P2B - Here they are: New EU rules imposing more transparency and fairness on online platforms and search engines

WHAT HAPPENED?

A new EU Regulation imposing **transparency, fairness, predictability and trustfulness upon online platforms and search engines** has just been adopted on 20 June 2019, waiting to make its appearance on the EU Official Journal.

WHY THE NEED FOR A NEW REGULATION?

Online intermediation services present an **opportunity for businesses** to expand their market scope and commercial prospects. They **benefit consumers**, who are exposed to a higher choice of goods and services. However, they also raise challenges, particularly the need to **protect the interests of business users**, who might find themselves in a position of dependence, especially medium- or small-sized companies.

The balance of power in the “P2B – Platform to Business” is ultimately comparable to that in the business to consumer relationships.

In particular, the following issues may arise:

- Online engines and **platform rankings** can have a strong impact on consumer choices, and platform owners have the power to unilaterally harm (or favour) the business websites using them;
- In some cases online intermediaries gain extraordinary power as all the market users concentrate on and only use the **most popular platform**, de facto excluding the competition, so that online platform behaviour might basically dictate the market success or failure of the undertakings using them;
- Platforms are liable to occupy **dominant positions** – which makes it paramount to prevent them from any possible abuse from a competition law viewpoint.

The aim of the new Regulation is to grant businesses a more predictable relationship with online platforms and provide access to effective and swift means of redress.

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