DMA Review
Summary of consultation contributions

1. Introduction

This document summarises the key themes, views, issues, and comments received by the European Commission in the context of the consultations and call for evidence on the first review of the Digital Markets Act (DMA).

The DMA is the EU's regulation aimed at ensuring fair and contestable digital markets. It identifies gatekeepers based on objective criteria and imposes obligations and prohibitions on their designated "core platform services" (CPSs). At the time of this first review, seven gatekeepers have been designated for 23 CPSs. The obligations in the DMA became fully applicable to the first designated gatekeepers as of 7 March 2024. Respondents' feedback therefore reflects experiences based on less than two years of active implementation and enforcement of these rules.

Under Article 53 DMA, the Commission must review and assess the DMA and report its findings to the European Parliament, the Council and the European Economic and Social Committee every three years, with the first review report due by 3 May 2026. To support this first assessment, a targeted consultation was launched on 3 July 2025 (open for 12 weeks), complemented by a call for evidence and a consultation specifically on AI which were launched on 26 August 2025 (open for 4 weeks).

The objectives of the consultation process were to collect feedback on:

- how the DMA is contributing towards achieving the goals of contestability and fairness in digital markets;

- the impact of the DMA, so far, on business users (especially SMEs) and end users;

- whether any modifications to CPS definitions, obligations, or enforcement mechanisms are needed; and

- how the DMA could tackle AI-related services to overcome the emerging fairness and contestability challenges in this area.

The targeted consultation included a survey of 12 questions, and respondents also had the possibility to provide longer written submissions. The call for evidence invited both qualitative and quantitative input on the Regulation's early effects. The Commission received a total of 319 contributions to the consultation, 63 responses to the call for evidence and 96 to the consultation on AI.

Respondents represent a wide range of actors: gatekeepers, business users, SMEs, trade associations, civil society organisations, academics, consumer groups and citizens, among others.

All designated gatekeepers submitted a response but for one.[1] Several other respondents declared being in some way affiliated to one or more gatekeepers.[2]

Business users, SMEs and their associations, represent the biggest share of respondents. A large number of civil society organisations have also submitted responses.

Slightly more than 15% of responses to the consultation were submitted as anonymous. Many business users also chose not to respond individually but to do so via their trade associations.

2. Summary of contributions received in reply to the targeted consultation and call for evidence

Respondents' contributions focus on broad themes including enforcement activity, improving designation processes, expanding the DMA's scope, strengthening interoperability, enhancing data access and supporting SMEs. Perspectives diverge most strongly on the DMA impact on innovation, on proportionality of gatekeepers' obligations, and on whether further obligations or safeguards are needed, with gatekeepers and several respondents affiliated to gatekeepers voicing a number of criticisms.

Overall, most respondents support the DMA's objectives but highlight implementation challenges and suggest areas for improvement.

2.1. List of Core Platform Services

Current list of designated CPS

Several respondents found that the current list of designated CPSs is appropriate. Some respondents also called for the designation of more services such as operating systems for connected TVs, virtual assistants and further messaging services. A group of law firms and legal academics requested more clarity regarding the scope of the current list of CPSs asking the Commission to clarify their definitions.

Artificial Intelligence

A large number of respondents raised the issue of AI and Large Language Models (LLMs), noting their growing role in digital markets. Many requested clarity on whether and which AI services fall within existing CPS categories.

Two broad positions emerged:

- "Existing CPSs" view (supported by many academics, SMEs, civil society, and some business users): new AI functionalities and services can be considered as covered by the current list of CPSs — for example, search engines, app stores, operating systems, intermediation services, and virtual assistants — and should already fall within the DMA's scope.

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[1] Responses were submitted by Alphabet, Amazon, Apple, Booking, Meta, and ByteDance. Microsoft did not submit a response.

[2] Each respondent's declaration regarding its affiliation with gatekeepers is set out in its response to the targeted consultations.

- "New standalone CPS(s)" view (supported by several academics, consultancies and some trade associations): CPS categories for AI services should be added, potentially harmonised with definitions in the AI Act.

A smaller group, including gatekeepers and respondents affiliated to gatekeepers, warned against prematurely expanding the DMA's scope without clear evidence of gatekeeping effects, citing risks of stifling innovation, market distortion and administrative overload.

Cloud services

Several respondents, including SMEs, business users and civil-society organisations, noted that quantitative thresholds alone, as in the current DMA, may be unsuitable to capture the specificities of cloud services, and stressed that the absence of cloud designations leaves important fairness and contestability issues unaddressed. For example, some respondents noted persistent challenges in interoperability, switching, and data portability when it comes to cloud services.

