

[REDACTED]

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**From:** [REDACTED] (CNECT)  
**Sent:** Tuesday, 7 July 2020 10:17  
**To:** [REDACTED]  
**Cc:** [REDACTED] (CNECT); CNECT F2; [REDACTED] (CNECT); [REDACTED] (CNECT); [REDACTED] (CNECT); [REDACTED] (GROW); [REDACTED] (GROW); CNECT F2 [REDACTED]  
**Subject:** RE: Thank you

Dear [REDACTED],

Thanks for sharing the list of participants, no need to have their email address, I think we have them from our bilateral meetings.

Thanks for the agenda, indeed a lot of points for one hour discussions. Let's see; looking forward to discuss your submissions to the IIAs!

Best,

[REDACTED]

**From:** [REDACTED] <[REDACTED]@ccianet.org>  
**Sent:** Monday, July 6, 2020 8:28 PM  
**To:** [REDACTED] (CNECT)  
**Cc:** [REDACTED]@ccianet.org; [REDACTED] (CNECT)  
[REDACTED] (CNECT)  
[REDACTED] (GROW)  
**Subject:** Re: Thank you

Dear [REDACTED] thank you for confirming. I have shared the dial-in details with the following people (please let me know if you need their email addresses):

Google	[REDACTED]
Google	[REDACTED]
Cloudflare	[REDACTED]
Wolt	[REDACTED]
Samsung	[REDACTED]
eBay	[REDACTED]
Amazon	[REDACTED]
Amazon	[REDACTED]
Rakuten	[REDACTED]
Rakuten	[REDACTED]
Facebook	[REDACTED]
Uber	[REDACTED]

Please also see below my proposed agenda, please let me know if you have any comments or suggestions. As you can tell, this is quite ambitious. I don't think we'll be able to get through everything, but would be most thankful if we do manage to get through at least the first 3 topics.

1. Introductions
  - Brief Introduction to CCIA and Membership
  - The role of the digital “gatekeeper”
2. Comments on CCIA Ex-Ante/NCT IIA Responses
  - “Choice” vs. “Efficiency”
  - “Contestability”
  - “Tipping Markets”
  - “Fairness”
  - Consumer Protection and Behavioural Economics
  - Other Feedback/Comments
3. Conduct
  - Leveraging for competitive advantage in new markets
    - Data.
    - Other Resources.
  - Self-Preferencing distorting existing competition
    - on supply-side (platform discriminates supplier access to platform services in favour of its own suppliers).
    - on demand-side (platform biases platform services offered to users to its own suppliers' benefit).
    - on platform level (platform favours its own inputs for platform-level competition).
  - Access to Data / Infrastructure to promote competition
  - Bargaining Power & Information Asymmetries
  - Other (if you could let us know in advance any other types of concerns you have this would help our preparation greatly).
4. Identifying Gatekeepers:
  - Market power vs. Market structuring
  - Relevant Factors
  - Thresholds
5. Scope of Procedures
  - Ex-Ante
    - Gatekeeper Status
    - Conduct
    - Enforcement
    - Penalties and Remedies
  - NCT
    - Powers and Penalties
    - Timing
    - Fair Hearing
    - Remedies and Market Testing
    - Modification of Remedies
6. Judicial Protection

Best,

On Mon, Jul 6, 2020 at 1:17 PM [REDACTED] [ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)> wrote:

Dear [REDACTED],

On our side, the meeting is still valid for tomorrow afternoon using the details below, and as confirmed previously, both CNECT and GROW colleagues will participate. The list of attendees would be indeed useful in case your members will participate broadly.

Best regards,

From: [REDACTED] [ccianet.org](mailto:[REDACTED]@ccianet.org)>

Sent: Monday, July 6, 2020 10:42 AM

To: [REDACTED] (CNECT)

Cc: [REDACTED] [ccianet.org](mailto:ccianet.org);

CNECT F2 <[CNECT-F2@ec.europa.eu](mailto:CNECT-F2@ec.europa.eu)>;

(CNECT)

(CNECT)

(GROW)

(GROW)

**Subject:** Re: Thank you

Dear [REDACTED], I'd like to confirm that the meeting tomorrow at 16h30 is still going ahead. We're still finalising the list of attendees which we will send you later today along with a proposed agenda for the call.

