

Consumer interests in the regulation of Internet gatekeepers in EU and US competition law

Abstract

This thesis focuses on the regulation of Internet gatekeepers in EU and US competition law. The aim of the thesis is to compare the rules and legislative proposals on the regulation of Internet gatekeepers from the perspective of protecting the interests of end consumers. The structure of the thesis is divided into five chapters. The first chapter is an introduction to the topic of the thesis. The second chapter offers a brief insight into the relationship between competition law and consumers. This chapter outlines the history of competition law and the consumer in a broader and narrower sense. The second chapter then defines the various consumer interests that are protected by EU and US competition law - price, choice, quality and innovation.

The third chapter introduces the individual pieces of legislation examined, namely the European Digital Markets Act and the US federal bills American Innovation and Choice Online Act, Platform Competition and Opportunity Act, Ending Platform Monopolies Act, ACCESS Act of 2021, and Open App Markets Act. The fourth chapter is devoted to the actual content of the gatekeeper regulation under review. This chapter is organized into 20 subchapters, 19 of which address the individual orders and prohibitions imposed on gatekeepers and their likely impact on four defined end-consumer interests.

The last subchapter is a sub-conclusion that summarizes the findings of the impact of each provision on consumer interests. The findings suggest that innovation and choice are likely to receive the greatest protection under the examined provisions. However, some provisions may also be beneficial for quality and even for end-consumer prices. The paper concludes by summarizing the results of the analysis and providing an assessment of the current state of the existing and proposed gatekeeper regulation in relation to consumer interests.