

# Submission to the Competition and Markets Authority

## User Choice Conduct Requirement – Case No. 51198

### Eligibility Criteria to Appear on the Search Choice Screen

#### AI Chatbots / LLMs vs. Traditional Search Engines

We strongly believe that the CMA should consider creating separate Choice Screens for traditional search engines and for AI chatbots and large language models (LLMs) – such as Gemini, ChatGPT, Claude, You.com, and DeepSeek.

The primary reason is that these products do not deliver the general search experience that users expect – namely, the traditional list of web results (the “ten blue links”). Even though LLMs have begun to redefine how consumers research online, they remain, for now and for the foreseeable future, distinct products with different use cases and search intent.

There are several pieces of evidence to support this view:

##### i) From the consumer side

A large proportion of queries made in traditional search engines are not well addressed by AI/LLM chatbot services. A 2024–2025 analysis of 332 million Google queries (SparkToro/Datos) found that approximately [a third of searches are navigational](#) – that is, users entering a brand name or service directly (e.g. typing “ASOS” to navigate to that website). AI chatbots are poorly suited to fulfilling this type of query.

##### ii) From the product side

Despite adding “AI Overviews” to its traditional search engine, Google – the dominant player with access to the most consumer data – continues to differentiate between use cases and keeps its products (Google Search and Gemini) separate. Even on Pixel devices, where it controls the entire user experience, Google retains Google Search as the default search engine across its key access points (Chrome, search widget).

Several studies indicate that there is little cannibalization between queries made in LLM services and those made in traditional search engines (e.g. see [here](#) or [here](#)).

Favouring LLMs over traditional search engines for queries that AI does not answer well would be detrimental to UK consumers. It would also harm many publishers by accelerating the decline of their web traffic, and would have a greater environmental impact, as LLMs are significantly more resource-intensive than traditional search.

Finally, combining traditional search engines and AI chatbots in a single screen would more than double the list of candidates, making the choice unnecessarily complex for consumers.

#### Awareness Among UK Users

We believe that the eligibility criterion requiring a Search Provider to “be considered by a significant proportion of UK users to provide a general search service” is problematic. It creates a chicken-and-egg problem for new providers: in order to gain awareness, they need to invest heavily in marketing; and in order to fund that marketing, they need revenue, which in turn depends on users. This challenge is particularly acute in the search engine market, [REDACTED] that its name has become a proprietary eponym – “to Google something” has replaced “to search for something online.”

## Market Share Criterion

In order to determine the five search engines with the greatest UK market share, we recommend using data from the [Search Engine Referral Report published by Cloudflare](#). This appears to have a more robust methodology and to be based on more reliable data than [StatCounter](#), which was used in the previous Choice Screen. In any case, the use of proprietary data from Google – such as the number of Android app downloads or active devices – should be avoided, as such figures can be manipulated.

## One Search Engine Per Company

To prevent the opportunistic creation of multiple brands built on the same underlying search engine, the “one search engine per parent company” policy included in the original Choice Screen should be retained.

## Determination of Eligible Providers for the Search Choice Screen

### Role of the CMA

We believe the task of determining which providers are eligible should be carried out by the CMA, rather than Google, or at the very least be subject to strong CMA oversight.

There is a clear conflict of interest: experience from previous Choice Screens has demonstrated that the fewer Search Providers are included, the less likely consumers are to choose an alternative to Google when prompted. This was precisely what motivated the change in methodology for selecting Eligible Providers in the DMA Choice Screen process.

Furthermore, the stated eligibility criteria are sufficiently broad to give Google substantial discretion to exclude competitors. For example, on what basis would Google determine whether a given Search Provider is “considered by a significant proportion of UK users to provide a general search service”?

## Design of the Choice Architecture on the Search Choice Screen

### Rotation

In addition to the five search engines with the greatest UK market share, the seven remaining displayed search providers should be selected on a rotating basis from among all Eligible Providers that have expressed an interest in appearing on the Choice Screen.

### Ranking

All search engine providers – including the top five by market share – should be displayed in random order. This would have a significant impact in mitigating Google’s substantial advantage in brand awareness.

### Forced Scroll

The button to confirm the user’s choice should be placed at the end of the list. This ensures that users have seen all 12 displayed options before making a selection.

### Short Description

A short tagline for each of the 12 services should be displayed directly beneath the option, without requiring the user to click to reveal it. This will allow users to learn about search engines they have not previously encountered.

### Additional Choices

A “+” button should be displayed at the end of the list to allow users to access further options from among all Eligible Providers – for example, if a user wishes to set as their default a provider not included among the 12 displayed options.

## **Option to “Test-Drive” Search Providers**

Where this feature is feasible, the duration of any test-drive period is critical.

In our experience, the first few weeks of switching from Google to an alternative search engine tend to be challenging for most users. After years of using Google Search, users often become so accustomed to its interface – fonts, colours, layout – that even minor changes can require several weeks or months of adjustment before they feel comfortable with a new provider. A 14-day test-drive period therefore appears too short, and could prove counterproductive.

An A/B testing approach to evaluate the optimal duration could be beneficial.

## **Device-Level Customer Journey for Changing the Default Search Engine on Android**

### **Default Search Options Menu**

As noted in the CMA’s analysis, a default search options menu that is easily accessible at the device level – similar to the existing default browser menu – would represent a significant improvement for consumers.

A key requirement is that this feature should be based on the [OpenSearch](#) standard. Under this standard, any search engine that has implemented the relevant code and has been voluntarily used by a user in their browser would be eligible to appear in the menu. This would allow new search providers to be discoverable through that menu.

### **API**

Providing an API that allows Eligible Providers to check the current default search engine – and potentially prompt users to consider changing it – would significantly boost competition. Such an API would allow providers to present the prompt at the most relevant moment, i.e. when a user is actively engaging with an alternative provider.

This API should also be accessible via the web (not only at the device level), so that users can change their default search provider without needing to download an app – for example, if they wish to continue using Chrome.

Security risks would be minimal, as this would be a private API accessible only to Eligible Providers.

## **Prompts Displayed by Google That May Inhibit Effective User Choice**

### **Dark Pattern UX**

It is essential to prohibit Google from employing dark pattern UX techniques, such as those used in the prompt displayed when a user installs a Chrome extension to change their default search engine. One concrete example is the deliberate reversal of the standard positions of the “Confirm” and “Cancel” buttons – a highly effective manipulation that discourages users from completing the switch.

## **Abusive Security Policies Used to Restrict Competition**

A further tactic used in the Chrome Web Store is the selective application of policy rules to disadvantage competitors. For instance, extensions from alternative search engines have been temporarily removed from the store for allegedly violating the “Single Purpose” rule, which states that a Chrome extension must serve a single purpose.

However, in the context of search, an effective extension must replace the default search engine in both the URL bar and the search bar on the new tab page. These are not meaningfully separate purposes; they serve a single function: enabling users to search via their chosen provider.

Accordingly, Eligible Providers should be granted an explicit exemption from this rule.

## **Miscellaneous**

### **Search Results Feed and Sponsored Links Feed**

In line with the conclusions of the US antitrust case against Google, the CMA should examine the possibility of requiring Google to provide transparent and fairly priced access to its search results (through Google Programmable Search Engine or a dedicated API for Eligible Providers) and to its sponsored links (Google AdSense for Search).

This is not yet the case, but it remains a worthwhile option to explore as a means of fostering competition. The remedies introduced under the DMA in the form of the Google European Search Dataset Licensing Programme have thus far proven largely ineffective.