I assume we can invite individuals from our members by forwarding them the below details, but please let me know if otherwise.

Best regards,

 $+++$ 

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62.109.219.4 and enter your meeting number. JOIN BY PHONE 022008147 Belgium Toll Tap here to call (mobile phones only, hosts not supported): [tel:%2B022008147,.\\*01\\*1371645147%2333423687%23\\*01\\*](tel:%2B022008147,.*01*1371645147%2333423687%23*01*)

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Webex service allows audio and other information sent during the session to be recorded, which may be discoverable in a legal matter. By joining this session, you automatically consent to such recordings. If you do not consent to being recorded, discuss your concerns with the host or do not join the session.

On Thu, Jun 25, 2020 at 7:22 PM [ec.europa.eu](mailto:ec.europa.eu) wrote:

Perfect, thanks!

**From:** [REDACTED] <[ccianet.org](mailto:ccianet.org)>  
**Sent:** Thursday, June 25, 2020 5:41 PM  
**To:** [REDACTED] (CNECT)  
**Cc:** [REDACTED] (CNECT); CNECT F2 <[CNECT-F2@ec.europa.eu](mailto:CNECT-F2@ec.europa.eu)>; [REDACTED] <[ccianet.org](mailto:ccianet.org)>; [REDACTED] (CNECT) <[ec.europa.eu](mailto:ec.europa.eu)>; [REDACTED] (CNECT) <[ec.europa.eu](mailto:ec.europa.eu)>; [REDACTED] (GROW); [REDACTED] (GROW)  
**Subject:** Re: Thank you

Dear [REDACTED],

No problem. We understand.

Our call with DG GROW and our members is scheduled for 7 July 16:30-17:30 CET.

We look forward to discussing the ex-ante measures with you then. In case we are unable to go into sufficient detail, we hope we will be able to continue to discuss over the summer.

We will submit our contributions to the two IIAs, next week. If you have any questions, do not hesitate to get in touch with us.

Thanks again and we wish you a nice end of the day,

[REDACTED]

On Thu, 25 Jun 2020 at 15:50, [REDACTED] <[ec.europa.eu](mailto:ec.europa.eu)> wrote:

Dear [REDACTED]

Thanks for a prompt reply!

On our side, we would prefer to keep just one meeting, as we already went through the introductory part with you and your members during the call when [REDACTED] gave oversight on DSA package, and since we are working together on the proposal with GROW, it makes more sense for us to continue in the discussion as you suggested below, but possibly in the slot that you already agreed with GROW colleagues, who I permit to copy for the sake of transparency.

Many thanks for your flexibility!

Best,

■

**From:** ■ [ccianet.org](mailto:ccianet.org)>

**Sent:** Thursday, June 25, 2020 2:15 PM

**To:** ■ (CNECT)

**Cc:** ■ (CNECT)

CNECT F2 <[CNECT-](mailto:CNECT-F2@ec.europa.eu)

[F2@ec.europa.eu](mailto:F2@ec.europa.eu)>;

(CNECT)

[ccianet.org](mailto:ccianet.org)>;

(CNECT)

(CNECT)

**Subject:** Re: Thank you

Dear ■

If you don't mind, we would prefer to keep both meetings.

The objective of our introductory meeting with DG GROW would be to present our association's position for the first time, while we would like to have a more detailed and substantive bilateral discussion with you, without our members.

In this context, of course, please feel free to invite colleagues from DG GROW to join, and if you would also like to attend our open meeting with DG GROW, you are most welcome.

Hope this is possible.

