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Reference 'Online Platforms And Digital Advertising' Interim Report Comments

To Competition and Markets Authority,

With regards to your request for our opinion on the above report and in particular the consultation questions in Appendix J and with Mojeek being a crawler search engine from the UK, please find our response below. In summary, to improve competition there is a case for splitting the control of the search engine and the operating system. Improving visibility of choice of search engines and not supporting the enforced syndication of crawled indexes.

The report is correct with its statement on the influence that embedding a default search engine within an operating system strengthens and grows user bases, and could be argued to be a restrictive practice. The main suppliers of operating systems are Google, Microsoft, and Apple, and it is in their best interest to continue to promote their search engines and/or receive payments to promote other search engines as defaults embedded in their software. As stated in the report, the primary source of revenue for search engines is through displaying pay-per-click advertising. As Google continues to see the benefits in paying Apple millions of dollars to be listed as default, clearly the power and financial gain that comes with it cannot be understated. This market has barriers to entry because the decision by the consumer to use a particular search engine is embedded in operating systems with little or no information on what alternatives exist. It is apparent that many regular users don't challenge the status quo, and some aren't even aware of how to do so. So as the search industry remains to be monopolised, whereby alternatives and new entrants struggle to attain a larger market share, we therefore welcome this conversation to continue and support the CMA investigation into finding remedies.

However, before we comment directly on the findings of the report, we would like to

distinguish the fundamental difference between various search engines. It is these fundamentals that shape our answers and we believe its significance has been somewhat overlooked in the report.

The web is made up of sparsely interlinked pages, search engines like Google, Bing, and Mojeek, often referred to as crawler search engines, have programs that follow those links as people do, and the pages they discover are then entered into their own index where they can be searched in a relevant manner. By taking their own snapshot of the web, crawler search engines are able to use their own ranking algorithm based on first-hand data. This data allows them to develop advanced algorithms that take these factors into consideration. The other type is called a metasearch engine, which do not crawl the web nor build their own index. They rely upon a crawler search engine (or a 3rd party's search functionality) to provide them with results for each search term, and therefore they only have access to the metadata about the pages returned in those results. Because they do not have access to the full data, their algorithms are limited to whatever the crawler has already taken into consideration, and is one of the reasons many concentrate on added features like providing a veil of privacy.

Using an analogy, imagine buying your petrol from various different outlets, you would think that you are aiding competition by 'shopping around'. But if it happened that all of those outlets sourced their fuel from the same supplier, then that supplier would still have a monopoly on the market and be able to dictate overall quality and pricing. When it comes to search engines, most outlets source their results from Bing, and to a lesser extent Google. So simply more outlets will not solve the problem of a lack of competition at the fundamental level and this is why Mojeek recommends seeking a way to increase the number of alternative search indexes and not just "search engines", or to help the ones that already exist.

With regards to the suggestion of opening up the indexes and technology of search giants and providing access to search query and click data for those in syndication deals, we don't think this is a good idea. Even if this was made available for Mojeek to use, we wouldn't pursue using the data shared with us from Google. In fact, this goes against the fundamentals of why we are creating a search engine to begin with. By absorbing aspects of Google or Bing, this would just give them even more power and control over what

information those who use search engines get to see. Additionally, even if certain metasearch engines were given access to this information, they are still extremely limited due to the fact that they are 'metasearch' engines, not 'search' engines. They simply receive metadata, which does not include, for example, the full text of a page nor the incoming link data. So they don't have their own algorithms, or they are at least limited to what those algorithms can do, nor do they have any control over the algorithms used by the actual search engine which provides them with results. Also despite disagreeing with some of their practices, the search giants have spent billions of dollars on building and maintaining their own search index, it could therefore be seen as unfair to force them to open up what is essentially their product and share it with others, or to offer search query and click data they have obtained by way of that product.

Whilst it's true that search engines that see more queries and therefore have more data can make changes to improve their service, by using Google or even Bing's index, the search engine adopting this service would still be incorporating their biases and therefore not providing a genuine alternative. Furthermore, it has the adverse affect of drawing people away from the bigger issue of the threat to our access to information. If these steps are made in the name of positive competition, it will actually just result in multiple search engines all offering the same service but under different banners. And whilst it's important that metasearch engines like DuckDuckGo and Startpage exist to offer users better privacy than mainstream search engines, they are not offering any new innovation with regards to improving the core elements of search. Overall, to reiterate what was expressed earlier, we don't think the solution for the monopolised search market is for metasearch engines to use the resources and data from the search giants, but instead we call for more search engines with independent search indexes and algorithms.

