

29 March 2021

Dear MEP,

We are writing as European technology firms to urge you to include and support a stronger ex ante interoperability requirement for dominant “gatekeeper” firms in the Commission’s December 2020 proposal for a Digital Markets Act, also covering core consumer services such as, for example, instant messaging and social media, for all types of end-user.

We welcome the fact that the European Parliament stated *“that interoperability is key to enable competitive market, as well as users’ choice and innovative services, and to limit the risk of users’ and consumers’ lock-in effect”* in its resolution on the Digital Services Act. Indeed, an interoperability requirement for “gatekeeper” firms would give a fair chance for new market entrants to compete on the merits of their services. This would allow Europe to compete effectively in digital markets where incumbent companies already have extremely large user bases, and give European end-users the benefit of the increased choice and innovation that competition would bring.

For SMEs in the European Internet industry, interoperability can reduce the anti-competitive barriers created by the lock-in of established user bases into specific service providers, due to network effects or closed proprietary solutions. New, innovative solutions can be brought to the market, creating jobs and wealth in Europe. Interoperability is key to Europe’s competitiveness in digital transformation.

This would ensure, for example, that Europeans concerned with data protection, or with the content curation algorithms by dominant social media services, would genuinely have alternatives “just a click away”. It would also give European SMEs, larger businesses and public administrations greater choice, more efficiency, and lower costs because they would enjoy a wider range of suppliers to choose from for each task, and the possibility to obtain equipment, services and systems more closely adapted to their specific needs.

A series of major digital competition reviews over the last two years have recommended full interoperability requirements. The German Government’s competition law revisions, including a power for the Federal Cartel Office to impose interoperability requirements, were passed by the Bundestag in January. The French National Assembly has already passed a bill on consumer freedoms in cyberspace, including interoperability requirements. And the UK Government is moving ahead with a Digital Markets Unit proposed by its Competition and Markets Authority after an exhaustive market study, which has also recommended interoperability as the principal remedy to reintroduce competition to social media.

The Digital Markets Act, like the GDPR, will set the global standard for online competition. A strong interoperability requirement would give European firms the chance to compete fairly in markets currently dominated by U.S. businesses, and provide genuine choice for Europeans in services that better protect their rights and democratic values. We hope you will seize this opportunity.

Yours sincerely,

 <p>abilian CONNECTED, WE WORK! Abilian SAS (France)</p>	 <p>AGNITAS e-mail & marketing automation Agnitas AG (Germany)</p>	 <p>Alinto Alinto SA (France)</p>
 <p>allotropia Allotropia Software GmbH (Germany)</p>	 <p>CAPE IT gmbh c.a.p.e. IT GmbH (Germany)</p>	 <p>CATAPUSH Catapush S.r.l. (Italy)</p>
 <p>CLEANmail Cleanmail AG (Switzerland)</p>	 <p>Collabora Productivity Free your business Collabora Productivity Ltd (United Kingdom)</p>	 <p>DHH HRVATSKA DHH d.o.o. (Croatia)</p>
 <p>eFoundation / eCorp SAS (France)</p>	 <p>eSec ecsec GmbH (Germany)</p>	 <p>EGroupware SMART ONLINE OFFICE EGroupware GmbH (Germany)</p>
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