7th November 2023

Dear Commissioner Reynders

DMA Enforcement and Google's Comparison Shopping Service

Firstly, we congratulate you and your teams on completing the designation process under the Digital Markets Act ("DMA"), which is vital to the restoration of fair competition in many digital markets – not least, the markets for comparison shopping services ("CSS") in which we operate.

In particular, we applaud your designation of Google Search and Google Shopping as core online search and online intermediation service respectively.

We hope that these designations will stop Google's continuing self-preferencing in online search rankings, but Google's actions so far suggest otherwise. We are extremely concerned that unless the rules are enforced effectively and quickly, **Google's anti-competitive practices will continue**. That could sound the death knell for our industry, which has already contracted substantially as a result of Google's behaviour:

(a) Google's units with paid results specialised on products (Shopping Ads) continue to provide Google's CSS directly on the search engine results pages (SERP) of its designated online search service. This is **contrary to Article 6 (5) of the DMA**, which says a gatekeeper shall not treat its own services more favourably than those of its rivals. At present, no rival CSS can compile and display equivalent units on the SERP, based on their specialised algorithms. Our websites are (still) demoted in organic results, unless they themselves become customers of Google's CSS.

(b) Google is now **doubling down on this self-preferencing** and has begun placing yet more CSS functionality on the SERP through the display of new groups of results specialised in a comparison of products and prices, using grid-like formats with product and shopping results ("product grids") and large boxes with wide-ranging information and offers for particular products ("product viewers"). Both features are further interfaces of Google's CSS that Google has embedded in its SERP. Some examples of these formats can be seen in the Appendix to this letter.

(c) Google claims that placing CSS results within these units is equal treatment, but placing rivals within its own CSS service places them one or more steps behind Google in trying to attract users. Moreover, currently, it is Google alone who determines which products and prices of which offers appear on its SERP and the format and position of their display. Hence, it is Google who **provides the specialised comparison shopping service to end users** - not any CSS appearing in the units that Google displays. According to Recital (51), this practice is clearly illegal.

(d) Furthermore, these new units take up so much of the SERP with Google's CSS functionality that any remaining rival CSSs are automatically bumped down and suffer from even **further reduced visibility and a diminishing chance** to attract users to their competing services.

Far from becoming DMA-compliant, Google shows its contempt not just for competition in the CSS market, but for European consumers and the European institutions. Its behaviour goes directly against the European Commission's vital work to ensure open competition in digital markets; it deprives European consumers of the benefits of more competition, greater choice, and lower prices exactly when they need them the most – during a cost of living crisis.

We cannot wait until March 2024 when the DMA comes into force to put a stop to these practices **because they are harming us now.** We have spent more than a decade fighting Google on the Shopping case, and we continue fighting even as Google has methodically and irreversibly taken over our industry in that time. It is apparent that Google's strategy is to play for time. If this behaviour persists, **we will be wiped out**. That is why we urge you to be swift and firm in your enforcement. The European Commission must take steps to ensure that Google cannot continue to ignore its obligations.

We remain confident in the DMA and in the European Commission's ability to enforce it successfully and we stand ready to support the European Commission in bringing back competition and choice for European consumers in comparison shopping.

Yours sincerely

[Co-signed by CEOs]

Harald Schiffauer	**András Szták**	**Daniel Haeseler**
Managing Director	*Managing Director*	*Managing Director*
guenstiger.de GmbH	Online Comparison Shopping Kft	Partner Holding GmbH
agrep.hu	arukereso.hu	*auspreiser.de*
(Hungary)	(Hungary)	(Germany)

Bernd Vermaaten

Managing Director

solute GmbH

billiger.de

(Germany)

David Creslovnik

CEO

Ceneje d.o.o

ceneji.si

(Slovenia)

Marcin Łachajczyk

Paweł Kowalski

General Manager, CTO

Ceneo.pl Sp.z.o.o

Ceneo.pl

(Poland)

Frédéric Laignel

CEO & Founder

i-Comparateur SARL

i-comparateur.com

(France)

Joris Verwater

CEO

Compare Group

vergelijk.nl

(Netherlands)

András Szták

Managing Director

Online Comparison Shopping Kft

compari.ro

(Romania)

Jan Zajíc

Managing Director

Favi online s.r.o.

favi.cz

(Czech Republic)

Marcus Nigl

CEO

Preisvergleich Internet Services AG

geizhals.at

(Austria)

Harald Schiffauer

Managing Director

guenstiger.de GmbH

guenstiger.de

(Germany)

David Chmelař

CEO

Heureka Group a.s.

heureka.cz

(Czech Republic)

Javier Vargas

CEO

Hometiger GmbH

moebel24.de

(Germany)

Albrecht von Sonntag

Managing Director

idealo internet GmbH

idealo.de

(Germany)

David Creslovnik

Managing Director

sMind d.o.o

jetfinije.hr

(Croatia)

Richard Stables

CEO

Kelkoo Group

kelkoogroup.com

(United Kingdom)

