



TECHNOLOGY

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# Infographic: The Platform to Business Regulation

by Jane O'Grady

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The Platform to Business Regulation (P2B Regulation) became law on 12 July 2020. The P2B Regulation changes the way that tech companies providing intermediary services in the EU can deal with their business customers.

# THE PLATFORM TO BUSINESS REGULATION

*Promoting fairness and transparency for business users of online services, the Platform to Business Regulation (P2B) became law on 12 July 2020.*



## TO WHOM DO THE REGULATIONS APPLY

The new rules apply to businesses providing online intermediation services irrespective of whether or not the platform owner is established in the EU if: (1) its business users are established in the EU; AND (2) those business users offer their goods or services to consumers located in the EU.

### ✓ INCLUDED

- Online e-commerce market places (e.g. Amazon Marketplace, eBay)
- Search engines
- App stores
- Social media providers
- Hotel and travel booking platforms
- Fare aggregator sites
- Price comparison sites

### ✗ EXCLUDED

- Peer-to-peer platforms without the presence of business users
- Online payment services
- Pure business-to-business online intermediation services
- Online advertising tools and advertising exchanges
- Search engine optimisation software

## POINTS OF NOTE

- Sets new standards in contractual relations between online traders and digital platforms
- Business users do not need to have existing contracts with consumers in order for the P2B Regulation to apply
- Business associations will be able to enforce the rules on behalf of their members
- Bans the termination or suspension of user accounts without giving reasons and proper notice



## MAJOR CHANGES FOR PLATFORM PROVIDER

- T&Cs must include new mandatory provisions
- Make T&Cs available in plain and intelligible language
- Provide information for users how the platform ranks its own and rival products
- Provide details of at least two mediators to settle online disputes.

This infographic was collated by Jane O'Grady and Eimear McCluskey.

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## About the Author



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Jane is dual qualified as a solicitor and a trade mark and design attorney, with many years private practice and in-house experience advising on commercial contracts, intellectual property, commercial agency and all aspects of technology law.

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