Gatekeeper-affiliated trade associations and a small number of business users expressed caution toward designating cloud services, arguing that:

- market dynamics differ across IaaS, PaaS, and SaaS[3]; and

- the DMA should not duplicate work undertaken under other digital and data legislations.

Other potential CPS categories

Some business users and end users suggested additional CPS categories, including payment processing, productivity suites, video-on-demand streaming and game engines.

2.2. Designation process

Quantitative thresholds and rebuttal of presumption

Feedback on quantitative thresholds was mixed: some respondents found the current thresholds reasonable; others, described them as either too rigid or not clearly justified.

Several themes stood out:

- The three-year lookback period was described as too long to capture rapidly growing services such as AI-powered platforms;

- Some respondents highlighted services with significant regional or sector-specific importance that fall below EU-wide thresholds;

- Many called for clearer definitions for "end users" and "business users," especially in cloud and enterprise software markets if these were to be defined as a CPS.

With respect to the process of rebuttal of gatekeeper presumption, two types of concerns emerged:

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[3] Infrastructure-as-a-Service (IaaS) offers basic computing resources; Platform-as-a-Service (PaaS) provides a managed environment for building and running applications; Software-as-a-Service (SaaS) delivers fully hosted, ready-to-use software.

- From gatekeepers and affiliated entities: some perceived the rebuttal process as opaque and burdensome, requesting greater procedural safeguards and more consistent standards of proof.

- From other respondents: some argued that the Commission relies excessively on self-reported data and called for broader respondent input and verification during the rebuttal process.

Qualitative designations

Several respondents, including academics, SMEs, and civil-society organisations, encouraged greater use of qualitative designation, especially where quantitative thresholds do not capture market realities (frequently citing cloud services).

2.3. Obligations

General feedback

Several respondents, from different groups, considered that more guidance and clarification is needed to ensure consistent interpretation of obligations. Moreover, several respondents called for strengthening and expanding the scope of the existing obligations.

Gatekeepers and their affiliated entities in particular expressed concerns that several obligations are overly broad or inflexible, especially in view of rapid technological developments. They complained that compliance generates high operational and financial costs and that some obligations may undermine security or privacy.

Overall, obligations related to consent for data combination, self-preferencing, interoperability of operating systems and data-access provisions, were most frequently cited as requiring clarification or recalibration.

Proposed solutions included the definition of more targeted obligations, sector-specific adjustments, closer alignment with other EU digital legislation, regular impact assessments and formal mechanisms to lift outdated obligations.

Interoperability

Interoperability emerged as a recurring priority for SMEs, business users, civil society and consumer groups. Respondents highlighted the need for interoperability "by design", clearer technical standards and stronger obligations for messaging, operating systems and emerging AI-driven functionalities.

Self-preferencing

Many respondents, particularly SMEs, business users, civil society, and several academics, noted that self-preferencing remains a core concern. They argued that enforcement should extend beyond ranking to address product bundling, use of default settings, privileged access to data, and technical integrations that favour gatekeeper services.

Data access and portability

A large number of respondents called for clearer guidance on data access and data portability obligations, broader scope for business user data access and more effective mechanisms for data portability for both business users and end users.

User choice and autonomy

Some contributions asked for compliance solutions incorporating more effective user choice design, in order to enable users to make informed choices while mitigating the risk of bias. Proposals included stricter oversight of user decision-making interfaces and consent flows, which should be neutral, easily accessible, and standardised to the extent possible.

2.4. Enforcement of the DMA

General feedback

Several non-gatekeeper respondents expressed concerns about insufficiently robust enforcement. Several complained of slow processes, limited transparency, circumvention, delaying tactics by the gatekeepers, and user-interface designs that undermine meaningful choice. In particular, respondents called for strong enforcement in areas such as self-preferencing, data-sharing obligations, cloud markets, interoperability and advertising markets.

There were also calls for preserving the DMA's political independence, notably by ensuring that its application remains insulated from broader political considerations; requests to strengthen private enforcement mechanisms and to further reduce potential overlaps or inconsistencies with adjacent EU legislation in order to enhance legal certainty.

Gatekeepers and affiliated entities emphasised privacy, security and proportionality concerns, and indicated a preference for flexible dialogue-based enforcement rather than formal non-compliance procedures. They also called for more legal certainty and predictability in how the Commission interprets the DMA's obligations.

