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Address search defaults in the Digital Markets Act

Open letter to lawmakers

We are companies with search engines vigorously competing to offer consumers a broad range of choices to search the web. We welcome the Commission's goals with the Digital Markets Act (DMA) but the DMA fails to address the most acute barrier in search: Google's hoarding of default positions. Google would not have become the overall market gatekeeper they are today without years of locking up these defaults. If the DMA fails to address this fundamental issue, we believe the status quo will continue, leaving the root cause of this problem unchanged.

In response to the European Commission's Android competition decision (AT.40099), Google implemented a preference menu that let users choose their search default when setting up an Android device.ⁱ Yet, despite recent changes,ⁱⁱ we do not believe it will move market share significantly due to its persisting limitations.

First, it is neither available on Chrome desktop nor on other operating systems. Second, it is only shown once, in a Google-designed, Google-owned onboarding process when users are not inclined to make a search engine change. If they later decide to switch search defaults, they must labor through 15+ clicks or factory-reset their phone. Third, it doesn't apply to all search access points in Android, and similarly we have no guarantees it will apply to new search access points that emerge.ⁱⁱⁱ

These and other Google-imposed limitations make it hard for consumers to adopt other search engines, despite the Commission's antitrust decision. Like MEP Yon-Courtin proposed in her draft report for the Economic Affairs committee,^{iv} we believe a properly-designed preference menu should be mandated more broadly.

As a result, the DMA urgently needs to be adapted to prevent gatekeepers from suppressing search engine competition. Specifically, the DMA should enshrine in law a requirement for a search engine preference menu that would effectively ban Google from acquiring default search access points of the operating systems and the browsers of gatekeepers. Moreover, the DMA should ensure that, in addition to selecting their preferred search default in initial onboarding, consumers are able to one-click switch at any time via prompts from competing search engine apps or websites. These actions would finally lead to significant implications for competition in the search engine market and ensure there is real consumer choice online.

SIGNATORIES

- DuckDuckGo - <https://duckduckgo.com/>
- Ecosia - <https://www.ecosia.org/>
- Lilo - <https://www.lilo.org/>
- Qwant - <https://www.qwant.com/>

ⁱ <https://www.android.com/choicescreen/>

ⁱⁱ *Techcrunch*, "[Google ditches pay-to-play Android search choice auction for free version after EU pressure](#)", June 8, 2021

ⁱⁱⁱ For instance, Google might launch a new "universal search feature" as part of Android 12. *AndroidPolice*, "[Android 12 Beta 4 reveals more changes for enhanced search bar functionality](#)", Ryne Hager, August 13, 2021

^{iv} *Draft Opinion on the DMA*, Stéphanie Yon-Courtin, July 7, 2021. Amendment 53 to article 6.1(b), and amendment 12 for a new recital 46a.