We wish you all the best,

■

On Thu, 25 Jun 2020 at 13:37, ■ [ec.europa.eu](mailto:ec.europa.eu)> wrote:

11/11/2011

Thanks,



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Thursday, June 25, 2020 12:56 PM

(CNECT)

(CNECT)

F2@ec.europa.eu>;

**Subject:** Re: Thank you

□

Many thanks for your kind response.

██████ feel free to suggest a time that would suit you for the follow-up call on the ex-ante measures. FYI, we would be available on:

- Monday 6 and 13 July between 09:00 - 16:00
- Tuesday 7 and 14 July between 09:00 - 16:00
- Wednesday 8 and 15 July between 09:30 - 18:00
- Thursday 9 and 16 July between 09:00 - 18:00
- Friday 10 and 17 July, between 09:00-18:00

We will come back to you at the end of the summer to discuss further the technical briefings.

Next week, we will submit our contributions to the two IIAs. If you have any questions, do not hesitate to get in touch with us.

We wish you all the best.

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On Thu, 25 Jun 2020 at 11:39, [REDACTED] [ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)> wrote:

Dear [REDACTED],

Thank you for the position paper on DSA, and also for an interesting discussion with had last Tuesday!

Beginning of July sounds good also on our side to further discuss ex ante tool and your comments on the IIA. Our [REDACTED] in Cc, including [REDACTED], might kindly help to coordinate suitable date.

Technical briefings sounds also fine but we would prefer to keep this for a later stage.

As regards online advertising, this is one of the most complex issues we are looking at under the DSA package, and as we are at beginning of preparation of the IAs for both instruments and evaluating various options, I cannot tell you exactly where will be address what, and what will be necessary to address, as this remains open for the moment.

On ARCEP paper, some media has published it but I am not sure about the process and whether it was published from their side. Maybe ideal to ask ARCEP directly? I am sorry I cannot help more in this regard.

Kind regards,

[REDACTED]

**From:** [REDACTED] [ccianet.org](mailto:[REDACTED]@ccianet.org)>

**Sent:** Wednesday, June 17, 2020 10:27 AM

**To:** [REDACTED] (CNECT) [REDACTED] (CNECT)

**Cc:** [REDACTED] (CNECT) [REDACTED] CNECT F2 <[CNECT-F2@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] (CNECT) [REDACTED] [ccianet.org](mailto:[REDACTED]@ccianet.org)>

**Subject:** Thank you

Dear [REDACTED]  
Dear [REDACTED]

We would like to thank you for having taken the time yesterday to discuss the digital services act (DSA). It was a very interesting and fruitful exchange. For your convenience, see below the list of participants.

During the meeting, you suggested organising a follow-up meeting to discuss the ex-ante measures more in detail with you and/or your colleagues. We would be available on 30 June or 1, 2 or 3 July, for instance. If it wouldn't work for you, grateful if you could suggest alternatives that would suit you. We are flexible and will adapt to your schedule.

CCIA would also be happy to host a few technical briefings. Do not hesitate to let us know which topic(s) would be the most beneficial. According to the focus, we will get in touch with the relevant members. In terms of timing, we suggest hosting such technical meetings in the September-Autumn. Would this be convenient for you?

If I may, I had one last burning question that I couldn't address in the meeting. We see that 'online advertising' is increasingly discussed under the DSA umbrella. Would you be able to let us know if it will be part of the DSA package. If so, under which remit (internal market or e-ante)? If it is not under the DSA, can we expect a separate initiative/instrument on 'online advertising'?

Finally, at a CERRE event in early March, you mentioned the ARCEP paper on "structuring platforms" (ARCEP, strategic note "Plateformes numériques structurantes – Eléments de réflexions relatifs à leur caractérisation", December 2019). As this document is not available online, we were wondering if you would be able to share it with us.

For your convenience, I have attached CCIA's discussion paper on the DSA. We would also like to bring your attention to three recent blog posts: One celebrating the [e-Commerce Directive 20th anniversary](#), another on [the DSA's internal market and intermediary liability's dimension](#), and the third on the [ex-ante market regulation](#).

