

S.2992 prohibits Google Search from favoring Google maps and ratings in search results

When users of Google Search are looking for a business nearby, they expect search results to include a Google map that shows locations, linked to customer ratings and reviews and to business profiles that include driving distance, photos, and operating hours.

Because Google cannot preference **Google Maps** in Search, this map display would be unlawful under S. 2992.

S.2992 prohibits Google from showing search results in ways that favor or feature businesses using **Google Business Profile** to manage their information, like operating hours and photos. And Google Reviews could not be shown by default

Under S.2992, Google may not preference its own Google map and Google's customer ratings, driving distance, and information provided by the business. Google Search would be forced to integrate and share data with other map providers, like MapQuest, TomTom, Yandex, etc.

It shall be unlawful... to preference the covered platform operator's own products, services, or lines of business over those of another business user on the covered platform in a manner that would materially harm competition

Moreover, Google may not arrange search results in ways that favor or feature businesses using **Google Business Profile** to manage their information, like operating hours, photos, and reviews.

It shall be unlawful for a person operating a covered platform... in connection with any covered platform user interface including search or ranking functionality, treat the products services, or lines of business of the covered platform operator more favorably relative to those of another business user.

NetChoice

S.2992 prohibits Amazon from favoring Prime over non-Prime offers

Amazon Prime subscribers expect to compare products in search results, where a **Prime** badge means that Amazon guarantees free delivery by the promised date. For a product to be eligible for Prime, a marketplace seller needs to use Amazon's fulfillment services and provide inventory to Amazon's distribution network.

The screenshot shows the Amazon website interface for a search of "furnace filters". The top navigation bar includes the Amazon Prime logo, delivery location (Steve Mclean 22101), search bar, and account/order links. Below the navigation, there are 1-48 of over 7,000 results for "furnace filters", sorted by "Featured". Three product listings are visible:

- Vega AC Air Furnace Filters - Cut to Fit - Washable (20x30x1, 2 Pack)**: Price \$26⁹⁹ (\$13.50/Count). Delivery: "Get it Wed, Feb 16 - Fri, Feb 18 FREE Shipping". No Prime badge.
- Filtrete 16x25x1, AC Furnace Air Filter, MPR 1000, Micro Allergen Defense, 4-Pack (exact dimensions 15.69 x...)**: Price \$53⁹⁹ (\$13.50/Count). Delivery: "prime Today 5 PM - 10 PM FREE delivery today". Prime badge present.
- Aprilaire 413 Replacement Furnace Air Filter for Aprilaire Whole Home Air Purifiers, MERV 13, Healthy Home...**: Price \$169⁹⁹ (\$42.50/Count). Delivery: "prime FREE One-Day Get it Tomorrow, Feb 11". Prime badge present.

S. 2992 prohibits Amazon from featuring **Prime** badges only for sellers who use Amazon's fulfillment services.

In the example above, the first seller cannot display the **Prime** badge since they are not using Amazon's fulfillment services, although that seller is promising free shipping with 1-day delivery. Prime subscribers often look for the Prime badge to ensure faster free delivery by Amazon.

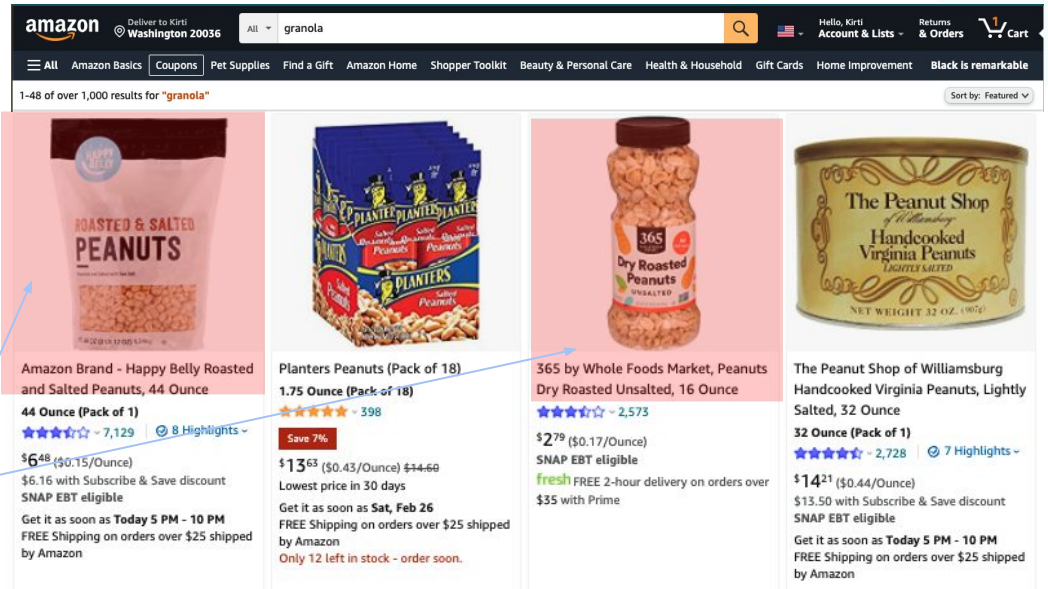
But Amazon may not favor Prime offers from Amazon or from marketplace sellers, since that favors sellers who use Amazon's fulfillment services. That is unlawful conduct under S. 2992 Section 2:

It shall be unlawful... to preference the covered platform operator's own products, services, or lines of business over those of another business user on the covered platform in a manner that would materially harm competition

It shall be unlawful for a person operating a covered platform... in connection with any covered platform user interface including search or ranking functionality, treat the products services, or lines of business of the covered platform operator more favorably relative to those of another business user.

S.2992 prohibits Amazon from featuring its store brands like Happy Belly and 365 by Whole Foods

When Amazon consumers search for pantry staples, they expect results that include Amazon's own affordable options, like **Happy Belly** or **365 by Whole Foods**, so they can compare against name brands offered by other marketplace sellers.



S. 2992 prohibits giving **Happy Belly** or **365 by Whole Foods** more favorable placement than products from other sellers.

But under S.2992 Section 2, Amazon could not give preferential placement to its **store brands** as seen above since it would be considered unlawful conduct:

It shall be unlawful... to preference the covered platform operator's own products, services, or lines of business over those of another business user on the covered platform in a manner that would materially harm competition

It shall be unlawful for a person operating a covered platform... in connection with any covered platform user interface, including search or ranking functionality, treat the products services, or lines of business of the covered platform operator more favorably relative to those of another business user.

Amazon may not favor its **Happy Belly** or **365 by Whole Foods** products—both of which are SNAP EBT eligible—by giving them more favorable placement than products from Amazon marketplace sellers.

S.2992 prohibits Amazon from featuring its store brand Amazon Basics

When Amazon consumers search for products, they expect results that include Amazon's own brand **Amazon Basics**, so they can compare against name brands sold by Amazon and products offered by marketplace sellers.

S. 2992 prohibits **Amazon's Choice** labels that favor or preference Amazon's own products.

S. 2992 prohibits giving **Amazon Basics** more favorable placement than products from other sellers.

The screenshot shows the Amazon search results for "aaa batteries". The top navigation bar includes the Amazon Prime logo, delivery location (Mclean 22101), search bar, and account/order links. Below the navigation, there are 1-48 of 819 results for "aaa batteries". The results are sorted by "Featured".

The first result is an **Amazon's Choice** product: Amazon Basics 36 Pack AAA High-Performance Alkaline Batteries, 10-Year Shelf Life, Easy to Open Value Pack. It is featured from our brands and has a price of \$10.72 (\$0.30/Count) with a 40% off discount for the first subscription order. It is available for Prime delivery today on qualifying orders over \$35.

The second result is a sponsored product: Duracell - CopperTop AAA Alkaline Batteries - Long Lasting, All-Purpose Triple A Battery for Household and... It has a price of \$16.79 (\$0.70/Count) with a 10% off discount for the first subscription order. It is available for Prime delivery tomorrow, Feb 11.

The third result is a sponsored product: Duracell Optimum AAA Batteries | 12 Count Pack | Lasting Power Triple A Battery | Alkaline AAA Battery Ideal... It has a price of \$12.99 (\$1.08/Count) with a 10% off discount for the first subscription order. It is available for Prime delivery today on qualifying orders over \$35.

But under S.2992 Section 2, Amazon could not give preferential placement to its **Amazon Basics** brand of products as seen above since it would be considered unlawful conduct:

It shall be unlawful... to preference the covered platform operator's own products, services, or lines of business over those of another business user on the covered platform in a manner that would materially harm competition

It shall be unlawful for a person operating a covered platform... in connection with any covered platform user interface, including search or ranking functionality, treat the products services, or lines of business of the covered platform operator more favorably relative to those of another business user.

Amazon may not favor its **Amazon Basics** products with an **Amazon's Choice** label, or by giving Basics more favorable placement than products from Amazon marketplace sellers.