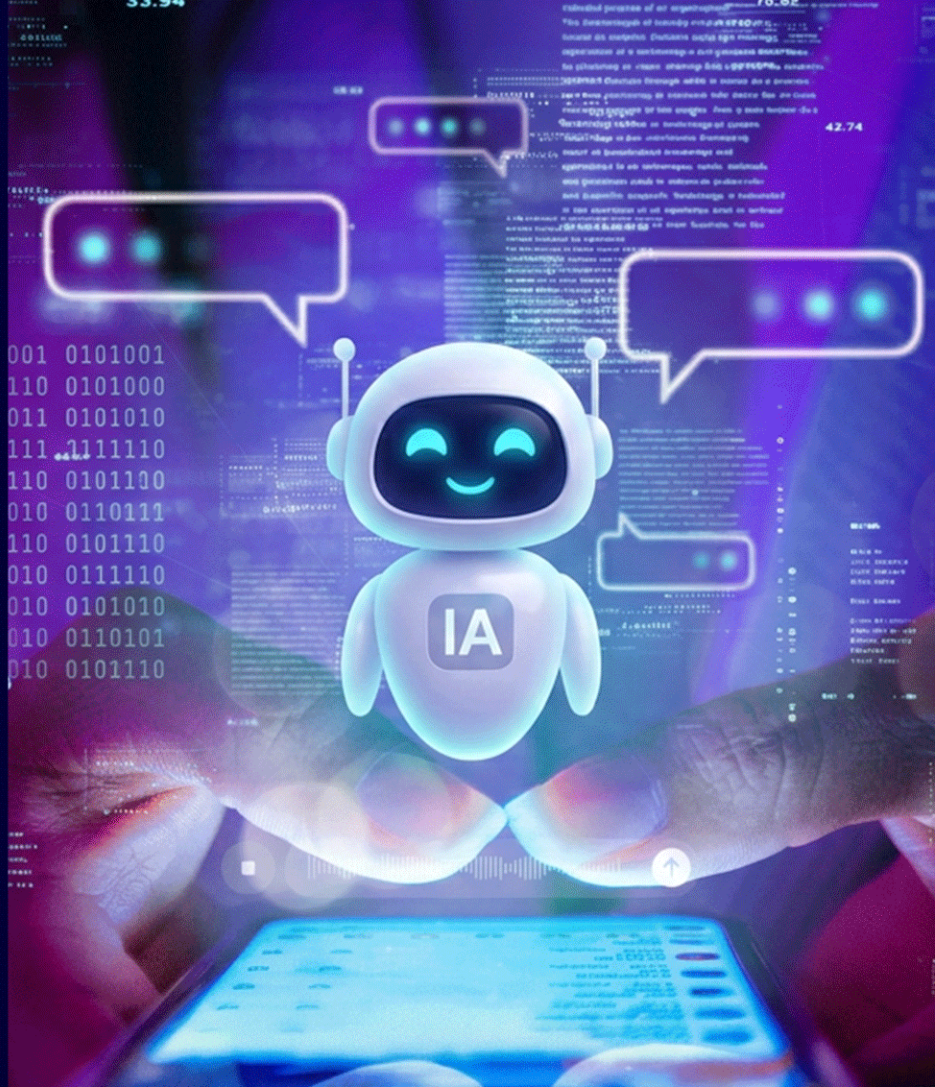


Autorité
de la concurrence



OPINION 26-A-05



Opinion on the competitive functioning of the artificial intelligence (AI) agents sector

17 July 2026



Autorité
de la concurrence



Only the French version is authentic. In the event of any discrepancy,
the French version will prevail over the translation.

**Opinion 26-A-05 of 17 July 2026
on the competitive functioning of the artificial
intelligence (AI) agents sector**

The *Autorité de la concurrence* (plenary hearing),

Having regard to Decision 26-SOA-01 of 8 January 2026 registered under number 26/0003 A, by which the *Autorité de la concurrence* decided to start inquiries *ex officio* into the conversational agents sector, with a view to issuing an opinion;

Having regard to Book IV of the French Commercial Code (*Code de commerce*);

Having regard to the public consultation document published by the *Autorité de la concurrence* on 29 January 2026 as part of the *ex officio* inquiry into the conversational agents sector;

Having regard to the contributions received as part of the public consultation;

Having regard to the other documents in the case file;

Representatives of Google, OpenAI, Valiuz, Cdiscount, Skyscanner, TF1, the French data protection authority (*Commission nationale de l'informatique et des libertés – CNIL*), the French Center of Expertise for Digital Platform Regulation (*Pôle d'expertise de la régulation numérique – PEReN*) and the Banque de France having been heard on the basis of the provisions of Article L. 463-7, paragraph 2 of the French Commercial Code;

The case officers (*rapporteurs*), representative of the Digital Economy Unit, the Deputy General Rapporteur, the Head of the Digital Economy Unit and the representative of the French Ministry of the Economy (*commissaire du Gouvernement*) having been heard at the hearing of 10 June 2026;

Adopts the following opinion:

Summary¹

Introduction

Initially designed as simple conversational agents, generative AI tools have gradually evolved into AI agents. These agents no longer simply perform isolated tasks, but are now capable of reasoning, planning and orchestrating multiple tasks by coordinating with other AI agents with a degree of autonomy. The terms “*agentic AI*” and “*AI agents*” have been used to describe these new capabilities. According to the European Commission, AI agents are “*software applications designed to perceive and interact with the virtual environment. [They] operate autonomously, meaning they are not directly controlled by a human*”.

AI agents operate downstream in the generative AI value chain, during the deployment and marketing of generative AI services (the upstream segment of the value chain was analysed by the *Autorité* in Opinion 24-A-05). Their use cases are numerous: text generation (e.g. emails, social media posts and user interactions), image creation or editing, and software code generation are just a few examples, already widely deployed across the economy.

Agentic commerce is one of the most recent developments in agentic AI. It refers to the application of agentic technologies to the e-commerce sector, with the potential to fully or partially automate the purchasing journey.

While such services were not yet available on the French market as of the date of publication of this opinion, users can already receive product recommendations through AI agents, a development that some stakeholders refer to as “conversational commerce”. To demonstrate these new functionalities in practice, the *Autorité* conducted an experiment involving two AI agents, examining how conversational commerce works within each agent and, in particular, how sources are referenced. The methodology and results of this experiment are presented in Annex 2 to this opinion.

To make an AI agent available to users, three main resources are required: (i) access to a generative model, which constitutes the technical foundation of the AI agent; (ii) access to high-quality data, necessary to improve its performance; and (iii) inference capabilities, which enable the effective use of the AI agent.

The main operators in the AI agents sector are OpenAI, Google and Anthropic, which together accounted for more than 84% of the global market as of May 2026. Other operators include vertically integrated companies already active in the sector, such as Amazon, Microsoft and Nvidia, as well as newer AI-native companies, such as Mistral AI, Perplexity AI and xAI. Operators in the agentic commerce sector include both these companies and e-commerce companies that may develop specialised AI agents.

