

CASE SUMMARY

CASE DMA.100209 – SP – ALPHABET – ARTICLE 6(11)

GOOGLE SEARCH DATA SHARING

On 5 September 2023, the Commission adopted [a decision](#) designating Alphabet as a gatekeeper under the Digital Markets Act (DMA) for a number of its services, including its online search engine Google Search. As a result, Alphabet must comply with the obligations set out in the DMA. Under Article 6(11) of the DMA, Alphabet must share anonymised online search data with third-party search engines under fair, reasonable and non-discriminatory (FRAND) conditions.

On 27 January 2026, the Commission [opened proceedings](#) pursuant to Article 20(1) of the DMA in view of specifying the measures Alphabet must put in place to effectively comply with its online search data sharing obligations. The purpose of the proceedings is to detail the measures that Alphabet must take, as to achieve effective compliance with the online search data sharing obligation of the DMA.

On 16 April 2026, the Commission adopted its preliminary findings setting out the proposed measures that Alphabet should implement to ensure effective online search data sharing with third-party online search engines. Interested third parties are now consulted on these measures, and in particular on their effectiveness, completeness, and implementation timelines. These measures are preliminary and might be adjusted subject to feedback from third parties and Alphabet, as well as further investigative steps.

In summary, the proposed measures cover five areas:

Eligibility

The proposed measures on eligibility specify which third parties are eligible to receive search data under Article 6(11) of the DMA. The proposed measures specify that beneficiaries must operate an online search engine in the EEA to be eligible to receive the search data. This includes AI chatbots that provide online search engine functionalities.

Data scope

The proposed measures on data scope specify which data Alphabet must share to effectively comply with Article 6(11) of the DMA. The proposed measures specify that the principle of parity guides the scope of the search data that Alphabet must provide. In application of this principle, Alphabet must share all query, view click and ranking data which it collects for the purpose of optimising its search services, subject to the anonymisation requirement. This includes:

- *Query data*: queries entered by end users into Google Search on any access point, any modifications made by end users and Alphabet to initial queries, and any other metadata about the users and their queries.
- *View data*: all URLs and visual content which are displayed on search engine result pages, served to end users in response to their queries and are viewed by them (i.e., they generate an impression), no matter their type, format, structure or tab in which they are included.

- *Ranking data*: the URL's position on the results page as displayed on the user's device, the URL's ordinal position in relation to other URLs presented on the results page and any other information on the URL's relative and absolute position, prominence and visibility on the results page, as displayed on the user's device.
- *Click data*: all data on user interaction with the results page as displayed on the user's device, including the type, timing, order and duration of user actions, or lack thereof.

The proposed data scope measures specify that Alphabet must exclude invalid traffic from the shared search data and make available an API or equally effective tool to share the data with third parties, at a frequency on par with Alphabet's own frequency of access to the same data, and for a duration that can reasonably enable third parties to optimise their online search services, which is for at least five years.

Anonymisation

The proposed anonymisation measures specify how Alphabet must anonymise the search data, taking into account the Joint Guidelines of the Commission and of the European Data Protection Board on the interplay between the DMA and the General Data Protection Regulation (GDPR).¹ The proposed measures consist of technical measures complemented with contractual measures to reduce the likelihood of re-identification of end users that issued the queries as follows:

- *Technical measures* alter the search data to reduce the likelihood of re-identification of end users to a residual level without unnecessarily degrading the quality or usefulness of the search data.
- *Contractual measures* include a set of administrative, contractual and organisational measures that complement the technical measures to further reduce the likelihood of re-identification of end users to an insignificant level.

The proposed technical measures require Alphabet to release data daily and to (i) suppress a number of direct identifiers and other identifying attributes from search records (e.g., account identifiers and IP addresses), (ii) suppress long queries and queries that contain rare words and combination of words, (iii) generalise metadata such as location and device type, and (iv) limit session data to queries that are refinements of previous queries.

The proposed contractual measures further mitigate the residual risks stemming from data processing by eligible beneficiaries. In substance, they ensure that data recipients are legitimate and have concrete and verified plans to use the data to optimise their online search engine services, and they prohibit beneficiaries from attempting re-identification (e.g., by linking the search dataset with auxiliary datasets), using the dataset outside of the purpose of optimising online search engine services, retaining the data beyond 13 months, and onward sharing of the dataset. The proposed contractual measures also require beneficiaries to protect the integrity and confidentiality of search data from unlawful access by unintended recipients (e.g. by requiring encryption of data at rest

¹ Joint EDPB and Commission guidelines on the interplay between DMA and GDPR, version for public consultation, available at: https://digital-markets-act.ec.europa.eu/document/download/8ba0913f-2778-4a6d-9c58-10f8c7ead009_en?filename=Joint_COM-EDPB_GLS_interplay_DMA_GDPR_for_public_consultation.pdf

and in transit). Finally, to verify implementation of the contractual measures, beneficiaries are subject to an independent verification mechanism, consisting of an independent audit prior to accessing the search data and annual monitoring audits to maintain such access. The scope of the assurance engagement and the corresponding assurance objectives are defined by the Commission.

Pricing terms

The proposed measures on pricing terms specify the remuneration that Alphabet can claim from beneficiaries under the FRAND requirements of Article 6(11) of the DMA. The proposed measures specify that FRAND pricing corresponds to incremental cost-based pricing, where eligible beneficiaries pay only the incremental costs incurred by Alphabet for sharing the search data, plus a reasonable return on capital employed for that purpose. Exceptional circumstances may justify an additional margin. The pricing terms will apply for a period of five years, after which Alphabet may renegotiate terms with beneficiaries.

Process for data acquisition and pre-acquisition data testing

The proposed measures on process specify how Alphabet must make the data available to beneficiaries under the Article 6(11) of the DMA. The proposed measures specify:

- The testing samples that Alphabet must make available. Alphabet must provide three types of testing samples: one small testing sample provided free of charge, a synthetic data sample, and a 5% sample of the search data subject to beneficiaries meeting all conditions for accessing search data.
- The process that Alphabet must follow to review the eligibility of requesting third parties, and for refusing, suspending and terminating access to the search data.
- The timeline in which Alphabet must make the search data available in a way that complies with the specified measures in the Commission's implementing act.

The proposed measures on refusal, suspension, termination and financial penalties aim to ensure that Alphabet can enforce the contractual measures described above while guaranteeing that it does so on FRAND terms.