Google to court: we'll change our Apple deal, but please let us keep Chrome



A court found Google liable for unlawfully monopolizing online search, and its remedies are supposed to reset the market, letting rivals fairly compete. Google (obviously) disagrees that it's running a monopoly, but before it can appeal that underlying conclusion, it's trying to limit the fallout if it loses.

Google's justification is that search deals were at the heart of the case, so they're what a court should target. Under the proposal, Google couldn't enter deals with Android phone manufacturers that require adding mobile search in exchange for access to other Google apps. It couldn't require phone makers to exclude rival search engines or third-party browsers. Browser companies like Mozilla would be given more flexibility in setting rival search engines as defaults.

Perhaps the biggest concession is that this agreement would specifically end Google's long-running multibillion-dollar

search deal with Apple. It would bar Google from entering agreements that make Google Search the default engine on any "proprietary Apple feature or functionality, including Siri and Spotlight" in the US — unless the deal lets Apple choose a different default search engine on its browser annually and "expressly permits" it to promote other search engines.

And in a nod to some DOJ concerns about Google locking out rival AI-powered search tools and chatbots, Google proposes it should be disallowed from requiring phone makers to add its Gemini Assistant mobile app in order to access other Google offerings.

The government has proposed ten years of restrictions, but Google's counterproposal is only three — it argues nothing more is necessary because "the pace of innovation in search has been extraordinary" and regulating a "fast-changing industry" like search would slow innovation.

If the court accepts Google's streamlined proposal over the DOJ's, the company could lose out on some lucrative or strategically advantageous deals, but its business would remain intact. It wouldn't have to spin out its Chrome browser or have the threat of an Android divestment order hanging over it. And it wouldn't need to share many of the underlying signals that help it figure out how to serve useful search results, so that rivals could catch up and serve as a true competitive pressure, as the DOJ hopes.

Both Google and the DOJ's proposals are essentially starting points from which the judge can work. But Google is betting it could have an easier time selling a simple proposal that addresses a major, specific problem raised in the trial. It's positioning the government's proposals as extreme and reaching beyond the scope of the judge's earlier decision, perhaps — Google will likely tell the court — even in a way that could get overturned on appeal.

This hasn’t been received well by at least one of Google’s rivals, the search engine company DuckDuckGo. “Google’s proposal attempts to maintain the status quo and change as little as possible,” spokesperson Kamyl Bazbaz said in a statement. Both sides will argue their case in a federal court in Washington, DC beginning on April 22.

https://www.theverge.com/2024/12/23/24328087/google-proposed-final-judgement-search-monopoly-antitrust-default-contracts