Some AI agents are no longer limited to simple question-and-answer interfaces. They are increasingly positioning themselves as entry points for users to browse the internet and are now evolving into fully-fledged platforms, enabling users to access information and third-party services directly without leaving the agent’s environment.

¹ The summary is for information purposes only and provides an overview of the following numbered reasons for the opinion. Only the French version of the opinion is authentic. In the event of any discrepancy, the French version will prevail over the translation.

The main AI agents are offered to individual users under a freemium model, with basic functionalities available free of charge and several tiers of paid subscriptions providing access to more powerful models, higher usage limits and additional functionalities. Specific subscription plans are available for business customers, providing access to shared workspaces and more advanced administrative capabilities. Access to AI agents via an API is charged based on usage, with prices generally depending on the number of tokens used.

Several pieces of EU legislation may apply to the sector, including the AI Act, the Digital Markets Act (DMA), the Digital Services Act (DSA), the General Data Protection Regulation (GDPR) and the Data Act.

Barriers to entry and expansion

Compared with the training of generative models, barriers to entry are lower downstream because AI agent developers can use third-party models via APIs or open-weight models. However, AI agent developers relying on such third-party solutions may face specific barriers, particularly when adapting these models for specific use cases. More importantly, this strategy may create dependencies on third-party model providers, depending on how the third-party generative model is accessed, with access to models via APIs resulting in the greatest degree of dependence.

Scaling remains heavily constrained by the need to access users, which determines AI agent developers' ability to deploy and sustain their solutions. Beyond the vertical integration of certain operators, several large, established digital companies benefit from advantages arising from the direct integration of their AI agents into their ecosystems. Examples include the integration of Copilot into Microsoft's Office 365 suite, Gemini into Google's Android operating system, and Meta AI into WhatsApp. While players such as OpenAI and Anthropic have managed to establish a significant position in the sector without controlling the entire value chain, the ability of their competitors to integrate the user experience into the ecosystems of large, established digital companies makes market entry and expansion both economically and technologically costly.

Access to data also plays a key role. Established AI agent developers can improve their generative models using proprietary data and enhance the quality of their responses using usage data, complemented by partnerships with third parties such as press publishers. These major operators have an additional advantage when they have access to technologies underpinning a search engine, which can rank and identify the documents most relevant to a user's search. This barrier relating to data access also varies depending on the use case: it is particularly significant for general-purpose and news agents, but may potentially be mitigated in professional use cases by access to internal customer data.

Although both individual and business users often use several AI agents in parallel, which may limit lock-in effects, this practice is subject to significant technical limitations in terms of portability and interoperability, despite the tools developed by some operators to overcome these difficulties.

The downstream segment of the value chain may also involve significant costs. The total cost of inference can substantially exceed the cost of training, as inference costs are incurred repeatedly and increase in proportion to the use of the AI agent. Accordingly, the more an AI agent is used, the higher these costs become, particularly due to its energy consumption. Moreover, agentic tasks, which require multi-step processing, significantly increase the total cost of a user query. Several operators also indicated that high regulatory compliance costs may favour incumbent players.

Lastly, the development of agentic commerce faces specific technological barriers, including a lack of standardised data, established standards and shared infrastructure, as well as behavioural barriers.

Competition risks associated with AI agents as new intermediaries in the digital economy

In a context where the underlying generative model is sometimes no longer a key differentiating factor between operators, competition may shift to other criteria, particularly the quality of the AI agent's responses. The quality of these responses depends not only on the performance of the underlying model but also on the agent's associated functionalities.

The quality of the AI agent's responses is therefore an important competitive parameter. When a user submits a query, they are seeking a relevant response, i.e. one that addresses their request appropriately and is context-sensitive. AI agent developers are therefore adopting various strategies to overcome the aforementioned barriers and improve the quality of the services they provide. For example, they may choose to specialise in specific segments, such as the legal sector, offer enhanced data sovereignty guarantees, or enter into partnerships to quickly reach the level of quality achieved by established operators.

By offering users access to an ever-expanding range of services and information through a single interface, AI agents are emerging as increasingly important gateways to digital services. The *Autorité* notes that the "platformisation" of AI agents raises competition risks that could undermine the proper functioning of the sector and the diversity of services offered.

These risks stem primarily from the disintermediation of parts of the digital economy, i.e. the replacement or disappearance of economic operators within a value chain. A large proportion of user queries are likely to be satisfied by a single response from an AI agent, which could undermine the business models of many websites and digital services whose revenues depend on the display of advertising or subscription fees, thereby reducing the variety or quality of online content available. While traffic currently directed to e-commerce websites from AI agents remains minimal (less than 5% in France), it could become a significant channel for reaching consumers in the medium term (almost 25% by 2030).

Risks of discrimination or self-preferencing could arise in relation to access to digital services and the terms imposed on e-commerce websites to make their services available to users through an AI agent's interface. Competition could also be distorted by the influence of partnerships or advertising on the responses provided to users.

Control over the conditions governing the visibility of content in AI agent responses may also raise competition concerns. These concerns relate in particular to the clarity, objectivity and non-discriminatory nature of the visibility criteria applied by the AI agent, as well as the limited number of sources and offers presented to users in the response displayed to them. Control over visibility within their service could therefore give AI agent developers greater ability to steer consumer demand.

These risks may be heightened when AI agents are integrated into the existing services of vertically integrated companies. While such strategies may benefit users, certain practices could undermine merit-based competition in the sector. Operators could, for example, restrict access to their key services through self-preferencing, bundling or tying, or technical or contractual lock-in. The marketing of AI agents could also potentially give rise to price-based exclusionary practices.

Risks associated with the automation of actions by AI agents

The rapid pace of innovation in the AI sector has fuelled the development of agentic capabilities. This ability to perform actions autonomously relies on common standards that enable interoperability between digital services and AI services. The adoption of common standards may raise competition concerns, including the risk of centralised governance of those standards by a single operator and the potential emergence of barriers to interoperability, which could in turn create a risk of fragmentation of the internet.

Moreover, under certain conditions, agentic AI could cause significant disruption across the digital economy, which could materialise very rapidly given the capabilities of established companies, including their wide range of services and large user bases. To provide their services, AI agents collect and process ever-increasing volumes of data. This large-scale data processing, combined with the retention of user histories, enables increasingly personalised services but also makes switching from one AI agent to another costly and difficult. Such practices could therefore give rise to lock-in effects.

E-commerce operators consulted by the *Autorité* indicated that such risks could result in the sector becoming concentrated around a small number of operators, purchasing processes becoming less transparent, and end consumers being deprived of the ability to make informed choices. Risks of disintermediation and algorithmic collusion also exist. Initiatives to develop agentic commerce are multiplying across the sector and, once agentic commerce becomes fully available to users, the changes it brings about are likely to be particularly far-reaching.

