

## BrowserWorks's Response to the CMA Invitation to Comment

### UK Strategic Market Status Investigation into Microsoft's Business Software Ecosystem

#### *Who are we?*

BrowserWorks is the UK-based developer of Waterfox<sup>1</sup> is an independent, open-source PC browser built for privacy, customisation, and independence from major platform ecosystems. We offer our browser worldwide, including to United Kingdom ("UK") users. We collect no telemetry, embed no AI, implement privacy protocols like Oblivious DNS<sup>2</sup> and anti-fingerprinting measures,<sup>3</sup> and allow users to open private tabs within their one singular tab (rather than the user having to open a new window) which can then be closed without leaving a trace. For productivity, we provide key features that users value like tree vertical tabs and automatic tab grouping. These are built-in with no extensions or add-ons required. Waterfox presents a distinct browser that serves both UK users and organisations needing genuine privacy and efficient workflows on PCs.

As a member of the Browser Choice Alliance, we support and encourage the Competition and Markets Authority ("CMA")'s market investigation under the Digital Markets, Competition and Consumers Act 2024 ("DMCCA"). This represents a crucial initial move in allowing UK desktop users and businesses to freely choose their default browser and not to have this choice undermined by Microsoft.

This submission addresses the ITC questions most relevant to Waterfox's position as an independent browser developer competing on PC devices within Microsoft's business software ecosystem. Waterfox's concern is straightforward: Microsoft leverages its longstanding dominance across Windows and Microsoft 365 to favour its own browser, Edge, limiting free and effective user choice and undermining fair browser competition.

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<sup>1</sup> See further <https://www.waterfox.com/>. Waterfox is also a member of the Browser Choice Alliance ("BCA"), a coalition of web browser providers dedicated to promoting genuine competition and choice in PC browsers for the benefit of consumers and developers alike. For more information, see: [www.browserchoicealliance.org](http://www.browserchoicealliance.org).

<sup>2</sup> See Waterfox, Configure DNS over HTTPS protection levels in Waterfox - Waterfox Support, available at: <https://www.fastly.com/blog/enabling-privacy-on-the-internet-with-oblivious-http>, (Oblivious DNS is a privacy protocol that dissociates your IP address from the searches so that the search provider cannot link what a user searches for to their specific network identity). See also Waterfox, "Waterfox's protection against fingerprinting - Waterfox Support", available at: <https://www.waterfox.com/support/waterfox-protection-against-fingerprinting/>.

<sup>3</sup> Fingerprinting is a technique whereby websites identify and track users based on a combination of attributes from the user's device and browser, e.g., screen resolution, installed fonts, OS, time zone and language settings, in order to create a distinctive profile to recognise users returning to their websites. Anti-fingerprinting protection warns users with a prompt when a website attempts to extract this data.

## **Q1: Scope of the investigation**

Waterfox welcomes the CMA broad notion of “organisations” (ITC,<sup>4</sup> fn.1) yet notes that the ITC states individual consumers are *“not the focus of this investigation and outside the scope of the proposed digital activities”* (ITC, para. 16). Waterfox encourages the CMA not to expressly descope consumers from any measures that it may eventually take, as this might risk undermining the effectiveness of potential remedies.

In the context of PC browsers this distinction is not meaningful in practice. Consistent with the ever-increasing blurring between work and private life, a single Windows device is routinely used for both professional and personal purposes, with the same browser potentially acting as the interface for all activities. A user might be accessing work emails through a web app in one tab, carrying out desktop research in another, engaging with an AI chatbot in another, while researching holiday destinations and streaming music in others. From the perspective of alternative browser providers, there is no clear functional distinction between “business” and “consumer” usage. Microsoft’s practices that restrict browser choice on Windows affect all users equally.

Carving out consumers from any eventual measures would thus, we believe, hinder the CMA’s ability to adopt effective remedies. For example, it is difficult to see how the CMA could ensure a truly level playing field for developers if a large part of the addressable market is excluded from the corrective measures.

## **Q2: Evidence and other issues the CMA should consider**

Our experience directly supports the CMA’s identified concerns:

1. Thanks to Microsoft’s portfolio-wide Jumpstart scheme, Microsoft Edge is the only pre-installed browser on every Windows PC, and changing that default remains a multi-step process that most users never complete. The ITC rightly recognises that defaults, pre-enabled settings, and user journeys can steer customers toward a provider’s own products, even where alternatives are available and technically compatible (ITC, para. 52). Over time, these design choices *“reinforce adoption of default or embedded products”* and *“reduce effective consideration of alternatives”* (ITC, para. 53). Microsoft’s use of dark patterns to favour its own browser, Edge, is a clear example of precisely this type of steering behaviour in practice, through tactics such as resetting Edge as the default after system updates and displaying security style post-OS update prompts or other similar nudges encouraging users to set Edge as their default browser.

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2. Microsoft 365 deepens this dynamic. OS-level default browser choices do not extend to web links opened from key Microsoft productivity apps, Outlook and Teams, making a complex and convoluted process necessary for a web link to open in the user’s chosen browser. In addition, certain system and application

<sup>4</sup> Competition and Markets Authority (“**CMA**”), “Strategic Market Status Investigation into Microsoft’s business software ecosystem: Invitation to Comment” (“**ITC**”) 14 May 2026, available at: [https://assets.publishing.service.gov.uk/media/6a044eeecd2e0e8b5b20b518/Investigation\\_Notice.pdf](https://assets.publishing.service.gov.uk/media/6a044eeecd2e0e8b5b20b518/Investigation_Notice.pdf).

links remain hardwired to open in Edge, again ignoring the user's chosen default browser.

3. Through these practices, Microsoft creates persistent, unfair and unearned advantage for its browser, Edge.
4. The barriers to entry and expansion identified by the CMA are acutely felt by independent browser providers. While Waterfox competes on merit through its privacy-first design, independence and strong user control, Microsoft's position across the PC operating system ("OS") and productivity software environment allows it to determine the prominence, visibility and accessibility of its own browser throughout the user journey (ITC, paras. 52-54). This directly aligns with the CMA's concern that interface design, defaults and product integration may shape outcomes and limit effective competition.

Additionally, BrowserWorks submits that the CMA should consider the role of browsers as a key gateway and leveraging layer within Microsoft's business software ecosystem. As organisations increasingly rely on cloud-based tools, the browser becomes the primary interface through which UK users access productivity services such as Microsoft 365 and competitive alternatives. Control over this layer allows Microsoft to influence user journeys and steer usage toward its own browser through exclusive portfolio-wide pre-installation, hardwired defaults and Windows OS-level prompts. This contrasts with Waterfox's model, which is designed to provide UK users with a neutral, privacy-preserving browsing environment independent of any broader software ecosystem.

### ***Next Steps***

BrowserWorks therefore invites the CMA to examine how control over the browser layer may affect user choice and competitive outcomes on the PC desktop and across Microsoft's wider business software ecosystem and would welcome the opportunity to provide further evidence, including on how these practices impact Waterfox's ability to reach UK users and offer new and better innovations.