

31st July 2020

Online Platforms Market Study
Competition and Markets Authority
25 Cabot Square
London
E14 4QZ
digitaltaskforce@cma.gov.uk

CC:
mattroddampcasework@parliament.uk - Matt Rodda MP – Reading East

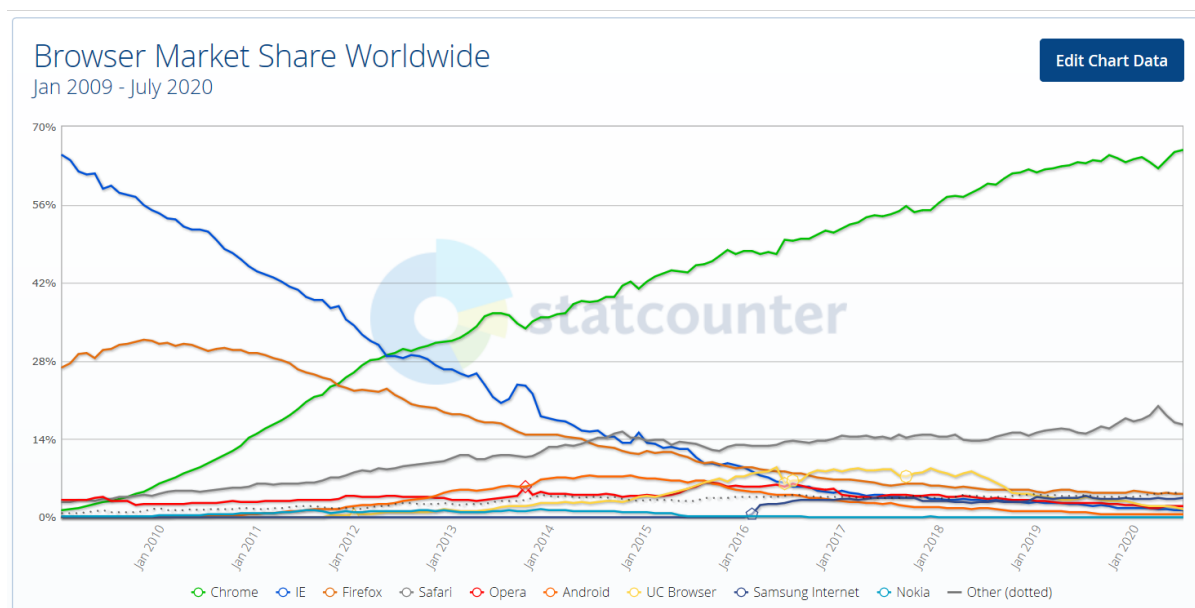
Dear Sir or Madam,

We write in response to your letter dated 1st July 2020 seeking responses to help inform and advise the Government. As the CEO of a small UK technology business we lack the time or resources to respond in detail to all the questions asked at this time.

Overall, we feel the CMA need to engage with small businesses and the bodies that represent them to fully understand the harms to innovation.

Engineering

Google's Chrome browser, and minority web browsers built on the underlying Chromium open source project controlled by Google, now has more than 80% browser market share globally.



Source : <https://gs.statcounter.com/>

The CMA report acknowledges our observations in relation to Google's abuse of the web browser in paragraphs 388 and 389 of Appendix G of the final report. However, the main body of the final report does not satisfactorily acknowledge the manipulation of technical standards of interoperability, or standards bodies like the IETF or W3C achieved by Google. Neither does it recognise the role standards and standards bodies can take in implementing some of the remedies and addressing the harms identified. We can only assume this is because responders tended to be from non-engineering disciplines.

Adequate implementation of the remedies identified in the report requires a more detailed understanding of these factors. The CMA must ensure that they secure talented people with the engineering skills, time and motivation needed to engage with standards bodies and Google on these matters.

Time

The CMA need to acknowledge Google are already implementing Privacy Sandbox and similar change. They are not waiting 18 months before deployments commence. The report focuses on third party cookies as just one of 23 standards of interoperability that are being interfered with or created as replacements within the umbrella Privacy Sandbox. These 23 elements are described at this URL (<https://www.chromium.org/Home/chromium-privacy/privacy-sandbox>) and listed below.

- Trust Tokens API
- Click Through Conversion Measurement Event-Level API
- Aggregated Reporting API
- Interest-based targeting
- Remarketing
- WebID
- First-Party Sets
- Removing third party cookies
- Privacy Budget
- Client-side language selection
- User-Agent String
- Device Sensors
- Battery Level
- IP Address
- Partitioning HTTP Cache
- Connection Pools
- Sessions Tickets
- HTTP Server properties
- Other caches
- Refer[r]er clamping
- DNS
- SNI
- Moar TLS

Due to the dominance of Google controlled web browsers all these proposals need to be followed in detail by any organisation wishing to ensure they can understand how Google's Privacy Sandbox will likely be implemented in practice and impact their operations. Not only are significant numbers of high calibre engineers needed from each company, but the work takes those engineers away from

more economically beneficial activities which would grow their businesses (and tax revenues for HMRC). Google have no such concerns and benefit from a lack of robust challenge or debate.

It is likely many organisations are not following these details and are unaware of the imminent changes. They will incur disruption when Google release these changes to the general public.

To prevent further harms the CMA need to implement the remedies proposed in the final report prior to 31st September 2020 or create more time to adequately understand and address the root cause issues identified around Google's dominance of the web browser. Google's dominance on the web is an existential threat to the future of the open web.

We understand some of the facts presented in this letter are, out of necessity, technical in nature. We are prepared to assist the CMA in their understanding of these issues.

The letter is not confidential and is provided for publication. The response should be published under "51Degrees", our company trading name.

Yours sincerely,

James Rosewell – CEO 51Degrees – for self and 51Degrees