Recommendations

The *Autorité* makes three sets of recommendations.

First, the *Autorité* recommends making full and swift use of the existing regulatory framework, including to promote user awareness and understanding of AI agents.

Recommendation 1: The existing regulatory framework should be implemented fully and effectively. While particular innovations may warrant the adoption of specific measures, the *Autorité* recommends giving priority, in the first instance, to the use of soft law instruments, such as guidelines or stakeholder consultation mechanisms modelled after the specification procedures provided for in the Digital Markets Act (DMA), in order to enable rapid and targeted action. Any regulatory developments should, in any event, be pursued at European Union level.

Recommendation 2: The *Autorité* calls for particular vigilance with regard to competition law, specifically concerning:

- equity investments made by major digital companies in competing AI agent developers and partnership agreements between these operators;
- whether users are able, in practice, to choose and use AI agents that compete with those integrated by default into the ecosystems of major digital companies;
- the definition and implementation of the key parameters that may influence how AI agents select, rank or recommend the services proposed by AI agents.

Recommendation 3: The *Autorité* identifies three priority areas for action to support fair access to AI agent distribution channels for all operators across the sector:

- competition authorities should pay particular attention to the role of AI agent distribution channels, particularly MaaS platforms;
- the European Commission’s work under the Digital Markets Act (DMA) Review and its ongoing market investigations into the cloud sector should continue, building on the Commission’s preliminary position and considering whether marketplaces that distribute AI models should be designated as core platform services;
- if additional companies are designated as such platforms, the Commission should ensure, as part of the ongoing market investigation into whether the obligations currently set out in the DMA are effective in addressing practices that restrict contestability or are unfair in the cloud sector, that AI agent and generative model developers have guaranteed access to such marketplaces and benefit from fair, reasonable and non-discriminatory visibility.

Recommendation 4: A competitive sector depends, in particular, on users being able to compare available offers and make informed choices. This requires:

- greater efforts by public authorities and professionals to improve user awareness and understanding, particularly among younger users;
- proactive engagement by regulators, in particular the Directorate General for Consumer Affairs, Competition and Fraud Prevention (DGCCRF), to ensure the effective enforcement or, where necessary, adaptation of existing regulatory frameworks, particularly those relating to restrictive competition practices, consumer protection law and the Digital Services Act (DSA);
- greater attention from the relevant public authorities, such as the French Center of Expertise for Digital Platform Regulation (*Pôle d’expertise de la régulation numérique* – PEReN), to the technical analysis of AI agents, including through pilot projects, in order to assess the impact of this technological innovation on public policy;
- closer coordination between all the relevant public authorities.

Second, the *Autorité* invites operators in the sector to promote interoperability and portability in the sector.

Recommendation 5: The *Autorité* urges operators in the sector to establish technical and contractual terms of use that promote interoperability between the services of vertically integrated companies and those of third-party AI agent developers. This could include, in particular, providing accessible, comprehensive and up-to-date documentation, together with software specifications enabling the development and maintenance of such third-party integrations.

Users should also be able to switch from one AI agent to another without significant loss of information or functionality. This requires, in particular, ensuring effective data portability between AI agents.

Third, the *Autorité* stresses the importance of ensuring the establishment and maintenance of open technical standards.

Recommendation 6: The standards governing agentic commerce should be developed and maintained through transparent, open and collaborative processes, in order to prevent any situation in which a dominant operator exercises excessive control or influence. These standards should also ensure the highest possible level of openness consistent with security and reliability requirements, including through the adoption of open-source solutions and fully interoperable standards.

CONTENTS

INTRODUCTION	11
I. THE AI AGENTS SECTOR.....	14
A. DEFINITIONS	14
1. FROM CONVERSATIONAL AGENTS TO AI AGENTS	14
2. AGENTIC COMMERCE	18
3. PROTOCOLS REQUIRED FOR “AGENTIFICATION”	20
B. THE PROVISION OF A SERVICE BY AN AI AGENT.....	23
1. REQUIRED INPUTS.....	23
a) Access to the generative model	23
b) Access to high-quality data.....	24
c) Inference capabilities enabling effective use of an AI agent	25
2. MONETISATION OF AI AGENT SERVICES.....	26
C. THE PARTICIPANTS IN THE AI AGENT VALUE CHAIN.....	28
1. THE LEADING AI AGENT DEVELOPERS.....	29
a) OpenAI.....	29
b) Google.....	30
c) Anthropic	30
2. COMPANIES ALREADY ACTIVE AND VERTICALLY INTEGRATED	31
a) Amazon	31
b) Meta.....	31
c) Microsoft	32
d) Nvidia	32
3. NEW AI-NATIVE COMPANIES	33
a) Mistral AI.....	33
b) Perplexity AI.....	33
c) xAI	33
d) Other operators	34
4. AGENTIC COMMERCE OPERATORS.....	34
5. PARTNERSHIPS FORMED BY AI AGENT DEVELOPERS.....	34
D. THE “PLATFORMISATION” OF AI AGENTS	36
E. THE LEGAL AND REGULATORY FRAMEWORK FOR AI AGENTS	37
1. IN FRANCE	37
2. IN THE EUROPEAN UNION	37
a) The Artificial Intelligence Act (AI Act).....	37

b) The Digital Markets Act (DMA).....	39
c) The Digital Services Act (DSA).....	40
d) The General Data Protection Regulation (GDPR).....	41
e) The Data Act.....	41
II. THE EXISTENCE OF BARRIERS TO ENTRY AND EXPANSION IN THE AI AGENTS SECTOR	42
A. LOWER BARRIERS TO ENTRY THAN FOR THE TRAINING OF GENERATIVE MODELS.....	42
1. EASIER ACCESS TO THIRD-PARTY MODELS.....	42
2. BARRIERS TO ENTRY PRIMARILY RELATED TO DEPENDENCE ON MODEL PROVIDERS	44
B. BARRIERS TO EXPANSION GREATER THAN BARRIERS TO ENTRY	46
1. ACCESS TO USERS	46
2. DATA ACCESS	49
3. TECHNICAL BARRIERS TO MIGRATION AND INTEROPERABILITY.....	51
4. SIGNIFICANT DOWNSTREAM COSTS.....	53
5. SPECIFIC BARRIERS TO THE DEVELOPMENT OF AGENTIC COMMERCE	54
III. AI AGENTS, NEW INTERMEDIARIES IN THE DIGITAL ECONOMY: A COMPETITIVE DYNAMIC FOSTERING THE EMERGENCE OR STRENGTHENING OF KEY OPERATORS.55	
A. THE NEED TO DIFFERENTIATE BETWEEN AI AGENTS BASED ON QUALITY OF SERVICE	56
1. THE GRADUAL CONVERGENCE OF MODEL PERFORMANCE	56
2. THE QUALITY OF AI AGENT RESPONSES AS A PARAMETER OF COMPETITION	57
3. DIFFERENTIATION STRATEGIES: SPECIALISATION, SOVEREIGNTY AND PARTNERSHIPS	58
B. THE RISKS ASSOCIATED WITH THE ROLE OF AI AGENTS AS INTERMEDIARIES IN ACCESS TO DIGITAL SERVICES.....	60
1. THE RISKS ASSOCIATED WITH THE “PLATFORMISATION” OF AI AGENTS.....	60
2. THE RISKS ASSOCIATED WITH VISIBILITY CONDITIONS FOR DIGITAL SERVICES AND WEBSITES WITHIN RESPONSES PROVIDED BY AI AGENTS, WHICH GIVE THEM GREATER ABILITY TO STEER CONSUMER DEMAND	64
a) Visibility and discovery conditions within AI agents.....	65
b) The sources and results contained in AI agent responses	66
C. THE RISKS ASSOCIATED WITH THE INTEGRATION OF AI AGENTS INTO EXISTING SERVICES OF VERTICALLY INTEGRATED COMPANIES	68
1. THE RISKS ASSOCIATED WITH THE CONDITIONS OF ACCESS TO THE ESSENTIAL SERVICES OF VERTICALLY INTEGRATED COMPANIES.....	68
2. FORWARD-LOOKING RISKS ASSOCIATED WITH THE MARKETING OF AI AGENTS.....	71