Kind regards,

[Redacted signature]

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Meeting with CCIA Europe, 16 June 2020, list of participants:

- From CCIA Europe: [Redacted]  
[Redacted]  
[Redacted]
- From Amazon, [Redacted]
- From British Telecom, [Redacted]
- From Cloudflare, [Redacted]
- From eBay [Redacted]
- From Facebook: [Redacted]  
[Redacted]
- From Google: [Redacted]  
[Redacted]
- From Rakuten, [Redacted]



- From Uber: [REDACTED]
- From Wolt: [REDACTED]

On Mon, 25 May 2020 at 10:18, [REDACTED] [ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)> wrote:

Dear [REDACTED],

Thanks a lot for your email.

As [REDACTED] agenda is quite full for the moment, can I please ask you to propose some slots after the 12<sup>th</sup> of June?

I remain at your disposal for further information,

[REDACTED]



**European Commission**

**DG CONNECT**

[REDACTED] Unit F.2 - E-commerce & Online platforms

[REDACTED]

[REDACTED]

**From:** [REDACTED] [ccianet.org](mailto:[REDACTED]@ccianet.org)>

**Sent:** Monday, May 25, 2020 8:41 AM

**To:** [REDACTED] (CNECT)

**Cc:** [REDACTED] (CNECT); [REDACTED] CNECT F2 <[CNECT-F2@ec.europa.eu](mailto:[REDACTED]@ec.europa.eu)>; [REDACTED] (CNECT) [ccianet.org](mailto:[REDACTED]@ccianet.org)>

**Subject:** DSA: CCIA's meeting request

Dear [REDACTED]

I'm reaching out to you on behalf of the Computer & Communication Industry Association. We would like to request a (virtual) meeting with you to **present CCIA's discussion paper on the Digital Services Act** which is attached to this email. Our [members](#) would like to discuss with you how we could strengthen the single market for digital services and the potential impact of the Digital Services Act on fundamental rights, civil and commercial law.

We would also like to **exchange views on ex-ante market regulation** and how such regulation can be crafted to ensure that markets remain open, competitive and efficient. We are also working on industry-own proposals for competition law reform and believe that an open discussion alongside the formal consultation procedure would facilitate CCIA's ability to develop and advance concrete proposals to address legitimate concerns.

We are, of course, **flexible and would adapt to your schedule**. We suggest the following slots

- Wednesday 27 May between 09:00-12:00, or between 16:30-18:30
- Friday 29 May between 10:30 - 18:30
- Wednesday 3 June between 09:00-18:30
- Friday 5 June between 09:00-18:30

If these do not work, grateful if you could suggest alternatives that would work for you.

Moving forward, we will, of course, contribute to the European Commission's consultation. We are very eager to start working on your questionnaire.

Very much looking forward to hearing from you.

Kind regards,

[Redacted signature]

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## About CCIA

CCIA is a not-for-profit membership organization for a wide range of companies in the computer, internet, information technology, and telecommunications industries, represented by their senior executives. Created over four decades ago, CCIA promotes open markets, open systems, open networks, and full, fair, and open competition. CCIA serves as the eyes, ears, and voice of the world's leading providers of technology products and services in Washington and Brussels.

CCIA members include computer and communications companies, equipment manufacturers, software developers, service providers, re-sellers, integrators, and financial service companies. Together they employ almost one million workers and generate more than \$540 billion in annual revenue.

For more, please go to [www.cciagnet.org](http://www.cciagnet.org).

EU Transparency Register Number: 15987896534-82

[Redacted signature]

[Redacted signature]

Computer & Communications Industry Association (CCIA Europe)

Rue de la Loi 227, 1st floor, 1040 Brussels, Belgium

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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Rue de la Loi 227, 1st floor, 1040 Brussels, Belgium

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

Computer & Communications Industry Association (CCIA Europe)

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Computer & Communications Industry Association (CCIA Europe)

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