We cannot deny that opening up the search indexes, if implemented, would be somewhat 'useful' for those who intend to use the search giants' data, albeit not 'right' in our opinion. As most alternative search engines do not possess the vast numbers of users Google has, a backlog of billions of searches would offer more insight when improving the search engine alternative. And yes the data provided could be consistent with GDPR, as the type of data is not associated with personal profiles.

With regards to syndication deals, this doesn't directly apply to Mojeek as we don't use

search results from other search engines. We would argue that the pricing of the deals will have little to do with incentivising alternative search engines to develop their own index. This is because in the current climate, alternatives are either committed to creating their own web index (e.g. Mojeek, Gigablast, Yandex) or happy with being a metasearch engine (e.g. DuckDuckGo and Startpage), very few alternative search engines do both.

With regards to implementing a compulsory choice screen, this could be an effective method to work towards a more competitive search engine market. However, we would argue that this rule should apply to all operating systems, not just Android. As the report focuses on the Android choice screen in particular, we believe there are certain issues which would need resolving for the future. Namely, the current format by Google still gives them too much power as they're making money out of their competitors with a blind flat rate auction and with very little information provided about the overall process. Also being listed as a search engine option may be effective for initial brand awareness, but overall it's only good for competition if Android users choose a search engine, remain with it and actively use it in the long term. For example, what's stopping users from initially choosing Mojeek, by which Google then receives money, but then the user switches to another search engine after a few days?

Apple is slightly different in that it does not operate a search engine but its mobile devices only promote four search engines, which we understand are auctioned to the highest bidder and does not allow the manual configuration for additional search engines. Of these four listed, two source their results from Google and Bing, and the other two are Google and Bing, so as a result the dominance of two large companies makes it difficult for a new entrant to gain access.

It is also worth noting that the rules implemented by Google, which specify which participants are eligible to be listed, requires scrutiny. This is because it is currently possible for metasearch engines showing both results and pay-per-click advertising supplied by Google to be listed. Whether, these alternatives have syndication agreements with Google or not, this gives Google an unfair advantage to offer Android users an extension of their service, which not only offers the same information but also to profit, albeit under a different banner. Furthermore, if the alternatives which are supplied results and advertising by Google were to be disqualified for these reasons, why is it then

acceptable for metasearch engines which receive their results from Bing to qualify? Given the current search engine climate, whereby there are very few search engines with their own index and an abundance of metasearch engines which mostly rely on Bing, it could be argued that the rule should apply to all, especially in the name of fair competition. As in this current format, Google and Bing (via the metasearch engines with syndication agreements) would remain the ultimate benefactors and it would be even harder for a search engine with their own index to be listed, and thus limiting any positive traction.

This is our initial reaction to the current format, but perhaps evidence suggests that the Android choice screen has worked in Russia for Yandex, so there might be some positives. It will be important to evaluate the effect it will have after a few months, specifically looking into any traffic increases, bounce rates, installation/uninstallation for the alternatives that have been listed. However, there should be some amendments, mainly a choice screen should be impartial with a different way to get listed, which doesn't abide by the current bidding process. For example, the choice screen could be made by the company suggesting search options, but it must abide by rules laid out by a regulatory authority. The choice screen shouldn't be created in accordance to the colour scheme/branding of the company implementing it, as unconscious bias could benefit their logos versus the logos of the search engine competitors. Also it is apparent that the alternatives currently listed aren't of the highest quality. Many respected alternatives did not apply, so it is therefore not a fair representation of the field of search engines. We also believe listing four options isn't effective enough, as proven by DuckDuckGo's trial test, and the order should be randomised each time. Another potential amendment could be providing a link to each search engines' 'about page' to make a more informed decision before settling on one, and thus giving more power to the individual.

Overall, we agree there is a need to increase competition in the search engine market with a decoupling of the operating system from the search engine, improving visibility of search engines that exist at the operating level and do not support enforced access to already crawled indexes.

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