IV. THE AUTOMATION OF ACTIONS BY AI AGENTS: A FUTURE TRANSFORMATION OF THE DIGITAL ECONOMY OR A REINFORCEMENT OF THE STATUS QUO?	72
A. THE ADOPTION OF SHARED TECHNICAL STANDARDS	73
1. THE POTENTIALLY PRO-COMPETITIVE NATURE OF TECHNICAL STANDARDS	73
2. THE RISKS ASSOCIATED WITH TECHNICAL STANDARDISATION	74
B. THE POTENTIAL FOR DISRUPTION OF THE DIGITAL ECONOMY ARISING FROM THE AUTOMATION OF TASKS BY AI AGENTS	75
1. THE AUTOMATION OF TASKS ON COMPUTERS AND SMARTPHONES	76
2. THE AUTOMATION OF THE PURCHASING JOURNEY: AGENTIC COMMERCE	77
V. RECOMMENDATIONS	81
A. RAPIDLY LEVERAGE THE EXISTING REGULATORY FRAMEWORK	81
B. PROMOTE INTEROPERABILITY AND PORTABILITY IN THE SECTOR	84
C. ENSURE THE DEVELOPMENT OF OPEN STANDARDS	84
CONCLUSION	85
APPENDIX 1: GLOSSARY	86
APPENDIX 2: EXPERIMENT CONDUCTED BY THE <i>AUTORITÉ</i> TO DEMONSTRATE HOW CONVERSATIONAL COMMERCE WORKS	89

Introduction

1. On 28 June 2024, in Opinion 24-A-05 on the competitive functioning of the generative artificial intelligence (hereinafter “AI”) sector (hereinafter “Opinion 24-A-05”), the *Autorité de la concurrence* (hereinafter the “*Autorité*”) conducted a competitive analysis of this rapidly growing sector, focusing on the upstream segment of the value chain. In that opinion, the *Autorité* noted that “*generative AI has taken centre stage in public and economic debate*”².
2. Since then, this role has continued to grow, both in the economy and in everyday life. Driven by the sector’s strong momentum, generative AI tools (see Glossary) are rapidly increasing in capability and are having a significant impact across many sectors, in particular by generating productivity gains through the automation of certain tasks, accelerating research and development processes, and transforming ways of organising work.
3. The deployment of generative AI also requires significant investment. According to a study published in April 2025, the investment required to develop AI-dedicated data centres could reach €4,500 billion between 2025 and 2030³. At European level, the InvestAI initiative aims to mobilise €200 billion of investment in AI, including €20 billion earmarked for “AI gigafactories”⁴.
4. Although estimates vary by sector and company size, some economists believe the expected growth gains to be substantial. Philippe Aghion and Simon Bunel estimate that AI could increase aggregate productivity by 0.8 to 1.3 percentage points per year over the next decade⁵.
5. Initially designed as simple conversational agents, generative AI tools have gradually evolved into AI agents. These agents no longer simply perform isolated tasks. With the development of agentic AI (see Glossary), they are now capable of reasoning, planning and orchestrating multiple tasks by coordinating with other AI agents with a degree of autonomy.
6. AI agents are now one of the most visible, if not the most visible, manifestations of generative AI. They are playing an increasingly important role in digital applications, driven by services developed by a number of major operators, such as OpenAI’s ChatGPT, Anthropic’s Claude, Google’s Gemini, Mistral AI’s Vibe, Perplexity and Microsoft Copilot. Their use is growing significantly in France (and worldwide), with the adoption rate increasing fivefold between July 2024 and April 2026⁶.

² *Autorité* Opinion [24-A-05](#) of 28 June 2024 on the competitive functioning of the generative artificial intelligence sector.

³ McKinsey, [The cost of compute: A \\$7 trillion race to scale data centers](#), 28 April 2025.

⁴ European Commission, [EU launches InvestAI initiative to mobilise €200 billion of investment in artificial intelligence](#), 11 February 2025.

⁵ Aghion, P. and Bunel, S. (2024), [“AI and Growth: Where Do We Stand?”](#), Federal Reserve Bank of San Francisco Working Paper.

⁶ French audiovisual and digital communication regulator (*Autorité de régulation de la communication audiovisuelle et numérique* – Arcom), [Baromètre d’audience des services d’intelligence artificielle – 1ère édition](#), 16 June 2026 (English summary available: [Artificial Intelligence Services Audience Barometer – 1st edition](#)).

7. The challenges associated with the deployment of generative AI, including those relating to AI agents in the economy, are therefore immense. Competition authorities have a crucial role to play in ensuring that the sector functions effectively from a competition perspective, which is a prerequisite for both efficiency and fairness.
8. In this context, on 8 January 2026, the *Autorité* decided to start inquiries *ex officio* into the competitive functioning of the conversational agents sector, based on Article L. 462-4 of the French Commercial Code (*Code de commerce*)⁷. This opinion forms part of the *Autorité*'s already extensive body of advisory work on AI. In addition to Opinion 24-A-05, the *Autorité* analysed the cloud sector in 2023⁸ and published a study in December 2025 on the competition issues surrounding the energy and environmental impact of AI⁹.
9. This opinion aims to provide a competitive analysis of the functioning of this rapidly growing, highly innovative sector. The analysis focuses on barriers to entry and expansion for AI agent developers, as well as practices that may strengthen their position in the digital economy. It highlights new issues arising from the automation of certain tasks and actions through these agents, particularly in the e-commerce sector, where this development is referred to as “agentic commerce” (see Glossary). However, as indicated during the public consultation, the relationship between AI agents and search engines does not fall within the scope of this opinion.
10. The purpose of such an opinion is not to assess conduct in a market in light of Articles 101 and 102 of the Treaty on the Functioning of the European Union (hereinafter the “TFEU”) and Articles L. 420-1 and L. 420-2 of the French Commercial Code. Rather, it is intended to improve understanding of the sector, provide analytical insights, identify potential competition risks and, where appropriate, make recommendations aimed at improving its functioning.
11. In order to deepen its understanding of the sector, the *Autorité* launched a public consultation, which was open from 29 January to 6 March 2026¹⁰.
12. The public consultation document invited operators in the sector to respond to questions concerning the downstream segment of the value chain, in particular the development and use of AI agents, as well as competition issues arising from their use in the e-commerce sector. Around 40 market participants, of varying sizes and operating across a range of sectors, took part in the consultation, expressing their views and raising any competition concerns they might have.

