



EUROPEAN COMMISSION

***CASE DMA. DMA.100220 | Alphabet -
OS - Google Android - Art. 6(7) – SP – AI***

(Only the English text is authentic)

Digital Markets Act
**Regulation (EU) 2022/1925 of the European Parliament
and of the Council**

Article 20(1) Regulation (EU) 2022/1925

Date: 27/01/2026



EUROPEAN COMMISSION

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Alphabet Inc.
251 Little Falls Drive
Wilmington, DE, 19808
United States

Subject: DMA.100220 | Alphabet - OS - Google Android - Art. 6(7) – SP – AI

Commission decision opening a proceeding pursuant to Article 20(1) of Regulation (EU) 2022/1925 ⁽¹⁾ of the European Parliament and of the Council on contestable and fair markets in the digital sector

Only the English text is authentic

Dear Sir or Madam,

- (1) On 5 September 2023, the Commission adopted a decision designating Alphabet Inc. together with all legal entities directly or indirectly controlled by Alphabet Inc. (“Alphabet”) as a gatekeeper pursuant to Article 3 of Regulation (EU) 2022/1925 (“Designation Decision”). ⁽²⁾ The Designation Decision lists the following core platform services (“CPS”) that Alphabet provides and which individually constitute an important gateway for business users to reach end users: (i) online intermediation service Google Shopping; (ii) online intermediation service Google Play; (iii) online intermediation service Google Maps; (iv) online search engine Google Search; (v) video-sharing platform service YouTube; (vi) operating system Google Android (“Google Android CPS”); (vii) web browser Google Chrome; and (viii) online advertising services. ⁽³⁾
- (2) As explained in the Designation Decision, the Google Android CPS constitutes Alphabet’s operating system for smartphones and tablets, which is designed to run on devices of multiple original equipment manufacturers (“OEMs”) to whom Alphabet may license the Google Android CPS. Those OEMs can then customise and deploy the Google Android CPS as an operating system on their mobile devices, such as smartphones and tablets. ⁽⁴⁾ Furthermore, Alphabet’s

⁽¹⁾ Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (Text with EEA relevance), OJ L 265, 12.10.2022, p. 1–66.

⁽²⁾ Decision C(2023) 6101 final.

⁽³⁾ Article 2 of the Designation Decision.

⁽⁴⁾ Designation Decision, recital 163.

middleware, ⁽⁵⁾ insofar as it contributes to controlling the basic functions of tablets and smartphones using the Google Android CPS and to enabling software applications to run on them, thereby ensuring an effective functioning of the Google Android CPS, is also part of the Google Android CPS as explained in the Designation Decision. ⁽⁶⁾

- (3) Following the designation of Alphabet's Google Android operating system as a CPS, Alphabet was obliged to comply with the obligations laid down in Articles 5, 6 and 7 of Regulation (EU) 2022/1925 by 7 March 2024.
- (4) Pursuant to Article 8(1) of Regulation (EU) 2022/1925, the gatekeeper must ensure and demonstrate compliance with the obligations laid down in Articles 5, 6 and 7 of Regulation (EU) 2022/1925. The measures implemented by the gatekeeper must be effective in achieving the objectives of that Regulation and of the relevant obligation.
- (5) According to Article 8(2) of Regulation (EU) 2022/1925, the Commission may, on its own initiative or at the request of a gatekeeper, open proceedings pursuant to Article 20(1) of that Regulation with a view to adopting an implementing act specifying the measures that the gatekeeper concerned must implement to effectively comply with the obligations laid down in Articles 6 and 7 of that Regulation.
- (6) Recital 65 of Regulation (EU) 2022/1925 explains that “[i]t may in certain cases be appropriate for the Commission, following a dialogue with the gatekeeper concerned and after enabling third-parties to make comments, to further specify some of the measures that the gatekeeper concerned should adopt in order to effectively comply with obligations that are susceptible of being further specified or, in the event of circumvention, with all obligations”.
- (7) The implementing act referred to in Article 8(2) of Regulation (EU) 2022/1925 must be adopted within six months from the opening of proceedings. Such proceedings are without prejudice to the powers of the Commission to adopt a decision establishing non-compliance with any of the obligations laid down in Regulation (EU) 2022/1925 by a gatekeeper, including the possibility to impose fines or periodic penalty payments. According to Article 8(9) of Regulation (EU) 2022/1925, the Commission may decide to reopen the proceedings pursuant to Article 8(2) of that Regulation.
- (8) In the implementing act specifying the measures that the gatekeeper concerned must implement to effectively comply with the relevant obligation, the Commission may impose periodic penalty payments pursuant to Article 31(1), point (a) of Regulation (EU) 2022/1925 to ensure compliance with the specified measures.
- (9) Article 6(7) of Regulation (EU) 2022/1925 is an obligation that is susceptible of being further specified pursuant to Article 8(2) of that Regulation.
- (10) According to Article 6(7) of Regulation (EU) 2022/1925, gatekeepers must:

⁽⁵⁾ The Designation Decision indicates in footnote n° 118 that middleware is software that lies between software that is distributed as a core operating system and the applications running on it.

⁽⁶⁾ Designation Decision, recital 165.

- (a) allow providers of services and providers of hardware, free of charge, effective interoperability with, and access for the purposes of interoperability to, the same hardware and software features accessed or controlled via the operating system or virtual assistant listed in the designation decision pursuant to Article 3(9) of Regulation (EU) 2022/1925 as are available to services or hardware provided by the gatekeeper. Furthermore, the gatekeeper must allow business users and alternative providers of services provided together with, or in support of, CPSs, free of charge, effective interoperability with, and access for the purposes of interoperability to, the same operating system, hardware or software features, regardless of whether those features are part of the operating system, as are available to, or used by, that gatekeeper when providing such services; and
 - (b) not be prevented from taking strictly necessary and proportionate measures to ensure that interoperability does not compromise the integrity of the operating system, virtual assistant, hardware or software features provided by the gatekeeper, provided that such measures are duly justified by the gatekeeper.
- (11) On 7 March 2024, Alphabet submitted its compliance report pursuant to Article 11 of Regulation (EU) 2022/1925 (“Alphabet 2024 Compliance Report”) ⁽⁷⁾.
 - (12) On 6 March 2025, Alphabet submitted its second compliance report pursuant to Article 11 of Regulation (EU) 2022/1925 (“Alphabet 2025 Compliance Report”). ⁽⁸⁾
 - (13) According to the Alphabet 2024 and 2025 Compliance Reports, Alphabet considers that the Google Android CPS complies with Article 6(7) of Regulation (EU) 2022/1925 given its open-source nature. Specifically, it would appear that Alphabet considers that the Android Open Source Project (“AOSP”) source code, which it has developed for smart mobile devices and which is implemented in accordance with the Android Compatibility Definition (“CDD”), covers the Google Android CPS. ⁽⁹⁾ Alphabet thus considers that, as open-source code, the AOSP inherently provides full interoperability for Alphabet’s own services as well as services of third-party providers. Therefore, Alphabet claims that the Google Android CPS permits third-party software application (“app”) and hardware developers to access and interoperate with that operating system in the same way as Alphabet’s own apps and hardware.
 - (14) In addition, according to the Alphabet 2024 and 2025 Compliance Reports, to comply with Article 6(7) of Regulation (EU) 2022/1925, Alphabet has created a dedicated portal that developers can access to submit interoperability requests concerning the Google Android CPS.

⁽⁷⁾ Alphabet's 2024 Compliance Report, 7 March 2024, Google Android Chapter, Section XVII, pages 22-23.

⁽⁸⁾ Alphabet's 2025 Compliance Report, 6 March 2025, Google Android Chapter, Section XVII, pages 26-27.

