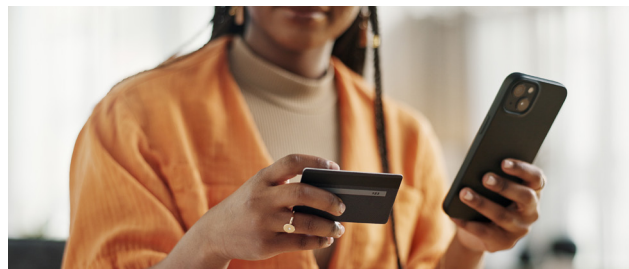


Digital Markets Act and Digital Services Act

Deploying deep technology, economic and regulatory insight

The Digital Markets Act (DMA) and Digital Service Act (DSA) require not only rigorous economic thinking but also practical knowledge of digital markets, and the data and technology underlying them.



Keystone's Triad Of Skills



Keystone uniquely blends established competition economics and regulatory capabilities with cutting-edge expertise in technology, data, AI, privacy and behavioural science. We combine these skills to build persuasive and credible evidence, drawing on insight from Keystone's global network of world-leading experts.

The Keystone offering enables firms to navigate challenges and identify opportunities from the DSA and DMA:



1. Regulatory Strategy

Building and implementing effective advocacy and engagement strategies with regulatory authorities.



2. Platform Economics

Applying deep expertise in competition economics to engage with the rationale and outcomes from regulatory obligations.



3. Algorithmic Auditing

Assessing internal algorithms and their risks for transparency reporting and independent audits under both DMA and DSA obligations.



4. Data Science and Technology Systems Analysis

Evaluating technical systems including hardware, API design and data sharing using privacy enhancing technologies (PETs).



5. Consumer and Firm Behavioural Analysis and Experimentation

Analysing choice architecture, setting up experiments, A/B testing, surveying and other techniques for identifying and removing dark patterns from user interface design.

Digital Markets Act & Digital Services Act



1. Regulatory Strategy

We offer a distinctive advisory service backed by significant regulatory experience.

KEYSTONE EXPERIENCE

- Working with a leading television broadcaster and advertiser in relation to the designation of Android TV OS, Google TV, and Google's ad tech as Core Platform Services and compliance with Article 5 and 6 of the DMA.
- Designing and executing a sophisticated and multi-layered strategy for a technology firm to assess compliance with the DMA, supported by robust experimental evidence.



2. Platform Economics

We support regulatory investigations into competition issues such as parity clauses, anti-steering, tying, self-preferencing, and switching restrictions by building credible and well evidenced cases.¹

KEYSTONE EXPERIENCE

- Supporting Dr. Susan Athey on the FTC vs 1-800 Contacts case, analysing anti-competitive effects of agreements that limited competitor bidding on branded keywords for online search advertising.
- Submitting evidence to the US Department of Justice on exclusionary conduct and network effects on competition in the video game industry.



3. Algorithmic Auditing

Transparency Reporting: We can assess and explain the main parameters used in targeted advertising and recommender systems.²

Algorithmic Risk Assessment And Responsible Ai: We can help detect systematic bias, discrimination, privacy leaks, and bias assessment in machine learning models.³

KEYSTONE EXPERIENCE

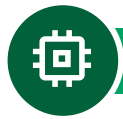
- Leveraging our expertise to identify and interpret critical features of a recommender system for a premier travel search company, providing technical support for a litigation case.
- Crafting a robust framework to evaluate fairness in machine learning models for a leading ad-tech company, driving ethical AI practices and transparent business operations.
- Conducting an extensive audit of facial recognition algorithms for a social media company, safeguarding user experiences by ensuring compliance with privacy regulations.



¹Relevant DMA articles: 5(3), 5(4), 5(7), 5(8), 6(5), 6(6)

²Relevant DMA articles: 5(9), 5(10), 6(8); Relevant DSA articles: 26, 27, 38, 39

³Relevant DMA articles: 15; Relevant DSA articles: 26, 27, 38, 39



4. Data Science and Technology Systems Analysis

Data Sharing, Portability and Privacy Compliance: We assess the feasibility, design and impact of data sharing and portability obligations.⁴

Hardware and Software Interoperability and Analysis: We perform technical evaluation of interoperability with hardware/software features and undertake rigorous analysis of technical systems, e.g., the adtech stack or mobile ecosystem security.⁵

KEYSTONE EXPERIENCE

- Designing data access protocols for major digital publishers using appropriate de-identification methodologies.
- Assessing and implementing data privacy enhancing technology for a prominent social media company, ensuring compliance with privacy regulations while balancing business requirements.