⁷ *Autorité* press release, [Conversational agents: the *Autorité* starts inquiries *ex officio* with a view to issuing an opinion](#), 9 January 2026.

⁸ *Autorité* Opinion [23-A-08](#) of 29 June 2023 on competition in the cloud sector.

⁹ *Autorité* study, [Competition issues surrounding the energy and environmental impact of artificial intelligence \(AI\)](#), 17 December 2025.

¹⁰ *Autorité* press release, [The *Autorité* launches a public consultation on conversational agents](#), 29 January 2026.

13. In parallel, the *Autorité* conducted a number of interviews and spoke to institutional stakeholders (government departments, sector-specific regulators, international competition authorities, etc.). In particular, the *Autorité* spoke to competition authorities that had carried out in-depth work on the competition issues raised by the generative AI sector or that have ongoing investigations in this sector, including:
- the Portuguese competition authority (*Autoridade da Concorrência* – AdC), which published a study on the generative AI sector on 5 November 2023¹¹;
 - the Hungarian competition authority (*Gazdasági Versenyhivatal*), which published a market analysis of the generative AI sector on 21 October 2024¹²;
 - the Italian competition authority (*Autorità Garante della Concorrenza e del Mercato* – AGCM), which imposed interim measures requiring Meta to suspend the terms excluding competing AI assistants from WhatsApp¹³;
 - the European Commission (hereinafter the “Commission”), which published a policy brief on competition in generative AI on 19 September 2024¹⁴, has several ongoing investigations and proceedings in the sector, and, in particular, imposed interim measures on Meta in Case AT.41034¹⁵ (see paragraph 302 below);
 - the US Federal Trade Commission (FTC), which launched an inquiry into investments and partnerships in the generative AI sector on 25 January 2024¹⁶; and
 - the UK Competition and Markets Authority (CMA), which published an initial report on foundation models on 18 September 2023, updated on 11 April 2024¹⁷, followed by a report on 9 March 2026¹⁸ examining current uses of agentic AI, its potential developments and its potential effects on consumers.

¹¹ *Autoridade da Concorrência* press release, [AdC warns of competition risks in the Generative Artificial Intelligence sector](#), 5 November 2023.

¹² *Gazdasági Versenyhivatal* report, [Examining the impact of artificial intelligence on market competition and consumers](#), 21 October 2024.

¹³ *Autorità Garante della Concorrenza e del Mercato* press release, [A576 – Meta AI: The Italian competition authority orders Meta to suspend the terms excluding competing AI chatbots from WhatsApp](#), 24 December 2025.

¹⁴ European Commission press release, [Commission publishes policy brief on competition in generative AI and virtual worlds](#), 19 September 2024.

¹⁵ European Commission press release, [Commission imposes interim measures on Meta to preserve free access to WhatsApp for rival AI assistants](#), 9 June 2026.

¹⁶ Federal Trade Commission, [FTC Launches Inquiry into Generative AI Investments and Partnerships](#), 25 January 2024.

¹⁷ Competition and Markets Authority, [AI Foundation Models: Initial report](#), 18 September 2023 and [AI Foundation Models: Update paper](#), 11 April 2024.

¹⁸ Competition and Markets Authority, [Agentic AI and consumers](#), 9 March 2026.

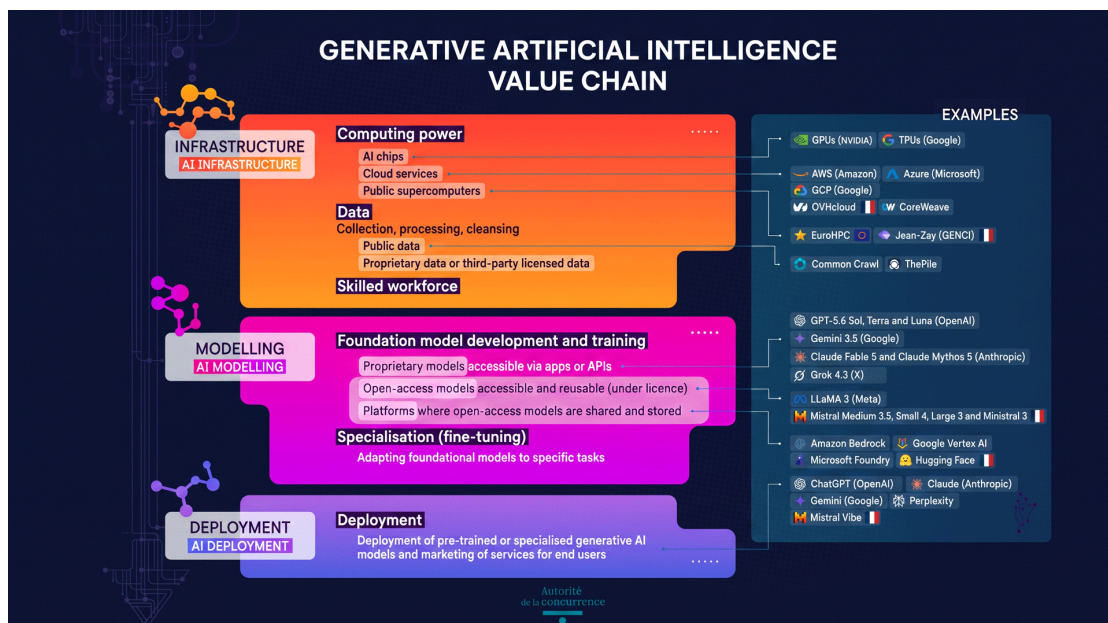
I. The AI agents sector

A. DEFINITIONS

1. FROM CONVERSATIONAL AGENTS TO AI AGENTS

14. In its report “Generative AI: challenges for the future of the open internet”, published in January 2026, the French electronic communications, postal and print media distribution regulator (*Autorité de régulation des communications électroniques, des postes et de la distribution de la presse* – Arcep) defines a conversational agent as a “computer system designed to interact with a human user in natural language. It uses artificial intelligence technologies, such as natural language processing and machine learning, to understand queries, generate relevant responses and simulate a fluid conversation”¹⁹. Conversational agents have a wide range of use cases, including text generation (e.g. emails, social media posts and user interactions), image creation or editing, and software code generation. The term “AI assistant” is also used to describe them.
15. AI assistants operate downstream in the generative AI value chain (as presented in Opinion 24-A-05 and reproduced and updated in Figure 1 below), during the deployment and marketing of generative AI services.

