

From: Eva Ljungbert
Sent: Wed, 21 Apr 2021 12:47:10 +0200
To: N Registrator
Subject: VB: Summary Key Points DMA
Attachments: DMA short.pdf

Från: Maija Salvén Haas <maija@apple.com>
Skickat: den 20 april 2021 16:57
Till: Linn Berggren <linn.berggren@regeringskansliet.se>; Eva Ljungbert <eva.ljungbert@regeringskansliet.se>
Ämne: Summary Key Points DMA

Dear Linn, dear Eva

I realise it's been a while since we exchanged views on the DMA, and discussions in the meantime have been intense on all sides.

Please find attached a one-pager summarising the key points we discussed, and which we believe still need to be resolved. We at Apple fully agree that the objective of the EU legislation, and the Digital Markets Act, should be to promote competition and innovation in the EU, as well as consumer choice and protection, and - last but not least - data sovereignty.

In order to do this, it is equally important to capture, sanction and prevent negative effects, as well as allow for positive behaviour that enhances the functioning, security and trust in digital business.

The DMA proposal in its current form, unfortunately, equates “size” with “harm”, and applies a one-size-fits all approach to very diverse products, markets and companies. This risks to undermine important protections and limit choice for consumers, and lead to less business opportunity in Europe.

We therefore advocate for

- more differentiation, case-by-case, in assessing the behaviour and effects of platforms (and so called gate-keepers); and more differentiation in applying specific obligations
- a genuine and ongoing regulatory dialogue that serves to increase the understanding of regulators and enables them to apply the appropriate remedy to a specific situation; incl. stronger procedural safeguards

We are of course available for any further conversation around the DMA or other topics, and happy to go into more detail about the individual elements especially of Art 5 and Art 6.

Should you have any questions about this or any other points, please do not hesitate to get in touch. I hope you find this helpful!

With best regards,
Maija

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