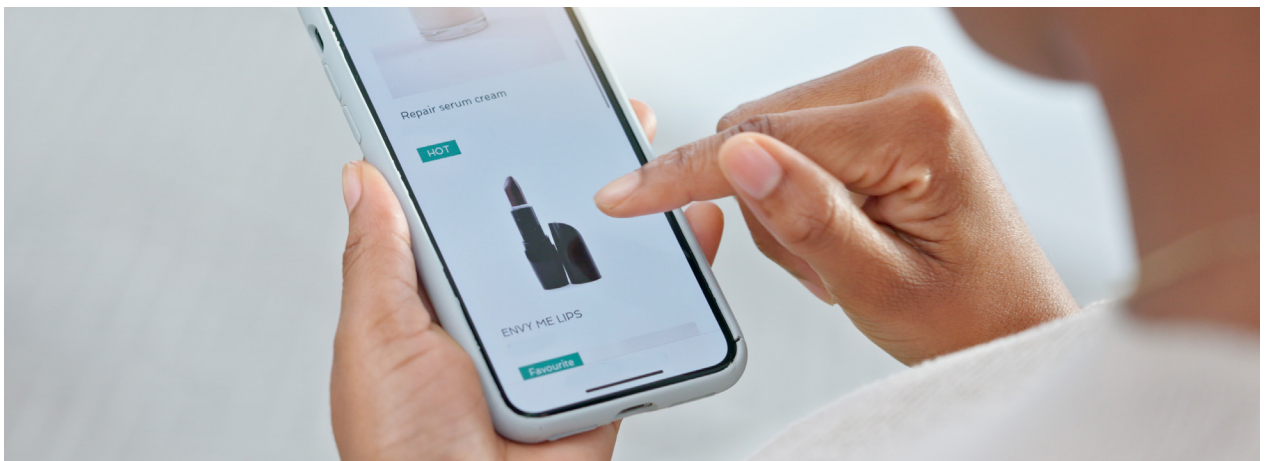
5. Consumer and Firm Behavioural Analysis and Experimentation

Detection of Dark Patterns: We explore the impact of choice architecture practices in design choices and decision-making.⁶

Consumer and Firm Behaviour Analysis and Experimental Design: We design experiments, alongside using other techniques, to evaluate user preferences and consumer choice e.g., the impact of default settings.⁷

KEYSTONE EXPERIENCE

- Analysing self-preferencing design choice architecture of a large retail platform and its impact on consumer behaviour.
- Using cutting-edge behavioural experimental research techniques to evaluate design changes and the effect on choices for a challenger technology firm.



⁴Relevant DMA articles: 5(2), 5(9), 5(10), 6(2), 6(8), 6(9), 6(10), 6(11); Relevant DSA articles: 39, 40

⁵Relevant DMA articles: 6(7), 7(1)

⁶Relevant DSA articles: 25, 26

⁷Relevant DSA articles: 14, 26, 27, 31; DMA articles: 5(2), 5(4), 5(5), 6(3), 6(4)

Keystone Experts



Dr. Andrea Coscelli
Partner & Head of Keystone Europe

- Former Chief Executive of the UK Competition and Market Authority (CMA).
- Over 10 years' experience as senior UK regulator.
- Prior experience of over 10 years in consulting.
- Globally recognized as one of the leading antitrust enforcers of the decade.
- Has led the CMA efforts in antitrust and competition cases against Apple, Facebook, and Google.

Keystone has 220+ behavioural scientists, economists, data scientists, computer scientists and a vast network of globally recognised experts



Aaron Roth

Professor of Computer and Cognitive Science, University of Pennsylvania; co-Author of The Ethical Algorithm.



Michael Luca

Associate Professor of Business Administration, Harvard Business School; focuses on online platform design and aiding organizations to incorporate data into decision making.



Anja Lambrecht

Professor of Marketing, London Business School; focuses on online targeting and advertising, digital pricing and algorithmic bias.



Rachel Cummings

Associate Professor of Industrial Engineering and Operations Research; focuses on data privacy and human decision making.



James Mickens

Professor of Computer Science, Harvard University; focuses on operating systems and systems security.