Figure 1: The main operators in the generative AI value chain



Source: Infographic by the Autorité de la concurrence, inspired by *ChatGPT, Bard & Co.: an introduction to AI for competition and regulatory lawyers*, Thomas Höppner and Luke Streatfeild, 23 February 2023.

¹⁹ French electronic communications, postal and print media distribution regulator (*Autorité de régulation des communications électroniques, des postes et de la distribution de la presse* – Arcep), [IA générative : des défis pour l’avenir de l’internet ouvert](#), January 2026 (English version available: [Generative AI: challenges for the future of the open internet](#)).

16. AI assistants rely on generative models (also known as foundation models), including Large Language Models (LLMs; see Glossary), diffusion models for image generation, and multimodal models. Within an AI assistant, users can generally choose from different generative models to respond to their queries.
17. AI assistants can be accessed through a variety of non-exclusive means, depending in particular on how their developers choose to make them available and on any distribution agreements they have entered into. An AI assistant can be accessed via:
 - a web interface, such as ChatGPT, Claude, Gemini or Vibe;
 - a developer’s own application programming interface (API; see Glossary), hosted by the model developer. For example, Mistral AI provides access to its models through its own APIs;
 - an API hosted by a cloud provider, in particular through Model as a Service (MaaS; see Glossary) platforms. For example, Claude is available through Amazon Web Services (AWS) as part of its Bedrock service;
 - a mobile application or an application designed for use on a personal computer. Examples include the Claude for Desktop application and the Perplexity mobile application; or
 - a third-party service, such as a messaging service (e.g. Meta AI on WhatsApp), a search service (e.g. Copilot in Bing or AI Overviews in Google Search), or an office productivity service (e.g. Copilot in Microsoft 365 or Gemini in Google Workspace).
18. Since ChatGPT launched to the public in November 2022, the AI assistants sector has seen a large number of developments, some of which are detailed below:
 - the addition of multimodal capabilities, enabling users, in particular, to engage in conversations based on audio or image content or to receive spoken responses. These functionalities have been available on ChatGPT since September 2023²⁰;
 - the ability to conduct internet searches to ground responses in real-world information (grounding, see Glossary): internet searches provide additional context that helps the AI assistant formulate its responses, complementing its core capabilities. Perplexity has offered this functionality since its launch in late 2022, and it was introduced on ChatGPT on 31 October 2024²¹. In December 2024, Google launched the “Deep Research” tool in Gemini to explore complex topics by developing a multi-step research plan²²; and
 - the introduction of reasoning models, designed to allow more time for analysis before generating a response. These models perform particularly well on complex tasks and problems, especially in science, programming and mathematics²³. These types of models were introduced on OpenAI through its o1 model series in September 2024 and became more widely adopted following the open-weight release (see Glossary) of DeepSeek’s reasoning model, DeepSeek R1, in January 2025.

²⁰ OpenAI, [ChatGPT can now see, hear, and speak](#), 25 September 2023.

²¹ OpenAI, [Introducing ChatGPT search](#), 31 October 2024.

²² Google, [Try Deep Research and our new experimental model in Gemini, your AI assistant](#), 11 December 2024.

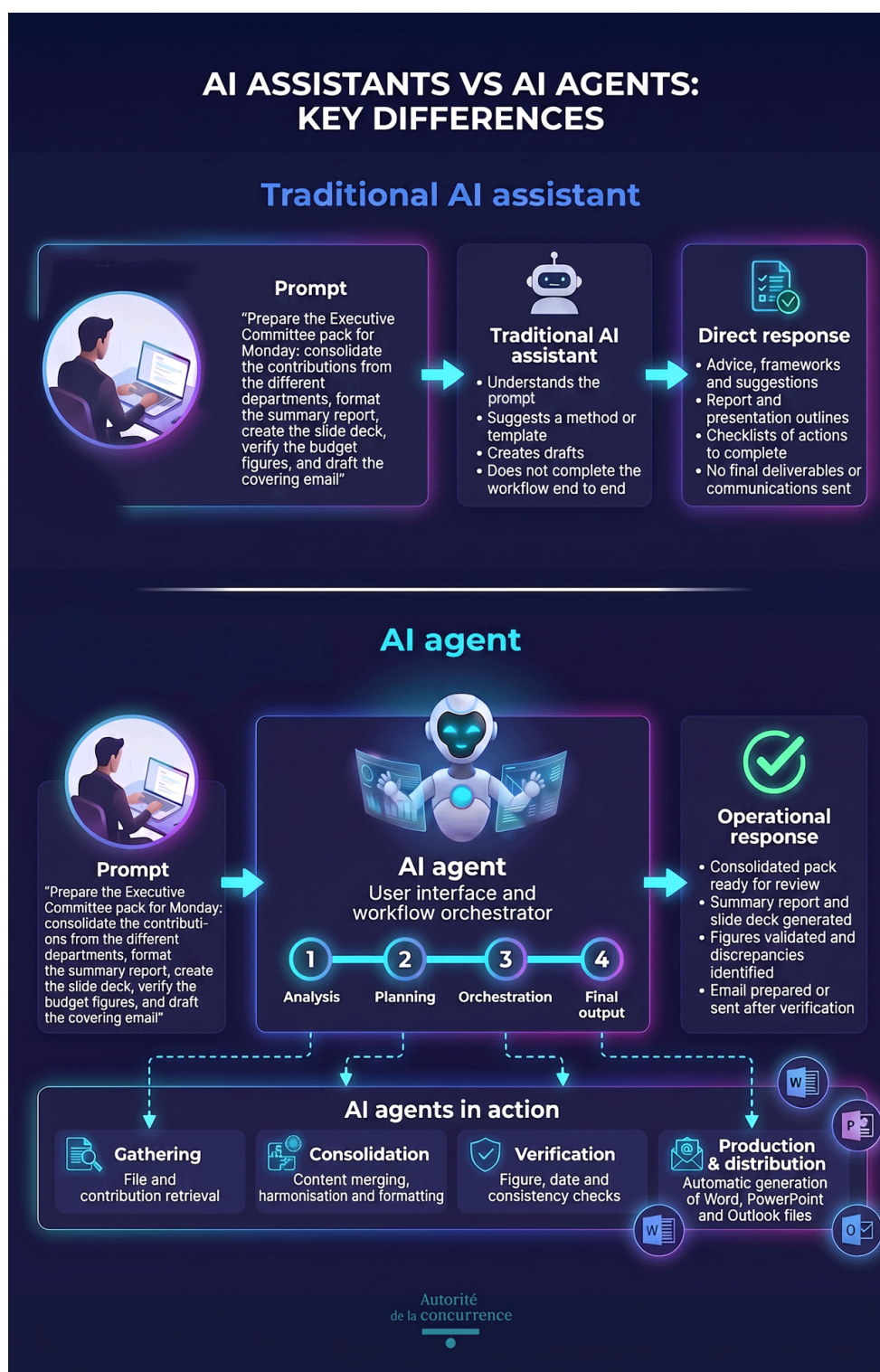
²³ OpenAI, [Introducing OpenAI o1-preview](#), 12 September 2024.

