

From: Eva Ljungbert
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Attachments: 202101 DMA Comments.pdf

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Från: Maija Salvén Haas <maiija@apple.com>
Skickat: den 8 februari 2021 16:04
Till: Eva Ljungbert <eva.ljungbert@regeringskansliet.se>
Ämne: Contact Apple // Exchange on DMA&DSA

Dear Eva

Please let me introduce myself to you as your contact point for public policy, regulatory issues and government affairs at Apple. This function is very new, therefore this is the first opportunity for me to reach out to you. I hope we will have the opportunity for a personal encounter soon.

At Apple, we hope that our insight into the digital economy may offer a useful perspective for you, so I would like to suggest a digital meeting to exchange views on the European proposals for a Digital Market Act (DMA) and a Digital Services Act (DSA).

The DMA and the DSA will shape Europe's digital economy and set the course for the success of digital business models, ranging from platforms to individual start-ups. We therefore believe that it is of crucial importance to take all stakeholders' considerations on board to be able to find a solution that provides legal certainty, economic effectiveness as well as flexible options for future development and innovation.

In the attached paper, we try to set out in more concrete terms, what we see as the promises and challenges of the proposed DMA.

As regards the DSA, we would highlight the following elements:

- The principles of country of origin (COO), freedom to provide services and limited liability have been fundamental to the growth of an innovative digital eco-system. They allowed companies to operate seamlessly and at scale across all Member States deliver customer choice and innovation.
- A regulatory framework should provide incentives to platform/ intermediaries to put in places measures that mitigate against the distribution of illegal content.
- The regulatory framework needs to apply to a broad range of service providers, which are very different from one another, and therefore needs to accommodate some flexibility.
- A functioning EU single market requires a harmonised governance structure based on clear rules and procedures, an open and transparent decision-making processes, as well as consistency and predictability.

We at Apple appreciate the opportunity to provide our views and hope to have the opportunity to participate as a constructive partner in the development of an adequate policy approach and regulatory framework.

Therefore I would like to propose a digital meeting to discuss these points with you. Please feel free to propose some time slots and I will be happy to set up a Webex call.

In case of interest, I may also point out that my colleague Kyle Andeer, VP Corporate & Compliance Law, is speaking at a CERRE event tomorrow at 16h CET on a panel about the obligations set out in the Commission DMA proposal.

You can watch the event here: <https://cerre.eu/events/digital-markets-act-dma-prohibitions-obligations/>

I am looking forward to hearing from you and remain with kind regards,

Maija Salvén Haas

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