⁽⁹⁾ The CDD enumerates the requirements that must be met in order for devices to be compatible with the latest version of Android. To be considered compatible with Android, device implementations MUST meet the requirements presented in this Compatibility Definition, including any documents incorporated via reference. See <https://source.android.com/docs/compatibility/cdd> (retrieved on 7 January 2026)

- (15) The Google Android CPS is mostly used in the Union on mobile devices from third-party OEMs, such as Samsung, through licensing agreements. OEMs can install the Google Android CPS as the operating system on their mobile devices. The Google Android CPS is also installed on Alphabet’s Pixel mobile devices marketed by Alphabet itself.
- (16) The Commission has engaged in discussions with Alphabet and third parties on several occasions ⁽¹⁰⁾ regarding Alphabet’s compliance with Article 6(7) of Regulation (EU) 2022/1925. These discussions related to hardware and software features controlled or accessed via the Google Android CPS (“features”), which are used by or available to Alphabet to offer artificial intelligence (“AI”) services and AI-related services (“AI services”).
- (17) Alphabet’s claims in the 2024 and 2025 Compliance Reports about the inherent interoperability of Google Android CPS indicate that it considers that no additional work is needed to comply with Article 6(7) of Regulation (EU) 2022/1925. Based on discussions with Alphabet and third parties, the Commission observes that a number of features may not be accessible to Alphabet and third parties in the same way. This includes features which are available to or used by Alphabet’s own AI services, including, but not limited to, Alphabet’s Gemini and Google Assistant (herewith together referred to as “Google AI Assistants”), as well as Alphabet’s Gemini Nano ⁽¹¹⁾, Alphabet’s AICore and Alphabet’s Android System Intelligence. These features appear to be controlled or accessed via the Google Android CPS and include, among others, access to hotword detection, ⁽¹²⁾ access to circle to search, ⁽¹³⁾ access to on-screen content, ⁽¹⁴⁾ access to audio output, ⁽¹⁵⁾ and access to functionality to integrate AI services with other apps on the mobile device. ⁽¹⁶⁾ These features are essential for third parties to offer AI services on Android on a level playing-field with Alphabet.
- (18) In the Android ecosystem, Alphabet allows OEMs to integrate the Google Android CPS into their devices subject to certain customizations. This results in differences in the Google Android operating system installed on mobile devices marketed by various OEMs. Nevertheless, OEMs must comply with extensive requirements laid down in Alphabet’s CDD. For instance, due to the CDD requirements, for third-party AI or AI-related software applications (“AI apps”) to be able to use many of the features available to or used by Alphabet’s own AI apps, including those mentioned in paragraph (17) above, the OEM must pre-install these third-party apps on the mobile device using the Google Android CPS.

⁽¹⁰⁾ The European Commission met with Alphabet to discuss Alphabet’s compliance with Article 6(7) of Regulation (EU) 2022/1925 on 2 July 2025 and 11 December 2025. The European Commission has also sent several requests for information and documents to Alphabet regarding its compliance with Article 6(7) of Regulation (EU) 2022/1925.

⁽¹¹⁾ Gemini Nano is an AI model which enable certain functionality of an AI service.

⁽¹²⁾ Hotword detection refers to the ability of the mobile device to detect and process pre-defined user voice commands to invoke a service (e.g., “Hey Google” to invoke Alphabet’s AI assistants).

⁽¹³⁾ Circle to search is a functionality whereby the user can, upon an interaction with the mobile device, select part of the screen (e.g., by circling, highlighting or tapping parts of the screen) to obtain information.

⁽¹⁴⁾ Access to screen content refers to the ability of services on a mobile device to obtain the screen content of a mobile device.

⁽¹⁵⁾ Access to audio output refers to the ability of services on a mobile device to obtain the audio that is played on the mobile device (e.g., the music played by a music streaming app which the user listens to).

⁽¹⁶⁾ Access to functionality to integrate an AI service with other apps on the mobile device refers to the ability of a service on a mobile device to interact with other services on the device via a local connection.

These features are therefore not available to apps which the user installs on such mobile devices. ⁽¹⁷⁾