19. As the capabilities of generative models, and therefore of AI assistants, continue to advance, AI assistants are becoming capable of performing increasingly complex tasks, with ever-greater degrees of autonomy.
20. The terms “agentic AI” and “AI agents” have been used to describe these new capabilities.
21. According to the French data protection authority (*Commission nationale de l’informatique et des libertés – CNIL*), “*agentic AI commonly refers to a set of systems that rely on the coordination of several subsystems known as AI agents. These AI agents often consist of a generative AI model capable of interacting with a defined environment (third-party applications, databases, workstations or any other system) and modifying its state (reading, modifying or deleting data, or performing actions), with varying degrees of autonomy*”²⁴.
22. On the *Shaping Europe’s Digital Future* website, the European Commission defines AI agents as “*software applications designed to perceive and interact with the virtual environment. [They] operate autonomously, meaning they are not directly controlled by a human*”²⁵.
23. An AI assistant thus becomes an AI agent when it goes beyond simply conversing with the user and acquires the autonomy to set objectives, plan actions, coordinate other AI agents and interact with external systems. This ability to perform complex tasks without, or with virtually no, user intervention is a defining feature of agentic AI.

²⁴ French data protection authority (*Commission nationale de l’informatique et des libertés – CNIL*), [agentic AI definition](#) (French only).

²⁵ European Commission, [AI agents and virtual agents](#).

Figure 2: AI assistants vs. AI agents: Key differences



Source: Infographic by the Autorité de la concurrence.

24. Since early 2026, agentic AI tools have been integrated into work environments. Tools such as Claude Code and OpenAI Codex work directly within developers' codebases and can read, modify or execute code from a machine's file system. Claude Cowork enables users to work directly with files stored locally on their computers, performing non-technical and repetitive tasks such as managing files (moving, renaming, etc.), preparing a report based on a source, summarising a document or extracting unstructured data.
25. In conclusion, based on the developments described above, an AI agent can fulfil the role of an AI assistant when it interacts directly with a user, whereas an AI assistant does not necessarily have agentic capabilities. For the purposes of this opinion, the *Autorité* will use the term "AI agent" in a broad sense to refer both to AI assistants and to functionalities incorporating agentic capabilities.

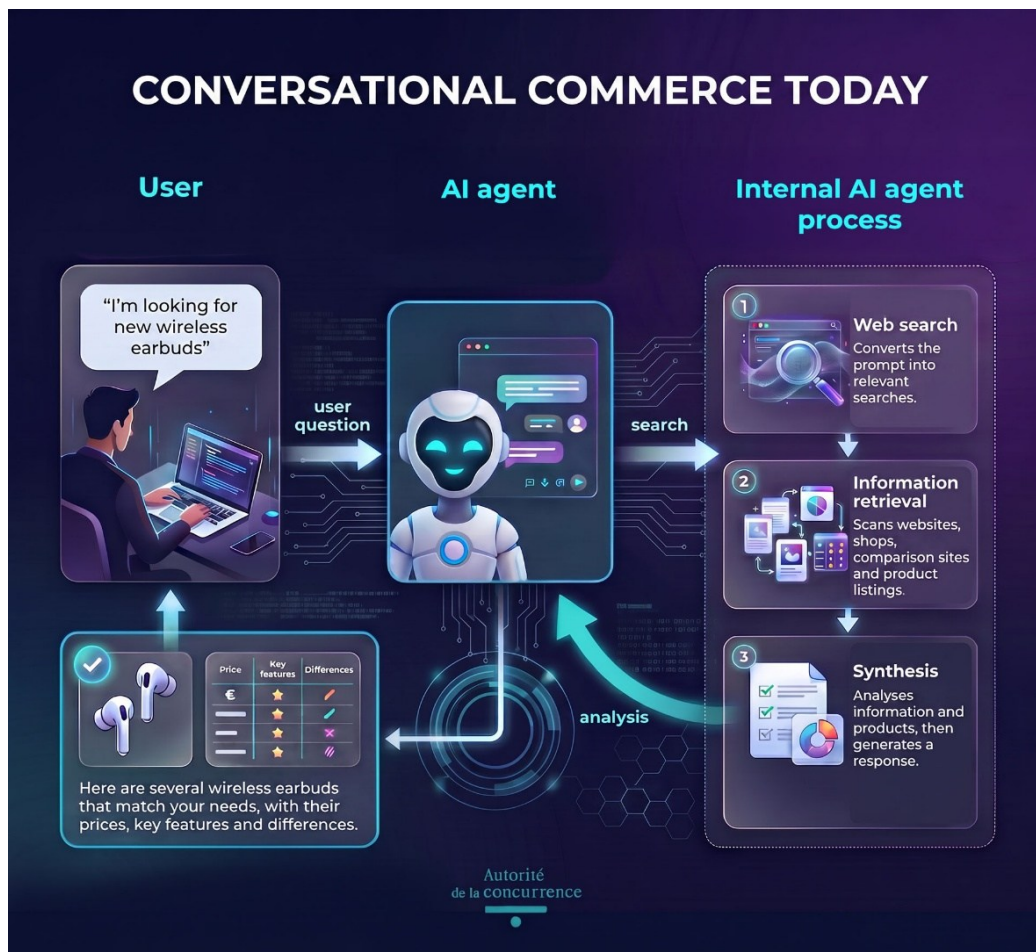
2. AGENTIC COMMERCE

26. Agentic commerce is one of the most recent developments in agentic AI. It refers to the application of agentic technologies to the e-commerce sector, with the potential to fully or partially automate the purchasing journey.
27. In the longer term, agentic commerce is expected to enable users to purchase a product or service without leaving the AI agent's interface. For example, agentic commerce services could enable a user to purchase a gift for a loved one. The agent would select the gift (based on the instructions provided by the user, which may be more or less specific, and on its knowledge of the user, including from previous interactions), search for retailers offering the product in order to find the best price and suitable delivery options, and complete the purchase and payment without the user having to approve the purchase or even interact further with the agent beyond the initial request. While such services were not yet available on the French market as of the date of publication of this opinion, users can already receive product recommendations through AI agents, with these recommendations based on the AI agent's internet grounding capabilities. For example, when a user searches for a particular product, the AI agent searches the internet to gather information about the products identified and then presents that information to the user.
30. The term "conversational commerce" can therefore be used to describe the current state of agentic commerce as of July 2026, as noted in particular by one respondent to the public consultation: *"At this stage, we are still dealing predominantly with purely conversational commerce. AI advises the user and then redirects them to the retailer's website to complete the purchase"*. Figure 3 below illustrates how conversational commerce works.
31. To date, no agent appears to be capable of enabling users to complete the entire purchasing journey without their intervention. AI agents stop short of completing the purchase, instead directing users to the retailer's website to purchase the recommended product. The user must then confirm the purchase and authorise the payment themselves on the retailer's website. In the United States, companies such as American Express are beginning to develop tools that would enable an agent to handle the entire purchasing journey²⁶.

