

Proposed decision report: SMS investigation into Google's general search and search advertising services

About Gener8

Gener8 is an award-winning UK data intermediary empowering people to control and be rewarded from their data. On one side of our platform, we offer our users the chance to access, control, and earn rewards from their online data. On the business-facing side of the platform, we sell fully consented, anonymised and/or aggregated data products to the market intelligence sector. The revenue we earn from these sales then funds the rewards that our users can redeem.

Gener8 facilitates data portability transfers into our mobile app for tens of thousands of UK users every day, empowering hundreds of thousands of active users to control and earn from their data. These consented transfers of data to our service represent data portability in action, but they are not a direct result of the right to data portability in the GDPR. Instead, these transfers are predominantly enabled by technology (such as APIs and protocols) that were either developed for other purposes, or developed in response to other regulatory interventions.

Gener8's Response

Gener8 welcomes the inclusion of data portability in the Competition and Markets Authority's proposed interventions within its investigation into potentially designating Google as a Strategic Market Status (SMS) firm.

We are encouraged by the CMA's recognition that although Google already offers data portability voluntarily in the UK, formalising this obligation in law would provide greater clarity for businesses developing innovative products reliant on seamless data transfer—giving them the confidence to invest and scale. Therefore, resulting in a clear benefit for the economy.

We continue to believe that introducing this requirement would be straightforward, particularly given that Google already offers its Data Portability Application Programming Interface (API) in the UK. Making this service a legal obligation would require minimal additional effort from Google, should it receive SMS designation.

For businesses like ours, one of the primary obstacles to investing in API-based solutions is the issue of trust. API providers retain control over access terms and usage policies, and history has shown that access can be withdrawn when providers perceive third-party developers as potential competitors. This creates significant uncertainty for businesses and developers whose products depend on consistent API access.

Therefore, requiring Google to provide real-time, uninterrupted access to portability tools—effectively extending the obligation under Article 6(9) of the EU’s Digital Markets Act (DMA)—would offer UK businesses much-needed legal assurance. It would protect their investments without imposing significant new compliance burdens on Google. The value of ensuring that UK firms can rely on continued access far outweighs the regulatory cost of implementing this safeguard.