

EU Digital Markets Act

Overview of recent developments

Date	Event
1 November 2022	The DMA is officially implemented . The majority of the obligations thereunder become effective by May 2023.
3 July 2023	<p>Deadline for initial gatekeeper notifications. Amazon, Apple, ByteDance, Meta, Microsoft and Samsung all notified the European Commission of their potential status as “gatekeepers” on the basis that they, and certain CPS they operate, meet the quantitative thresholds set out in the DMA.</p>
6 September 2023	<p>The Commission designates six gatekeepers: Alphabet, Amazon, Apple, ByteDance, Meta and Microsoft, in respect of 22 CPS, following a 45 working day review process.</p> <p>Non-confidential versions of the Commission’s designation decisions were later published on the Commission’s dedicated DMA webpage.</p> <p>The Commission opens five market investigations, to assess:</p> <ul style="list-style-type: none"> ▪ Microsoft’s and Apple’s submissions that certain other CPS are not important gateways and should not be designated, despite meeting the quantitative thresholds; and ▪ whether Apple’s iPadOS should be designated, despite not meeting the quantitative thresholds. <p>The Commission decides not to designate Gmail, Outlook.com and Samsung Internet Browser, as Alphabet, Microsoft and Samsung respectively provided sufficiently justified arguments showing that these services are not important gateways for business users to reach end users. It follows that Samsung is not designated as gatekeeper with respect to any CPS.</p>
9 October 2023	<p>The Commission publishes the template for the compliance report that each designated gatekeeper must submit under the DMA. The compliance reports must include, in a detailed and transparent manner, all relevant information needed by the Commission to assess designated gatekeepers’ compliance with the DMA. The reports must cover all CPS listed in the relevant designation decision.</p> <p>Designated gatekeepers must submit compliance reports within six months from designation and update them at least once a year.</p>
12 February 2024	<p>The Commission adopts decisions closing four of the market investigations launched on 6 September 2023, finding that Apple and Microsoft should not be designated as gatekeepers for the following CPS: Apple’s messaging service iMessage, Microsoft’s online search engine Bing, web browser Edge, and online advertising service Microsoft Advertising.</p>

Date	Event
1 March 2024	The Commission receives notifications from Booking, ByteDance (in respect of its TikTok Advertising service) and X (formerly Twitter) , about their services potentially meeting the DMA thresholds.
7 March 2024	Apple, Alphabet, Meta, Amazon, Microsoft and ByteDance, the six gatekeepers designated by the Commission in September 2023, must fully comply with all obligations in the DMA. From this day, gatekeepers must prove their effective compliance with the DMA and outline the measures undertaken in compliance reports submitted to the Commission. Public versions of those reports are accessible on the Commission's dedicated DMA webpage . The gatekeepers also have to submit to the Commission independently audited descriptions of any techniques used for profiling consumers, along with non-confidential versions of those reports.
18-26 March 2024	The Commission hosts a series of public technical workshops at which gatekeepers present their compliance measures and stakeholders can ask questions.
25 March 2024	The Commission opens non-compliance investigations against Alphabet, Apple and Meta due to concerns that the measures these gatekeepers put in place fall short of effective compliance with their obligations under the DMA. The Commission also adopts orders addressed to Alphabet, Amazon, Apple, Meta, and Microsoft, requiring them to retain documents deemed relevant under the DMA, which might be used to assess their compliance with the DMA obligations.
29 April 2024	The Commission designates iPadOS , Apple's operating system for tablets, closing the last of the five investigations opened on 6 September 2023.
13 May 2024	The Commission designates Booking.com as a gatekeeper in respect of its online intermediation service. From this date, Booking.com has six months to comply with the substantive obligations under the DMA. At the same time the Commission also opens a market investigation into X (formerly Twitter) , and decides not to designate TikTok Ads and X's advertising service.