Pedro Pimenta

CEO & Founder

Paginadotcom S.A.

kuantokusta.pt

(Portugal)

Philipp Appelt

Managing Director

Ladenzeile GmbH

ladenzeile.de

(Germany)

Steve Thomas

General Counsel

LeGuide.com SAS

leguide.com

(France)

Michael Röcker

CEO

LionsHome GmbH

lionshome.de

(Germany)

Daniel Haeseler

Managing Director

Panther Holding GmbH

auspreiser.de

(Germany)

András Szták

Managing Director

Online Comparison Shopping Kft.

pararuvaj.com

(Bulgaria)

Waleed Hussain

Managing Director

comparado GmbH

preis.de

(Germany)

Mikael Lindahl

Managing Director

PriceRunner International AB

pricerunner.com

(Sweden)

Pedro Pimenta

CEO & Founder

Paginadotcom S.A.

kuantokusta.pt

(Portugal)

Jorge García Betanzos

CEO

Gembira Tech S.L.

runnea.com

(Spain)

Florian Geuppert

CEO

Stylight GmbH

stylight.de

(Germany)

Caspar v. Seckendorff

Managing Director

Producto GmbH

testberichte.de

(Germany)

Marco Pescarmona

Chairman

7Pixel srl

trovaprezzi.it

(Italy)

Appendix: Screenshots

Existing PLA remains in place

New format doubles down:
- Similar CSS features
- Uses most of the page (several times below the fold)
- Enhances effect of CSS demotions,
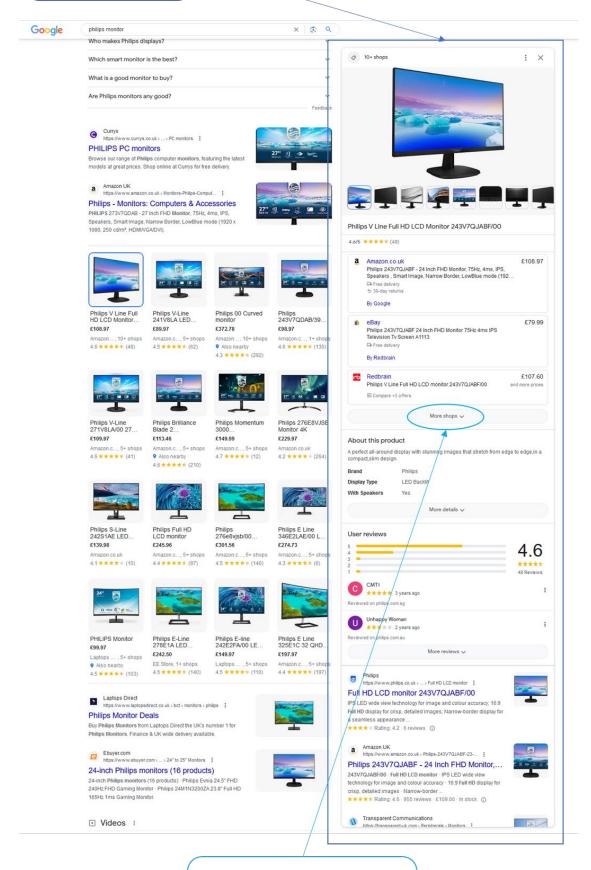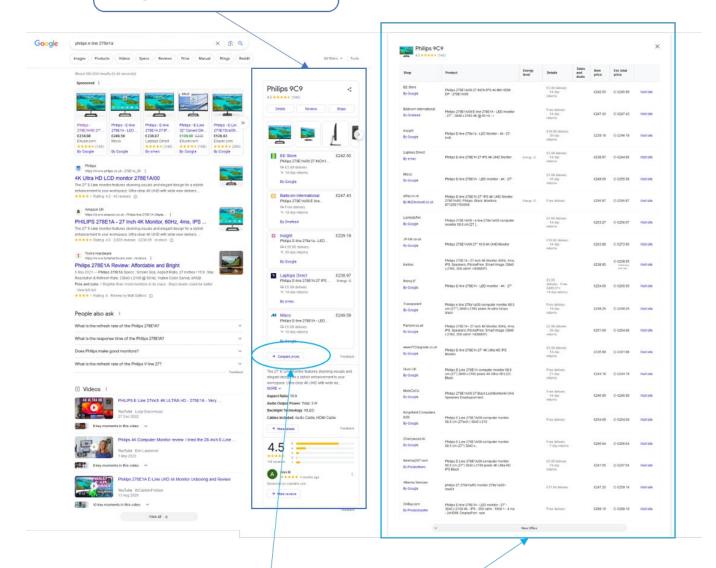
Clicking on one of the product results brings up the Product Viewer with further CSS-like features

Whilst CSSs can appear, the interface is targeted towards comparing prices amongst retailers

See e.g. the 'More Shops' button

Where a search query is for a specific product, this unit is displayed by default, showing CSS like features.

Note the 'Compare Prices' button….

Which then brings up this further price comparison feature: