

## Consultation on an Ex ante instrument for “large online platforms acting as gatekeepers” in the EU Single Market

### Key messages

EuroCommerce welcomes the opportunity to provide input to the consultations on an ex ante instrument regulating practices of “large online platforms with a gatekeeping role” as part of the DSA consultation. Digitalisation has increased competitive pressure in retail and wholesale and many players now have some form of online offering (pure play or in combination with brick and mortar - omnichannel) creating convenience and value for consumers. The COVID-19 crisis has accelerated the digitalisation of the sector and this trend is likely to continue in the future and should be supported as part of the recovery plans.

To remain competitive, retailers and wholesalers need a regulatory framework that supports strong European retail and wholesale ecosystems in a digital environment and gives them legal certainty and incentives to invest in robust omnichannel strategies. This framework should also enable EU authorities to enforce EU rules towards all players on the European market – including non-EU traders in order to create a level playing field and ensure consumer safety. We ask the Commission to take these factors into account when conducting their impact assessments.

We wish to make the following main points, which we will detail further below:

1. **Online platforms are very diverse** in the services they offer; they operate in a very dynamic environment and generate significant consumer benefits. This makes a one-size-fits-all approach difficult.
2. The concept “**large online platforms with a gatekeeping role**” is **ill-defined** and regulating on this basis could lead to legal uncertainty and disincentives to invest in and grow European platforms.
3. **The European competition law tools are currently being revised to make them fit for the digital environment and developments in digital markets.** Particularly the revision of the market definition notice is relevant in this context as it is vital for the competition assessment and hence for the way dominance is found. The existing tools allow a flexible approach to the functioning of markets taking into account the specificities of different markets and business models.
4. Before seeking to create an entirely new set of rules we would ask the Commission to consider **an alternative approach allowing a case by case scrutiny based on dominance, and refining EU competition law** where necessary to address new business models and practices enabled by digitisation.
5. We further highlight that the **Platform to Business Regulation** is a first step in regulating relations between platforms and business users. We would recommend the Commission to reassess the situation when the regulation, which only entered into force in July 2020, has shown whether it is effective.

## 1. Digitalisation is transforming competition in retail and wholesale

1. Digitalisation is creating new opportunities and driving transformational change in supply chains by increasing transparency and competition. When assessing and regulating digital markets, we ask the Commission to consider the market as a whole, assess concrete market data and ensure a level playing field between all actors and distribution channels. Particularly it should be kept in mind that:
  - E-commerce sales represent on average about 10-15%<sup>1</sup> of total retail sales, with significant differences across product categories/sectors and countries; this trend will continue to grow.
  - Recent research suggests a rise of 44% in demand of key product groups on pure player websites<sup>2</sup> since the start of COVID-19, and confirms the likelihood of consumers continuing to use online retail after the crisis.
  - Digitalisation has increased competitive pressure on incumbents from innovative new entrants. Many retailers and wholesalers now have some form of online offering (pure play or in combination with brick and mortar - omnichannel) creating convenience and value for consumers.
  - Digitalisation has helped small- and medium-sized businesses' entry into the market and access new customers online, but many SME face issues of lack of expertise and resources to go online independently or navigate the online platform and marketplace environment.
  - Manufacturers increasingly address consumers online directly, through marketplaces and subscription models, thus becoming direct competitors to retailers and wholesalers. In a number of sectors (e.g. FMCG), suppliers occupying strong market positions are frequently consolidating, and control unique brands with significant profit margins<sup>3</sup>. In an attempt to increase control over the distribution of their products, manufacturers are increasingly imposing conditions making it more difficult for sellers to use certain digital channels (e.g. third-party marketplaces) and thus access consumers online.
  - Digitalisation has expanded the selling market for some products which are offered in stores and online; boundaries between online and offline are increasingly blurred<sup>4</sup>; national competition authorities are starting to integrate the online dimension in their market analysis; the importance of digital however depends on individual sectors (e.g. FMCG see a lower penetration compared with consumer electronics or books)<sup>5</sup>.
  - Consumers are increasingly using omnichannel, and the consumer journey now involves a combination of diverse on- and offline channels including search engines, company websites, marketplaces, pure players, omnichannel operators, etc.
  - Digital markets can be regional, national or global; retailers and wholesalers are increasingly facing competition from players established outside the EU, particularly from China.
2. To remain competitive in a challenging environment, retailers and wholesalers need a regulatory framework that supports strong European retail and wholesale ecosystems and gives them legal certainty and incentives to invest in robust omnichannel strategies, including offline, online and marketplace channels. We are at this point not convinced that the ex ante instrument envisaged in the consultation documents would provide such a framework.
3. In this document, we restrict ourselves to marketplaces in the context of online platforms, given their impact in transforming the retail and wholesale sector. We are not commenting on other models of platforms such as social media, hotel bookings or applications developer hosts, as these are less relevant to our sector.

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<sup>1</sup> EuroCommerce estimate based on Eurostat and eCommerce Foundation

<sup>2</sup> GfK Expert Panel: The post-lockdown economy

<sup>3</sup> In FMCG, large suppliers have net profit margins in the range of 15-30%, whereas wholesalers and retailers' net profit margins are 1-3%

<sup>4</sup> with consumers searching online and purchasing off-line or the other way around (cf. VVA study on consumer behaviour on-line)

<sup>5</sup> see annex 1

## 2. Scope

### 2.1. Dominance as a key concept

4. With this consultation, the Commission is proposing to develop a new concept of “large online platforms with a gatekeeping role”. We see many risks with the suggested approach due to the diverse nature, differing business models and impact of online platforms across markets. As part of the impact assessment process, we would ask the Commission, before seeking to create an entirely new set of rules, to **consider an alternative approach allowing a case-by-case analysis, based on dominance and refining EU competition law** to address new business models and practices based on digitalisation:
  - The term “large online platform with a gatekeeping role” is used in the consultation and the proposed approach, but, in contrast to dominance, it is **not clearly defined**. The criteria suggested by the Commission aim to help clearly identify players that could be captured by the legislation. However, given the variety of business models and platforms, it is very hard to find a one size fits all approach which can properly reflect the diversity of platform and not risk impacting inappropriately one business model with measures aimed at another.
  - In practice, online platforms come in many **diverse forms**, provide many different services and undertake many different activities<sup>6</sup>. We recommend that each platform should be considered on its own merits and on a case-by-case basis. Online marketplaces are very different from lodging and online hotel booking, social media platforms, search engines, hosts for app developers or operating systems. Marketplaces themselves work on the basis of different services and revenue schemes and compete on that basis. Each online service is different and must be assessed on its own merits. Business models differ greatly between platforms providing free services to collect data which is later monetised and those working on the basis of a commission/fee such as hotel reservation platforms or those paid by subscriptions to a software like Microsoft with Microsoft Office. In retail, marketplaces represent a limited share of total retail sales and their impact on competition depends on the specificities of the relevant market<sup>7</sup>.
  - The concept of “gatekeeper” would suggest that business users are dependent on the platform to enter the market, but this may not always be a reflection of the real market situation. Marketplaces and search engines play an increasing role in the consumer journey alongside other options including brick and mortar shops, buying directly from suppliers as well as retailers’ own online selling sites<sup>8</sup>. Furthermore, a number of sellers operating on platforms may be **multihoming** and be present on different platforms and other sales channels in parallel.
  - In addition, smaller sector or product specific marketplaces exist who offer products to a very specific audience. The presence and importance of such marketplaces makes the development of reliable criteria based on the number of users even more difficult.
5. Contrary to the notion of “gatekeeper”, the **concept of dominance is clearly defined and has shown its flexibility in existing case-law**. Dominance is a broad term incorporating aspects of the criteria suggested by the Commission, such as barriers to entry, network effects, lock-in effects, number of users etc. where relevant to the specific case. In particular the ability to multi-home, switching costs and the specific role of data are important factors to be taken into account in the competition assessment. On the other hand, geographic coverage and the impact on a sector could be less relevant. Paying particular attention to situations where platforms are dominant and/or

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<sup>6</sup> Glossary to the DSA consultation: “Online platforms: a variety of ‘hosting service providers’ such as search engines, social networks, content-sharing platforms, app stores, marketplaces, ride-hailing services, online travel and accommodation platforms. Such services are generally characterised by their intermediation role between different sides of the market – such as sellers and buyers, accommodation service providers, or content providers – and oftentimes intermediate access of user-generated content.”

<sup>7</sup> cf. French authority report on the impact of digital on competition policy; the report advocates for a case by case analysis based on the geographical and products sectors; for instance, market places have increased competitive pressure on consumer electronics, whilst in others such as garden centres, their impact remains limited

<sup>8</sup> Cf French authority report; VVA analysis of consumer behaviour online

where consumers single-home and have high switching costs is also the approach recommended in the Online Platform Observatory's preliminary report on differentiated treatment.<sup>9</sup>

6. Competition law is specifically designed to protect competition based on a **case-by-case assessment** that takes a wide range of factors into account, including the variety of business models, and therefore already contains the relevant tools to address the issues raised in the inception impact assessment and the consultation document. It is furthermore unlikely for a company to be considered as a gatekeeper, without being dominant<sup>10</sup>.

## 2.2. Vertical integration

7. The questionnaire seems to suggest that vertical integration within a company could potentially reinforce its gatekeeper role and thus be in itself problematic. The Commission guidelines on non-horizontal mergers outline the benefits and competition risks associated with vertical mergers<sup>11</sup>. In particular, they recognise that *"Non-horizontal mergers are generally less likely to significantly impede effective competition than horizontal mergers"*. Before developing a new set of tools, we would ask the Commission to assess the possibility of updating current guidelines to the specific circumstances of digital markets. In particular, we would ask the Commission, when assessing markets, to reflect the benefits and efficiency gains that vertical integration can generate:

- **Vertical integration can generate significant consumer welfare in the offline and online economy, including retail and wholesale, and is key to the formation of competitive eco-systems.** With vertical structures, retailers can offer customers an increased product selection and a single integrated experience with all available offers for a given product in one store or webpage. In retail, as opposed to many other sectors, customers suffer no switching costs. If they do not find the brand that they are looking for, or they do not find the price offered sufficiently attractive, they will go elsewhere.
- **Vertical integration enables online marketplaces and retail chains to sell SMEs' products and to increase their outreach through their own brands.** It is in the interest of online and offline marketplaces and retailers to help partners to succeed precisely because they have so many ways to reach customers, including through their own stores and the many stores operated by third parties.

## 3. Issues relative to trading conditions/practices and impact on businesses

### 3.1. Trading conditions and practices

8. As a general principle, operators should remain free to negotiate their commercial relationships and regulatory intervention should remain limited to what is necessary and **avoid inhibiting operators from entering into legitimate, efficiency-enhancing agreements**<sup>12</sup>. In light of this principle, EuroCommerce asks the Commission, in its impact assessment to assess the impact of the suggested measures against the specific objectives it is seeking to achieve -i.e. ensuring that markets remain competitive and contestable:

- **A case-by-case approach may be better able to capture the specificities of online markets;** the variety of online platforms means that the economic incentives and dynamics of one may differ fundamentally from those of another, reflecting on different business models and practices; **a one-size-fits-all approach risks stifling innovation and disincentivising growth.** This approach would also be in line with recommendations made by a number of national competition authorities<sup>13</sup>.

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<sup>9</sup> See Online Platform Observatory preliminary report on differentiated treatment p.25

<sup>10</sup> Dominance is a flexible concept and has been found in relation to companies with shares as low as 40%.

<sup>11</sup> Guidelines on the assessment of non-horizontal mergers under the Council Regulation on the control of concentrations between undertakings (2008/C 265/07)

<sup>12</sup> *"UTP regulations should be very carefully tailored in order not to prevent trading partners from engaging in efficiency-enhancing agreements or trading conditions"* Prof. Valletti, Chief Economist DG COMP, Impact assessment for the unfair trading practices directive, SWD(2018) 92 final

<sup>13</sup> See French competition authority recommendation; recommendation from the Dutch government and competition authority

- A case-by-case approach would be **consistent with the Commission’s general approach to regulated markets** such as telecoms. Even though telecoms are much less heterogeneous than the online space, the Commission has acknowledged the need for case-by-case assessment.
  - There is **limited experience with online regulation and markets are still very dynamic**. With only a few competition cases involving specific business models, there is not enough enforcement experience confirming that certain practices are always likely to be harmful and that they should be prohibited without a case-by-case analysis of the specific platform and market context. The competition cases involving online platforms that the Commission has investigated in recent years such as *Google Shopping* and *Google Android* are fact-specific and do not provide “*the reliable and robust experience*”<sup>14</sup> required to adopt a so-called “blacklist” approach.
  - A case-by-case approach would also be the **most effective option to protect consumer welfare**. Due to the specific features of online markets, online market players’ conduct often generates significant consumer benefits. Only a case-by-case approach would enable the Commission to take such benefits into account and balance them against any consumer or competition harm.
9. The impact of practices such as tying and self-preferencing very much depends on the specificities of individual markets and thus need to be analysed in their own context and circumstances. As indicated in the Online Platform Observatory’s preliminary report on differentiated treatment, ***differentiated treatment is present in many markets and is not problematic in itself***<sup>15</sup>. There is no basis in case law for establishing a presumption that harm is caused whenever an online platform gives preference to its own products and services on its site. Such a rule would discourage investment and create disincentives to opening up the platform to third-parties. The Online Platform Observatory’s preliminary report on differentiated treatment similarly highlights the importance of a case-by-case analysis, and concludes that ***existing competition law is ‘capable to target the exclusionary forms of differentiated treatment, such as pure self-favouring and hybrid differentiation.***<sup>16</sup>
10. The **relationships between marketplaces and their business users is furthermore already regulated under the Platform to Business Regulation (P2B regulation)** which only recently entered into force. The P2B Regulation provides far-reaching transparency obligations on data sharing, ranking criteria and platforms’ terms and conditions and aims to address many of the concerns raised in the Commission inception impact assessments on both the ex ante instrument and the new competition tool. It provides a solid basis to address potential frictions in the online economy and gain insights and experience into the functioning of various types of online models and the existence of market failures. The P2B Regulation and the initial review of its functioning, foreseen in 2022, provide a sound background for assessing whether targeted ex ante regulation is required to address specific and identified market failures. We do not see the need to rush through a new instrument before the effects of the P2B regulation are known.

### 3.2. Data access

11. Data plays a key role in the functioning of online platforms and eco-systems and the basis for competition and innovation in retail and wholesale as in many other sectors of the economy. We ask the Commission to consider, as part of their evaluation, the need for a case by case analysis, the possibility of adapting existing competition law tools and ensuring consistency in policy making:
- **EU competition rules help identify where requiring a dominant firm to grant access to specific data** can be justified and where interoperability is indispensable to ensuring effective competition. EU competition rules already allow for obligatory data access if it can be shown that the dominant player, or the data it holds, amounts to an “essential facility” in competition law terms.

<sup>14</sup> Case C-228/18, *Budapest Bank*, EU:C:2020:265, para. 76.

<sup>15</sup> See Online Platform Observatory preliminary report on differentiated treatment p. 5: *In the online platform economy, differentiation is inherent in rankings, whose exact function is to list content in an order of importance or relevance in view of the platform’s offering to end-users*

<sup>16</sup> See Online Platform Observatory preliminary report on differentiated treatment p.28

- The Commission is currently consulting on the possibilities of setting up **European data spaces** in strategic economic sectors and domains of public interest, including the **need for specific sectoral legislation** on data access and use, as well as mechanisms to ensure interoperability. In some other sectors, legislation already includes an obligation to share data, particularly where market failures have been identified.
- **Mandatory data sharing obligations should only be a last resort in clear cases of market failure.** As stated in the European Strategy for Data (footnote 39), “A data access right should only be sector-specific and only given if a market failure in this sector is identified/can be foreseen, which competition law cannot solve. The scope of a data access right should take into account legitimate interests of the data holder and needs to respect the legal framework.”
- **Data sharing should remain on a voluntary basis** and have a clear purpose. Data sharing and data access can only be successful if voluntary, i.e., if companies can decide for themselves which data they want to share or grant access to, and to whom. **Additional guidance on competition law applying to data pooling and data sharing between competing companies**, within groups of companies and franchising systems, specifically with regards to the Horizontal Guidelines, should be considered. Increased legal certainty would support data sharing between competing companies and enable voluntary data sharing.
- EuroCommerce agrees with the Online Platform Observatory’s preliminary report on data, which concludes that “an all-embracing, horizontal policy approach, disregarding the heterogeneity of data in the platform economy and the variety of business-specific practices, would not be appropriate”<sup>17</sup> and that horizontal data sharing obligations could put the existence of new players at risk. We concur that “**more research is needed to better understand the main long-term incentives as well as the potential and limits of voluntary and mandatory tools for platforms to collect, analyse and share data**”<sup>18</sup>, and therefore also support the report’s recommendation to conduct further research with regards to empirical evidence, technical issues and as well as incentives and constraints for data sharing.
- **Leveraging data to create new services in related markets is not a problem in general**, it is an inherent part of competition and should be analysed on its merits and on a case-by-case basis within the rules on information exchange in HBER<sup>19</sup> and VBER.

### 3.3. Dependency

12. The questionnaire seeks stakeholder feedback on dependency of start-ups and/or scale-ups on “large” platforms. We ask the Commission to analyse the relationships of business users with platforms taking account of the following points relevant in a marketplace environment:

- as stated above, **brick and mortar sales still represent a significant share of total retail sales** and marketplaces only represent a part of online sales; increasingly, retailers and wholesalers are becoming omnichannel; these dynamics need to be reflected when assessing markets;
- online marketplaces represent an **opportunity for SME retailers and wholesalers** as they provide access to certain consumer groups as well as an infrastructure covering logistics and regulatory compliance;
- **multihoming is common**, both amongst business users and consumers, as switching costs and entry barriers remain low and companies remain free to continue to use other channels, online and offline to reach consumers;
- access to marketplaces remains a key issue for retailers and wholesalers who are facing **restrictions from brand owners on selling on third party marketplaces**<sup>20</sup>. Retailers and wholesalers should be free to sell their products across various online and offline channels to meet the consumers need for a seamless multichannel experience;
- prohibiting practices widely recognised as mutually beneficial economically on the basis of an economic dependency will result in a de-facto prohibition of these practices in dealings with SME suppliers.

<sup>17</sup> See Online Platform Observatory preliminary report on data p.40

<sup>18</sup> See Online Platform Observatory preliminary report on data p.40

<sup>19</sup> See para. 22 of our response to the consultation on HBER: “In the Guidelines, the Commission should also address information exchange in (increasingly horizontal) relationships with suppliers that sell to customers directly online or via their own retail outlets or with the help of agency relationships.”

<sup>20</sup> See [our contribution to the consultation on VBER](#)

## 4. Regulation of large platforms

### 4.1. *The need for a new regulation is questionable*

13. The ex ante regulatory instrument inception impact assessment and the consultation questionnaire seem to be based on the premise that an ex ante regulatory tool is needed to address conduct engaged in by “large online platforms with a gatekeeping role”. We agree that competition problems can arise with regards to online platforms, **we however question that there is a need for any such new and “horizontal” instrument**. Instead of seeking to create an entirely new enforcement system based on novel concepts, we would encourage the Commission to consider the possibility of refining existing EU competition rules to address new business models and practices enabled by digitalisation:

- Competition law is there to address any conduct engaged in by market operators, including online services, that may interfere with the proper functioning of a market; sector specific regulation has been introduced in cases of proven structural market failure e.g. to liberalise sectors traditionally reserved to public monopolies (e.g. telecoms)<sup>21</sup>. By contrast, online marketplaces operate in markets that already exist and are vibrant and open.
- Competition law is specifically designed to protect competition based on a case-by-case assessment that takes a wide range of factors into account. As stated above, after decades of case law, concepts such as “dominance” and “abuse” have defined meanings, as opposed to “large” and “gatekeeper”. The envisaged ex ante regulation does not allow targeting specific and identified market failures that require a regulatory response, but rather singles out some subset of online services on the basis that they are “large” and are perceived to act as gatekeepers because they have many users.

14. The **P2B Regulation and the initial review of its functioning can provide a sound basis for assessing whether targeted ex ante regulation is required to address specific and identified market failures**. We would encourage the Commission to consider using the P2B Regulation as a tool for gaining experience with the great variety of online services and business models, and consider **updating the existing competition law to the digital environment** by:

- Tightening the definition of markets e.g. in respect of product substitutability, developing a common methodology to assess multi-sided markets including zero-price markets and channel substitutability.
- Updating the existing guidance on abusive exclusionary conduct by dominant players<sup>22</sup> to reflect the digital environment.
- Strengthening existing interim measures to ensure that infringements of Art. 101 and/or Art. 102 TFEU are suspended or reversed while DG COMP comes to a final decision.
- Updating the horizontal guidelines on information exchange, particularly with regards to data sharing, signalling and the risk of collusion in the context of algorithmic pricing.

### 4.2. *Regulatory authority to stay with the Commission*

15. We question whether setting up a dedicated regulatory authority is proportionate to the objectives sought:

- The Commission and national competition authorities have regulatory powers; setting up an authority would entail passing on of knowledge and experience to a new entity which would be costly and inevitably involve teething problems.
- **A competition policy-based approach would not require any new agency as the Commission has direct enforcement powers**. Such powers need not be delegated to an agency, but should

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<sup>21</sup> the Telecommunications Framework Directive is based on the premise that ex ante regulation may be justified on grounds that (1) effective competition is lacking due to the presence of one or more undertakings with significant market power (“SMP”), and (2) EU and national competition law remedies are not sufficient to address the problem. Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002

<sup>22</sup> 2009/C 45/02 Guidance on the Commission's enforcement priorities in applying Article 82 of the EC Treaty to abusive exclusionary conduct by dominant undertakings; This guidance sets out the practices that dominant players cannot engage in, but is very much based on the physical economy.

remain with the Commission

16. In line with the approach of the P2B regulation<sup>23</sup>, where measures are deemed necessary to achieve the stated objectives, **they should be at EU, not national level**. This would reflect the intrinsic nature of online markets as stated in the inception impact assessment. Furthermore, such rules should be applicable to online platforms providing services to EU customers, even though they would not be established in the EU.

17. Fragmentation of the Single Market should be avoided as it would:

- impose considerable burdens on digital market players that would be obliged to deal with potentially conflicting outcomes and parallel actions by Member State enforcers;
- run counter to the notion of the digital single market as an integrated digital space for EU consumers and market players;
- discourage investments in the EU.

Continued **close cooperation** between the Commission and the national competition authorities through the ECN Network is therefore essential.

## 5. Relations with the New Competition Tool

The ex-ante instrument and New Competition Tool represent two new regulatory instruments aimed at achieving very similar objectives. We ask the Commission in its impact assessment to provide evidence that there is an overall need to establish a new mechanism whilst the existing competition rules are being adapted to address challenges arising from digitalisation. This should spell out the need for two different tools to address very similar issues. It would also be important to clarify exactly the interplay between the two instruments and avoid regulatory overlap.

In order to avoid contradictory remedies imposed on the same companies, we think that the Commission should not take the ex ante instrument proposal forward, but as detailed above, rather update existing competition law to the digital environment. This would be in line with better regulation principles and commitments to limit regulatory intervention to what is strictly necessary.

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<sup>23</sup> online platforms “*have an intrinsic cross-border potential and are of particular importance for the proper functioning of the Union’s internal market*” recital 5, P2B regulation

## Annex

- *Digitalisation affects sectors differently*

A recent market study by the French Competition Authority<sup>24</sup> shows the diverse situation facing different sectors:

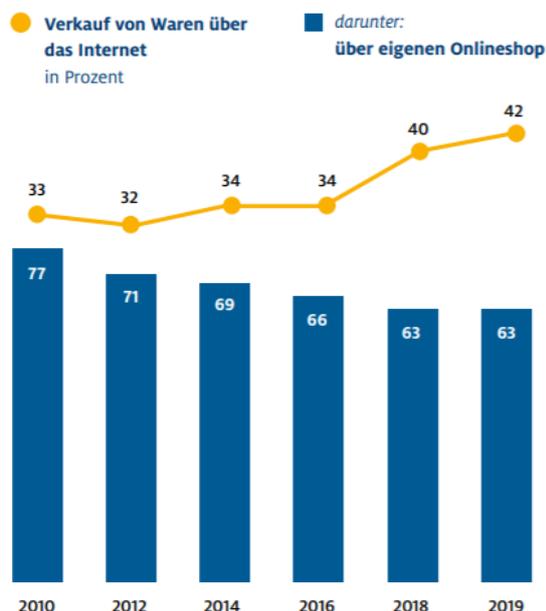
**Tableau 1 – Parts de marché et chiffres d'affaires du commerce en ligne en France par secteur en 2018**

Secteur	Part de marché 2018	Chiffre d'affaires 2018 (en milliards d'euros)
Tourisme	44 %	19,8
Produits culturels (physiques et dématérialisés)	48 %	4,1
...dont produits culturels physiques neufs <sup>21</sup>	19 %	1,0
Maison high-tech	26 %	3,2
Maison électroménager	20 %	1,7
Habillement	14 %	3,9
Meuble	14 %	1,3
Produits grande conso.	7,1 %	6,7
...dont Drive	5,7 %	5,4

Source : Fevad chiffres clés 2019

- *Market places vs omnichannel*

Within the online purchases only a fraction is for the moment taking place through marketplaces, although this fraction is growing and important for certain consumer segments. In Germany 38%<sup>25</sup> of online retail happened on a marketplace in 2019, and while an increasing number of retailers went online, the share of those having their own website decreased:



Source: HDE, 2020

<sup>24</sup> Concurrence & commerce en ligne, May 2019, Autorite de la concurrence

<sup>25</sup> HDE Online Monitor 2020

- *Consumer journey*

The marketplace environment is moving very fast and consumers preferences are constantly changing. The successful companies will be those that are able to meet customers demand for a seamless multichannel experience. A recent study undertaken by VVA for DG COMP<sup>26</sup> concludes that online channels have become an integrated part of the buying process from information research and evaluation to purchase completion and the post-purchase phase. The consumer journey is a fluid omni-channel process whereby they switch easily online between retailers and platforms, as well as between online and bricks & mortar, and within bricks & mortar and between mono-brand and multi-brand.

Today's consumers make parallel and complementary use of various channels and information sources – online as well as offline – for a single purchase. Flavián et al. (2020) points out that the combination of multiple channels and especially the combination of offline and online channels has a positive impact on the quality perception of the consumer, on the purchase decision and the consumer's experience. In addition, studies emphasize that consumers who use multiple channels simultaneously purchase more products, spend more money and pay higher prices.

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<sup>26</sup> VVA support study to the evaluation of the Vertical Block Exemptions Regulation