

# The European Tech Alliance: The DMA Must Get Definitions Right to Fulfill its Objectives

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## Statement

The European Tech Alliance (EUTA) is very concerned about the latest proposals to define "active end users" in the context of the Digital Markets Act (DMA). The very broad definition of users for online intermediation services, a category which covers very different business models, including online marketplaces and any other actor in e-commerce (whether goods, services, etc), extends the scope of the DMA with alarming consequences for European tech companies.

This definition would fail the objective of the DMA to target today's largest digital actors acting as gatekeepers. It would de facto establish a regulatory obstacle to growth for European platforms, many of which are close to the turnover and business users thresholds.

While the number of unique visitors may be a relevant metric for some business models, especially social media platforms, other business models do not generate any revenue from users merely visiting their website, especially transaction-based actors. Opting for a one-size-fits-all approach by only relying on the largest definition of users "making a visit" would include too many companies that are not "gatekeepers" in the DMA scope. The DMA should therefore define end users of online intermediation according to the business model, including the difference between transaction-based and any other non-transaction-based online intermediaries.

Similarly, the "active end user" definitions set out for other core platform services should be refined. For advertising services, the definition should be adapted to ensure that it captures only users involved in an action or impression that generated meaningful income for the advertising service provider, to reflect the diversity of pricing policies and capture all gatekeepers.



Calculation methods tailored to the different business models would also ensure that the scope of the DMA remains targeted to only a few companies acting as gatekeepers across the EU Single Market, as originally intended by the Commission proposal.

To conclude, the EUTA supports the DMA as an important initiative to ensure fair and contestable digital markets, but technical definitions must be gotten right.

To know more about the EUTA's position on DMA: Our positions



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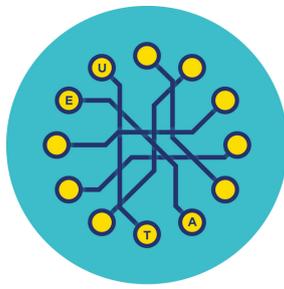
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