Transparency and information asymmetry

Respondents widely observed a significant information imbalance between the Commission and gatekeepers. Several called for more public information on enforcement priorities and non-confidential versions of preliminary findings. Some proposed DMA enforcement dashboards and clearer guidance on procedural expectations.

Some respondents, especially SMEs, business users and civil society, asked for greater involvement in non-compliance investigations, structured and confidential channels for reporting issues, templates for evidentiary submissions as well as a complaint mechanism similar to the one used in antitrust procedures.

Timely and effective enforcement

To address delays, respondents proposed binding timelines for the non-compliance procedures and use of interim measures. To ensure more effective monitoring, suggestions included mandatory independent audits of gatekeepers' solutions. Some respondents further proposed introducing mandatory testing of compliance remedies with public disclosure of test results to ensure effective enforcement.

Procedural framework

Feedback on procedural issues was consistent with broader enforcement concerns. Respondents requested more alignment with established antitrust procedures, clearer rules for regulatory dialogues, limiting information requests to essential elements, and reducing overlaps with the GDPR, the Data Act, the DSA, and the AI Act.

Gatekeeper-affiliated respondents stressed the need for procedural predictability and proportionate information requests, while non-affiliated respondents highlighted the need for faster, more structured processes.

NCAs and Member State involvement

Several respondents supported deeper involvement of national competition authorities (NCAs). Others, especially gatekeepers and those affiliated to gatekeepers, warned against fragmentation resulting from parallel enforcement under different legal frameworks. Some respondents called for more guidance on the application of Article 1(6) DMA and the parallel enforcement of the DMA and Member States' competition rules.

Sanctions and remedies

Several respondents argued that fines so far have been too low to deter non-compliance while penalties for repeat non-compliances should be higher. Furthermore, respondents suggested that sanctions could include limits on rolling out non-compliant products or structural remedies in cases of systemic non-compliance.

Gatekeepers, in contrast, argued for proportionate fines, based on EU revenues only and only for deliberate or repeated violations.

Tools and resources

Several respondents considered the Commission's tools to be sufficient but underutilised. A large number called for increased resources for enforcement, with some proposing that gatekeepers contribute to enforcement-related costs.

2.5. Gatekeepers' demonstration of compliance

Quality and transparency of compliance reports

Business users, SMEs, civil society, and some legal experts expressed concerns that public summaries of compliance reports lack sufficient detail, are not independently verified, and do not provide meaningful information for assessing outcomes.

Gatekeepers on the other hand emphasised the significant resources invested in compliance but argued that overly prescriptive reporting expectations could limit flexibility.

Several respondents supported the idea of independent audits, standardised templates, clearer benchmarks for assessing compliance and penalties for misleading or incomplete reporting.

End user awareness on DMA and transparency

Civil-society organisations proposed public repositories documenting DMA-driven changes, interactive portals explaining user rights and multilingual tutorials. Several end users echoed these proposals, particularly concerning transparency of consent flows and settings.

2.6. Impact and effectiveness of the DMA

Across nearly all respondent groups, there was a broad agreement that the DMA's real-world impact depends primarily on effective, timely, and transparent enforcement.

Respondents across several groups (SMEs, civil society, business users, academics) reported positive results but noted that the persisting gatekeeper influence can limit the effectiveness of certain solutions in practice. For example, they mentioned cumbersome consent or choice flows, limited interoperability in practice, restrictive app store conditions, and ongoing favourable treatment of gatekeepers' own services.

By contrast, gatekeepers and some affiliated entities emphasised uncertainty, fragmentation, and unpredictability as the main barriers to effectiveness, suggesting that more clarity rather than more enforcement is required. They also submitted that many of the gatekeepers' design choices reflect legitimate privacy, security and user-experience considerations, questioning DMA intervention in this area.

3. Summary of contributions received in reply to the consultation on AI

The questions covered the way respondents use AI-powered services for their activities, the challenges they face when using them, the likely evolution of the industry, as well as potential advantages that undertakings designated as gatekeepers under the DMA may already enjoy.

3.1. Key themes identified by respondents

The main themes in response to the consultation on AI covered the interoperability of AI-powered services, potential self-preferencing issues, data access, cloud dependencies, as well as the DMA's ability to address these AI-related issues.

Interoperability

Interoperability was repeatedly highlighted by respondents as a crucial DMA obligation in the AI context. Respondents explained that ensuring interoperability between core platforms services, such as operating systems, and AI-based services, including AI chatbots, is key. Some respondents also noted that gatekeepers' vertical integration and broad ecosystems risk creating incentives to impair effective interoperability and give rise to negative effects (e.g. user lock-in). Respondents also noted that effective interoperability with regards to AI-based services is currently lacking or costly and pointed to the development of standards as a desirable solution to tackle these issues.

Self-preferencing

Several respondents considered that certain gatekeepers treat their own AI products and services more favourably than those provided by others. Respondents highlighted the strategic importance of AI services to shape end user experiences. In this sense, several respondents noted a growing trend of deep integration of own generative AI technologies and advanced AI models, into gatekeeper ecosystems, to the detriment of third-party services that could have provided the same or similar services.

Access to data

Several respondents highlighted that access to data is a critical input to the development of alternative AI services. A key concern was the existence of proprietary datasets, which may harm the development of competitive AI markets. According to several respondents, this is compounded by the fact that gatekeepers leverage their CPSs to impose data sharing conditions on business users, including through the APIs they make available to business users. Nevertheless, several respondents considered that these issues are not insurmountable and are mitigated by the existence of public datasets.

Respondents also stressed the importance of access to cloud computing services for the training and deployment of AI models and services. A broad range of respondents expressed concern that there was large potential to lock users into cloud services, in particular because of the dependencies AI service providers have on so-called hyperscalers (Amazon's AWS, Microsoft's Azure and, to a lesser extent, Google's Cloud Platform). In addition, respondents observed that while cloud computing services were listed as a CPS under the DMA, none were designated. Several respondents also called for an expansion of certain DMA obligations to cloud services. On the contrary, some respondents considered that cloud markets were not prone to tipping.

3.2. The role of the DMA in fostering contestability and fairness in AI services

Respondents generally highlighted the importance of the DMA in ensuring the development of fair and contestable markets in the AI era.

Several respondents called for firm enforcement of existing rules. According to these respondents, the DMA can help address the challenges posed by gatekeepers' AI models and services. In particular, respondents highlighted that improving interoperability of operating systems with third party AI services, through Article 6(7) DMA, and promoting access to high quality data for AI models, for instance through Article 6(11) DMA for the search engine component, were critical to promote contestability and fairness. Similarly, respondents called for the designation of cloud services. Among the respondents who support strong enforcement of existing rules, several called for the clarification of various rules through specific guidance, such as regarding self-preferencing, interoperability, and data access.

Other respondents advocated for the extension of the DMA scope to tackle AI related contestability and fairness issues. Some called for the addition of a specific CPS category which would cover generative AI services, such as AI models and chatbots, or the extension of the definition of search engines to explicitly include AI services. In relation to data-related obligations, respondents suggested extending the data sharing obligations to include, for instance, the transfer of model parameters, and chatbot chat history. Others called for the reinforcement of Article 6(12) DMA for gatekeepers to apply fair, reasonable and non-discriminatory conditions to content licencing. In addition, business users active in publishing called for the reinforcement of Article 6(5) to explicitly cover self-preferencing practices in relation to AI services.

Finally, a smaller set of participants, including gatekeepers and parties affiliated with them, called for caution in intervening in the AI sector. In their view, the sector is currently characterised by strong competition and does not present the potentially problematic structural

characteristics of other digital services. In addition, several respondents consider that any regulatory action in AI-powered services would be premature as these services are still young.

4. Conclusion

The consultations generally showed broad support for the DMA's goals of ensuring fair and contestable digital markets, and respondents across different categories, identified early positive effects. These included more consistent browser and app-choice opportunities, the ability to uninstall default applications, the emergence of alternative app marketplace options on Apple's iOS, more freedom regarding app distribution (including conclusion of contracts and in-app purchases), and new data portability solutions.

However, many respondents also highlighted implementation challenges requiring more effective enforcement. In this respect, many respondents agreed that, to contribute to achieving the DMA's objective of fairer and more contestable digital markets, enforcement of the DMA needs to be sustained, effective and well-resourced.

Gatekeepers and several respondents affiliated to gatekeepers voiced a number a criticisms notably regarding negative impact on innovation and user experience, as well as concerns that implementation of certain obligations is disproportionate.

Overall, there is a call for more predictable, rigorous, transparent, and timely enforcement, while another recurrent theme is the call to expand and future-proof the DMA's scope, in particular on the DMA's application to cloud and AI.

The Commission will further reflect on the contributions received in response to its consultations while preparing its review report in accordance with Article 53 of the DMA.