

# The Digital Markets Act: Giving choice to app developers and end users

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# The DMA and promoting choice



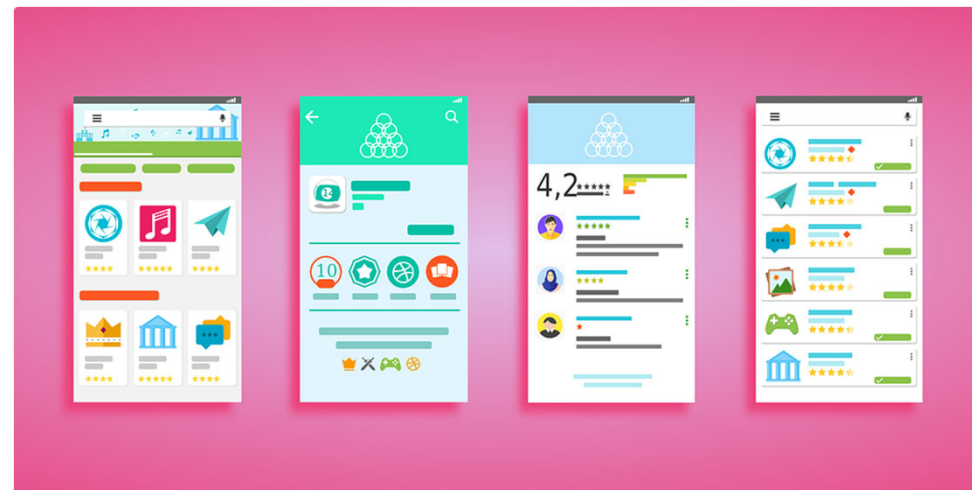
- *Why is the promotion of choice so important to the DMA?*
  - DMA wants to ensure 'contestable and fair markets in the digital sector [...]' (Article 1(1) DMA)
  - Network effects, lock-in, lack of multi-homing → decrease in choice for business and end users (Recital 2 DMA)
  - Platform envelopment = reduced choice



# App stores in the DMA



- Software application store: 'a type of online intermediation services, which is focused on software applications' (Article 2(14) DMA)
- 28 mentions of *software application stores* in the DMA (!)
- Provisions connected to app stores
  - Recitals 41, 43, 46, 48, 49, 50, 51, 62
  - Definition in Article 2(14) DMA
  - Obligations under Article 5 DMA (paras 3, 4, 5, 7)
  - Obligations under Article 6 DMA (paras 4, 5, 12)



# App stores in the DMA



Core platform  
service (CPS)  
*Art 2(2)(a) &  
Art 2(14)  
DMA*

**Gate-  
keeper**

Qualitative &  
quantitative  
thresholds  
*Art 3(1) & Art  
3(2) DMA*

Designation  
*Art 3(3) DMA*

Pictures: company websites

## Article 5(4) DMA for app stores



The [app store provider] shall allow [app developers], free of charge, to communicate and promote offers, including under different conditions, to end users acquired via its [app store] or through other channels, and to conclude contracts with those end users, regardless of whether, for that purpose, they use the [app store] of the [app store provider].

## Article 5(5) DMA for app stores



The [app store provider] shall allow end users to access and use, through its [app store], content, subscriptions, features or other items, by using the [app] of a[n app developer], including where those end users acquired such items from the relevant [app developer] without using the [app store] of the [app store provider].

## Article 5(7) DMA for app stores



The [app store provider] shall not require end users to use, or [app developers] to use, to offer, or to interoperate with, an identification service, a web browser engine or a payment service, or technical services that support the provision of payment services, such as payment systems for in-app purchases, of that [app store provider] in the context of services provided by the [app developer] using that [app store provider]'s [app store].




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