



# Quote by the EUTA Chair Magdalena Piech

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“An overly broad scope of the Digital Markets Act (DMA) risks catching companies that are not gatekeepers. We support an effective DMA, targeted at the handful of systemic gatekeepers, and which does not undermine the ability of European tech companies to compete in today’s global economy.”

EUTA strongly supports setting fair play rules to address gatekeepers’ practices that limit or eliminate competition. We believe the DMA will be a very useful instrument when applied to such gatekeepers.

EU tech companies operate in a fiercely competitive global market to deliver choice, transparency and quality to EU consumers. Ambitious obligations and prohibitions designed for a targeted set of gatekeepers are essential to promote competition and consumer choice. However, companies that are not gatekeepers should not be caught up by the DMA. Bringing European tech companies in scope on the basis of ill-defined criteria undermines Europe’s key strategy of ensuring fairer competition between gatekeepers and other digital actors and Europe’s interest in strengthening its digital hand at a global level. A broader scope also wouldn’t fit with obligations designed for true digital market gatekeepers, leading to less effective regulation.

We would like in particular to draw attention to the omission of transactions as the relevant metric for calculating active monthly users for e-commerce companies. This fundamentally distorts the relevant number of users for such players, inadvertently bringing many European tech companies in scope. We are calling upon EU co-legislators to stick to the essence of the DMA, which has been conceived as a targeted solution to anti-competitive and unfair practices from a very limited set of players that today de facto regulate the access of EU companies to digital markets. We want to reiterate our concerns regarding the very broad definition of users for online intermediation services, a category which encompasses very different business models, including online marketplaces and any other actor in e-commerce (whether goods, services, etc). We call upon EU co-legislators to further assess the relevance of this definition and opt for a more granular approach.

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