

Scope of EU Digital Markets Act (DMA) for non-EEA Companies

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Please specify for
the specific case:

Company:

Material scope:

Is there a core platform service involved in the business activities of the company?
Specify the core platform services.

"Core platform service" refers to any of the following:

- online intermediation services
- online search engines
- online social networking services
- video-sharing platform services
- number-independent interpersonal communications services
- operating systems
- web browsers
- virtual assistants
- cloud computing services
- online advertising services

1(2) DMA

2(2),
2(5)-(13),
DMA

Core platform
services:

Yes

No

Personal
scope:

If there is a core platform service, has a gatekeeper been designated by the EU Commission?

"Gatekeeper" refers to an undertaking providing core platform services and designated by the EU Commission. The following companies have been designated for the following core platform services:

- Alphabet: Google Maps, Google Play, Google Shopping, Google Ads, Chrome, Google Android, Youtube, Google Search
- Amazon: Amazon Marketplace, Amazon Ads
- Apple: App Store, Safari, iOS, iPadOS
- Booking.com: Booking.com
- ByteDance: Tiktok
- Meta: Facebook, Instagram, Meta Marketplace, Meta Ads, Whatsapp, Messenger
- Microsoft: LinkedIn, Windows PC OS

1(2), 2(1),
3(4) DMA

Commission
Decisions
C/2023/548,
549, 551,
552, 905,
1092 and
C/2024/4360

Gatekeeper:

Yes

No

If there is no designation as gatekeeper, does the company meet the thresholds to be designated as a gatekeeper, i.e.:

- It has a significant impact on the internal market, i.e., it achieves an annual EEA turnover equal to or above EUR 7,5 billion in each of the last three financial years, or where its average market capitalization or its equivalent fair market value amounted to at least EUR 75 billion in the last financial year, and it provides the same core platform service in at least three EEA member states;
- It provides a core platform service which is an important gateway for business users to reach end users, i.e., it provides a core platform service that in the last financial year had at least 45 million monthly active end users established or located in the EEA and at least 10'000 yearly active business users established in the EEA, identified and calculated in accordance with the methodology and indicators set out in the Annex to the DMA; and
- It enjoys an entrenched and durable position, in its operations, or it is foreseeable that it will enjoy such a position in the near future, i.e., the thresholds mentioned immediately above (ii.) according to article 3(2)(b) DMA were met in each of the last three financial years.

3(1)-(2)
DMA

Thresholds:

Yes

No

Territorial
scope:

If there is a core platform service of a gatekeeper, is the core platform service being offered or provided to business users established in the EEA or end users established or located in the EEA?

1(2) DMA

EEA countries:

Yes

No

DMA applies 

DMA not applicable