From: lundi 10 janvier 2022 13:05 Sent: To: STENGG Werner (CAB-VESTAGER) Cc: ; PAPANDROPOULOS Penelope (CAB-VESTAGER);

> (HR) Re: DMA /book and audiovisual sector

Attachments: DSA AV Sector Proposed AMs Plenary Vote Jan 2022[44].docx

Dear Ms Papandropoulos,

Following M Stengg's message, please find attached the list of amendments proposed by the Coalition on the DSA for the Plenary.

Our group remains at your disposal to speak of the DMA and the DSA.

Very best regards,

Subject:

On behalf of:



De: STENGG Werner < Werner. Stengg@ec.europa.eu>

Date: samedi, 8 janvier 2022 à 09:12



Objet: RE: DMA /book and audiovisual sector

Dear

Many thanks for your message. Please get in touch with Ms Papandropoulos (in copy), who is leading on the DMA within our cabinet.

Kind regards

Werner Stengg

From:

Sent: Friday, January 7, 2022 4:41 PM

To: STENGG Werner (CAB-VESTAGER) < Werner.Stengg@ec.europa.eu>

Cc:

@fiad.eu>;

Subject: DMA /book and audiovisual sector

Dear Mr Stengg

We are a coalition representing stakeholders from both the book and the audiovisual sectors.

These two sectors have faced important changes with the establishment on our territories of huge digital platforms tackling the market of our industries.

Indeed, their important gatekeeper power has made them unescapable for us.

At the same time, access to data is key for all areas of business, including ours.

When Amazon sells online a book whether directly or on behalf of the publisher, it is the only one to have access to the data deriving from this transaction, including qualitative information on the purchaser's profile.

The **same** is true for the audiovisual sector regarding **Amazon Prime**. But European SMEs need access to the data generated with their works and products.

Therefore, during the negotiations in Parliament and Council on the DMA, we have advocated for the addition of the "ancillary services" to Article 5 and 6 (particularly article 6.i that gives access to data) so as to reach this goal. This advocacy has been heard.

Nonetheless, a final clarification was needed on the definition of ancillary services, and we requested a new Recital 14a as follows:

Amendment 244

Recital 14 (a) new: Gatekeepers may also provide other ancillary services, for instance retailing or distribution activities, that are targeted at end users alongside their core platform services. Such ancillary services can compete with business users of the core platform service and contribute significantly to the imbalance in a given market and ultimately increase unfairly the gatekeeper's power, including in relation to the gatekeeper's business partners, such as suppliers of goods or services, relying on such ancillary service. To prevent gatekeepers from unfairly benefiting from the leverage provided by provision of parallel services, such ancillary services should also be subject to the obligations applicable to core platform services."

This amendment was adopted during the plenary session of Parliament.

On the eve of the trialogue, we would therefore be glad to have the opportunity to explain you our views on this topic and we remain at your disposal to fix any date that would suit you.

Very best regards,

On behalf of :

