases/dec_docs/40099/40099_9993_3.pdf.