

CONSUMER AND CITIZEN GROUPS CONTINUE TO HAVE SERIOUS CONCERNS ABOUT GOOGLE FITBIT TAKEOVER

Joint Statement on Possible Remedies

Regulators investigating Google's takeover of Fitbit are reportedly seeking commitments from Google to allow them to clear this deal. It is widely recognised that this takeover raises serious competition and privacy concerns and risks harming citizens and consumers in several markets including wearables, advertising and digital health. This takeover must therefore only be approved if merger remedies can effectively prevent those harms in the short and long term.

Through this deal, Google could first shut rival manufacturers out of the wearables market by degrading their interoperability with Google's Android smartphone operating system once it owns Fitbit. This could significantly reduce consumers' choice of wearables. Second, Google taking over Fitbit gives it new valuable health data to combine with its own unrivalled data trove and risks jeopardising rivals' access to wearables data in digital health markets to the detriment of innovation in these critical nascent markets. Finally, in relation to online advertising, where Google already has unparalleled market power, the deal would further strengthen that market power by giving Google a further data advantage in the personalisation of ads through its ownership of Fitbit's user database.

We therefore urge all regulators reviewing this deal to ensure, in cooperation with all relevant stakeholders, that any commitments by Google fully guarantee, now and into the long term future, (1) continued complete wearables interoperability with Android, (2) that digital health markets remain competitive and innovative with high levels of data security and privacy protection, (3) that Google is prevented from further increasing its dominance in online advertising, and (4) include safeguards to ensure the effects of the commitments are not neutralised in practice. Anything less would risk serious harm to society and scarcely be credible in the light of global concerns about the ever-increasing power of Google and other tech giants and the responsibility of decision-makers to act before it is too late.¹

SIGNATORY ORGANISATIONS:

ACCESS NOW
EU

AUSTRALIAN PRIVACY FOUNDATION
Australia

BEUC – THE EUROPEAN CONSUMER ORGANISATION
EU

CENTER FOR DIGITAL DEMOCRACY
US

CENTRE FOR RESPONSIBLE TECHNOLOGY
Australia

CONSUMER FEDERATION OF AMERICA
US

DERECHOS DIGITALES
Latin America

DIGITALCOURAGE
Germany

EDRI (EUROPEAN DIGITAL RIGHTS)
EU

IDEC – BRAZILIAN INSTITUTE OF CONSUMER DEFENSE
Brazil

NEW AMERICA'S OPEN TECHNOLOGY INSTITUTE
US

OMIDYAR NETWORK
US

OPEN MARKETS INSTITUTE
US

OPEN SOCIETY EUROPEAN POLICY INSTITUTE
EU

PANOPTYKON FOUNDATION
EU

PRIVACY INTERNATIONAL (PI)
Global

PUBLIC INTEREST ADVOCACY CENTRE
Canada

PUBLIC KNOWLEDGE
US

RED EN DEFENSA DE LOS DERECHOS DIGITALES (R3D)
Mexico

TRANS-ATLANTIC CONSUMER DIALOGUE
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¹ In July consumer and citizens groups released a [first joint statement](#).