

Compromise Amendment B
on Definitions replacing all relevant amendments, including AMs 33-36, 413-490

Article 2
Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'Gatekeeper' means a provider of core platform services designated pursuant to Article 3;
- (2) 'Core platform service' means any of the following:
 - (a) online intermediation services;
 - (b) online search engines;
 - (c) online social networking services;
 - (d) video-sharing platform services;
 - (e) number-independent interpersonal communication services *provided by any other core platform service*;
 - (f) operating systems;
 - (fa) *web browsers*;
 - (fb) *digital-voice virtual assistants*; [text proposed by the Commission]
 - (g) cloud computing services ~~except if those services are used by business users as underlined facilities for the purposes of developing and deploying their own solutions~~ *Infrastructure as a Service*;
 - (h) *online* advertising services, including any advertising networks, advertising exchanges and any other advertising intermediation services, provided by a provider *where the undertaking to which it belongs is also a provider* of any of the core platform services listed in points (a) to (g);
- (3) 'Information society service' means any service within the meaning of point (b) of Article 1(1) of Directive (EU) 2015/1535;
- (4) 'Digital sector' means the sector of products and services provided by means of or through information society services;
- (5) 'Online intermediation services' means services as defined in point 2 of Article 2 of Regulation (EU) 2019/1150;
- (6) 'Online search engine' means a digital service as defined in point 5 of Article 2 of Regulation (EU) 2019/1150 *thus excluding the search functions on other online intermediation services*;
- (7) 'Online social networking service' means a platform that enables end users to connect, share, discover and communicate with each other across multiple devices and, in particular, via chats, posts, videos and recommendations;

- (8) 'Video-sharing platform service' means a service as defined in point (aa) of Article 1(1) of Directive (EU) 2010/13¹;
- (9) 'Number-independent interpersonal communications service' means a service as defined in point 7 of Article 2 of Directive (EU) 2018/1972;
- (10) 'Operating system' means a system software which controls the basic functions of the hardware or software and enables software applications to run on it;
- (10 a) *'Web browser' means software used by users of client PCs, smart mobile devices and other devices to access and interact with web content hosted on servers that are connected to networks such as the Internet, including standalone web browsers as well as web browsers integrated or embedded in software or similar;*
- (10 b) *'~~Virtual~~ Voice assistants' means a voice-activated piece of software that can process voice responds to oral or written commands and return relevant information or and performs certain functions tasks such as accessing digital services or controlling devices as requested by end users executing search queries, accessing and interacting with other digital services on behalf of the end user;*
[text proposed by the Commission]
- (11) 'Cloud computing services' means a digital service as defined in point 19 of Article 4 of Directive (EU) 2016/1148 of the European Parliament and of the Council²;
- (12) 'Software application stores' means a type of online intermediation services, which is focused on software applications as the intermediated product or service;
- (13) 'Software application' means any digital product or service that runs on an operating system;
- (14) 'Ancillary service' means services provided in the context of or together with core platform services, including payment services as defined in point 3 of Article 4 and technical services which support the provision of payment services as defined in Article 3(j) of Directive (EU) 2015/2366, **fulfilment, including parcel delivery as defined in Article 2 paragraph 2 of Regulation (EU) 2018/644, freight transport, identification or advertising services;**
- (15) 'Identification service' means a type of ancillary services that enables any type of verification of the identity of end users or business users, regardless of the technology used;
- (16) 'End user' means any natural or legal person using core platform services other than as a business user;
- (17) 'Business user' means any natural or legal person acting in a commercial or professional capacity using core platform services **on the basis of contractual**

¹ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1).

² Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union (OJ L 194, 19.7.2016, p. 1).

relationships with the provider of those services for the purpose of or in the course of providing goods or services to end users;

- (18) ‘Ranking’ means the relative prominence given to goods or services offered through ~~online intermediation services or online social networking~~ *core platform services*, or the relevance given to search results by online search engines, as presented, organised or communicated by the *core platform service* providers ~~of online intermediation services or of online social networking services or by providers of online search engines, respectively, whatever the~~ *irrespective of the* technological means used for such presentation, organisation or communication;
- (18 a) *‘Search results’ is any information in any format, including texts, graphics, voice or other output, returned in response and related to a written or oral search query, irrespective of whether the information is an organic result, a paid result, a direct answer or any product, service or information offered in connection with, or displayed along with, or partly or entirely embedded in, the organic results;*
- (19) ‘Data’ means any digital representation of acts, facts or information and any compilation of such acts, facts or information, including in the form of sound, visual or audiovisual recording;
- (20) ‘Personal data’ means any information as defined in point 1 of Article 4 of Regulation (EU) 2016/679;
- (21) ‘Non-personal data’ means data other than personal data as defined in point 1 of Article 4 of Regulation (EU) 2016/679;
- (22) ‘Undertaking’ means all linked enterprises or connected undertakings that form a group through the direct or indirect control of an enterprise or undertaking by another and that are engaged in an economic activity, regardless of their legal status and the way in which they are financed;
- (23) ‘Control’ means the possibility of exercising decisive influence on an undertaking, as understood in Regulation (EU) No 139/2004.
- (24) *‘Infrastructure as a Service’ means a cloud computing service where virtualised IT infrastructure (such as servers, network or storage) is provided to users through the internet.*