- (19) Therefore, in accordance with the second subparagraph of recital 65 of Regulation (EU) 2022/1925, the Commission considers that the implementation of the obligations in Article 6(7) by Alphabet can be affected by variations in relation to the Google Android CPS.
- (20) While the goal of achieving effective interoperability is clearly set out in Article 6(7) of Regulation (EU) 2022/1925, gatekeepers may need guidance as to how to achieve this goal. This includes aspects such as the exact interoperability solutions offered, their technical and contractual implementation, and the modalities of access to be provided to third parties.
- (21) Achieving effective interoperability pursuant to Article 6(7) of Regulation (EU) 2022/1925 is of paramount importance to ensure the contestability of services, software and hardware operating or connected with the Google Android CPS, which includes the interoperability of AI services. ⁽¹⁸⁾ According to publicly available forecasts, the European AI market is projected to reach USD 105.58 billion in 2025 and is projected to grow to USD 643.48 billion by 2031, with a predicted annual growth rate of approximately 35%. ⁽¹⁹⁾ Providing access to the same Google Android CPS features as are used by or available to Alphabet's own AI services will promote contestable AI services and possibly also the contestability of the Google Android CPS itself as AI service providers may launch their own operating systems, will foster innovation, and will facilitate the free choice by end users of these services. Alphabet's ability to control and restrict which third-party AI services can access features available to or used by Alphabet's own AI services on mobile devices using the Google Android CPS may represent a significant barrier to entry and expansion for third-party AI service providers. Lowering such barriers to entry and expansion is likely to increase third-party providers' incentives to innovate and improve their products and to have a positive effect on the innovation potential of the wider online platform economy.
- (22) Furthermore, as regards the objective of fairness set out in Regulation (EU) 2022/1925, differences in access to features between Alphabet's and third-party AI services could allow the gatekeeper to obtain a disproportionate advantage and prevent market participants, including providers of AI services, from adequately capturing the benefits resulting from their innovation or other efforts.
- (23) Ensuring effective interoperability between the Google Android CPS and third-party AI services also leads to benefits for end users independently of considerations relating to the integration between the operating system and AI services. Increasing user choice allows users to use the AI services that suit their

⁽¹⁷⁾ Alphabet's RFI response dated 18 July 2025, paragraphs 9, 11-12, 19 and 30.

⁽¹⁸⁾ Recital 31 of Regulation (EU) 2022/1925 provides that "[t]he obligations in this Regulation should not only ensure contestability and fairness with respect to core platform services listed in the designation decision, but also with respect to other digital products and services into which gatekeepers leverage their gateway position, which are often provided together with, or in support of, the core platform services."

⁽¹⁹⁾ <https://www.statista.com/outlook/tmo/artificial-intelligence/europe?srsId=AfmBOorzbpZBrrG7hMUxEQz7T8RERh4AXIXt0AL20nV-dJc9XRz5lhdi>, accessed on 25 November 2025.

personal interests best in terms of, for instance, specific functionalities or privacy considerations.

- (24) With a high number of end users in the Union, mobile devices using the Google Android CPS represent a critical access point for providers of AI services to reach end users. Many providers of AI services are developing innovative AI assistant services which could become the primary point for users to access and communicate with the Google Android CPS and apps running on it. Furthermore, Alphabet's AI services appear to benefit from close integration with other services within Alphabet's ecosystem. Therefore, specifying measures that Alphabet must adopt to effectively comply with Article 6(7) of Regulation (EU) 2022/1925 in respect of features which are accessed or controlled via the Google Android CPS, and which can be used for and by any AI service, is necessary to ensure effective interoperability in relation to AI services in a timely manner.
- (25) The Commission therefore considers it appropriate to open proceedings with a view to further specifying the measures that Alphabet should adopt to effectively comply with Article 6(7) of Regulation (EU) 2022/1925 in respect of features which are accessed or controlled via Alphabet's designated operating system Google Android CPS for smartphones and tablets which are relevant to offer AI services.
- (26) In light of the above, the Commission has decided, on its own initiative, to open proceedings in relation to Alphabet with a view to the possible adoption of an implementing act pursuant to Article 8(2) of Regulation (EU) 2022/1925 specifying the measures that Alphabet is to implement to effectively comply with Article 6(7) of that Regulation in relation to Alphabet's designated operating system CPS Google Android with respect to AI services.
- (27) In accordance with Article 5(2) of Commission Implementing Regulation (EU) 2023/814, ⁽²⁰⁾ the Commission will make public this opening of proceedings.

For the Commission
(Signed)

Teresa RIBERA
Executive Vice-President

⁽²⁰⁾ Commission Implementing Regulation (EU) 2023/814 of 14 April 2023 on detailed arrangements for the conduct of certain proceedings by the Commission pursuant to Regulation (EU) 2022/1925 of the European Parliament and of the Council, OJ L 102, 17.4.2023, p. 6.