²⁶ American Express, [The next generation of commerce](#).

32. A purchasing journey completed entirely and autonomously by an AI agent involves numerous market participants, which must adapt their existing systems and processes. First, the AI agent developer must integrate the necessary technical functionalities. Second, online retailers must adapt their websites to ensure that they can be accessed and navigated by AI agents. They must also adapt the means of interaction available on their websites to AI agents, in particular to enable them to complete purchases and, where necessary, contact the retailer to report a delivery issue. Delivery services must likewise enable interactions with AI agents. Lastly, payment services must be adapted to enable an AI agent to complete the purchasing journey.
33. A distinction should also be drawn between agentic commerce services integrated into a retailer's website and general agentic commerce services that are not linked to an e-commerce platform. One respondent explained that *"agentic capabilities can range from 'closed systems' limited to a single website or e-commerce platform (for example, Amazon with its conversational agent Rufus), to agents that can leave their original environment (where authorised)"*.

Figure 3: Conversational commerce today



Source: Infographic by the Autorité de la concurrence.

34. As part of the preparation of the opinion, the *Autorité* conducted an experiment involving two AI agents, examining how conversational commerce works within each agent and, in particular, how sources are referenced.

Experiment conducted by the *Autorité* to illustrate how conversational commerce works

To illustrate the role of AI agents in the e-commerce sector, the *Autorité* conducted an experiment to illustrate how conversational commerce currently works, with internet grounding being the primary means of finding products, and to assess the sources and publishers most commonly used by AI agents when searching for products.

The *Autorité* submitted 350 questions indicating an intention to purchase, as well as 200 follow-up questions relating to the purchase, to AI agents across four e-commerce categories: the purchase of electronic products, the purchase of household appliances, hotel and accommodation bookings, and transport bookings. For each category, a set of questions was prepared, and these questions were submitted using the APIs of two AI agents, ChatGPT and Gemini. The responses and sources cited were then recorded and analysed. Although the results are not statistically significant and are not intended to provide an exhaustive picture of the sources used by AI agents, they nevertheless provide insights into how conversational commerce works.

The methodology used by the *Autorité* was inspired by the ImpactIA study conducted by the French Center of Expertise for Digital Platform Regulation (*Pôle d'expertise de la régulation numérique* – PEReN) on behalf of Arcep²⁷ and comprised three stages: (i) the automated preparation of questions, (ii) the use of AI agents to answer the questions, and (iii) the collection of sources cited in the responses. For two of the categories (electronics and household appliances), a follow-up question seeking specific offers, including the prices of the recommended products, was asked following the product discovery question.

All the data and code used to conduct this experiment are available in the *Autorité*'s public code repository²⁸.

The full methodology and results are set out in Appendix 2 to this opinion.

3. PROTOCOLS REQUIRED FOR “AGENTIFICATION”

35. The reasoning, planning and information- and data-access capabilities described in paragraphs 18 *et seq.* form the foundation of agentic AI. However, transforming AI assistants into AI agents requires the use of protocols such as the Model Context Protocol²⁹ (MCP; see below and Glossary). MCP has facilitated the development of standardised access points and unified communication methods between third-party services and AI agents, thus expanding their capabilities.

²⁷ Arcep, [IA générative : des défis pour l'avenir de l'internet ouvert](#), January 2026 (English version available: [Generative AI: challenges for the future of the open internet](#)).

²⁸ *Autorité de la concurrence* [GitHub account](#).

²⁹ MCP, [What is the Model Context Protocol \(MCP\)?](#)

Model Context Protocol (MCP)

MCP is a protocol designed to connect AI models, in particular AI agents, to external software, tools, services and data sources. Initially developed by Anthropic, the protocol is open source and available under the Apache 2.0 licence. Since late 2025, it has been part of the Agentic AI Foundation within the Linux Foundation³⁰.

Its architecture comprises three key components: the host (the AI application), the MCP server (the software being accessed), and the MCP client (which maintains the connection between the host and the MCP server). Each MCP server offers predefined capabilities: tools (functions that enable actions to be performed or data to be retrieved), resources (files and data that can be accessed by the MCP client), and prompts (text files describing the actions to be performed to complete a task).

This common protocol benefits application developers (who only need to develop and maintain a single MCP server), AI agents (which can seamlessly connect to a wide range of tools) and, ultimately, users, who are no longer dependent on developments made by AI agent developers. It has been described by its creators as the “*USB-C of AI*” and facilitates the development of agentic AI.

By the end of 2025, Anthropic had more than 10,000 active MCP servers and nearly 100 million monthly downloads of MCP-related development kits. For example, the data.gouv MCP server (developed by the French Interministerial Digital Department)³¹ enables any AI agent to access tools such as “**search_datasets**” or “**get_dataset_info**”, which can be used to search for datasets on the data.gouv.fr platform or retrieve information about them.

36. With regard to agentic commerce, its further development depends on the establishment of connection methods that enable AI agents to retrieve data from retailer catalogues in a standardised way, create and validate a shopping basket, and complete an order using payment methods. However, as of the date of publication of this opinion, AI agents do not have sufficient access to product information, as website content is currently designed to be browsed by humans, not machines.
37. In practice, fewer than 1% of web pages in France would enable an AI agent to recommend a product reliably³². The information collected by AI agents through grounding is therefore very incomplete (lack of structured data, customer reviews, photos, etc.). Accordingly, the development of retailer catalogues that are fully machine-readable and, consequently, accessible to AI agents, is a necessary prerequisite for the growth of agentic commerce.
38. The development of such catalogues requires the establishment of common protocols, which will need to be adopted by both the generative AI and e-commerce sectors. The leading generative AI and AI agent providers have already begun developing such protocols: Google has launched the “Universal Commerce Protocol”, while OpenAI has developed the “Agentic Commerce Protocol” (see below).

³⁰ Anthropic, [Donating the Model Context Protocol and establishing the Agentic AI Foundation](#), 9 December 2025.

³¹ DataGouv, [Expérimentation autour d'un serveur MCP pour datagouv](#) (*Experiment with an MCP server for datagouv*) 25 February 2026 (French only).

³² Mirakl, [Less than 1% of product pages are LLM-ready: Mirakl's Agentic Activation launches as the first enterprise solution to fix it](#), 29 April 2026.

Protocols in agentic commerce

Agentic commerce requires the establishment of connectivity and information exchange mechanisms that enable AI agents to interact with e-commerce websites. This requires common protocols and data schemas so that AI agents can query retailers' databases in a standardised and automated manner.

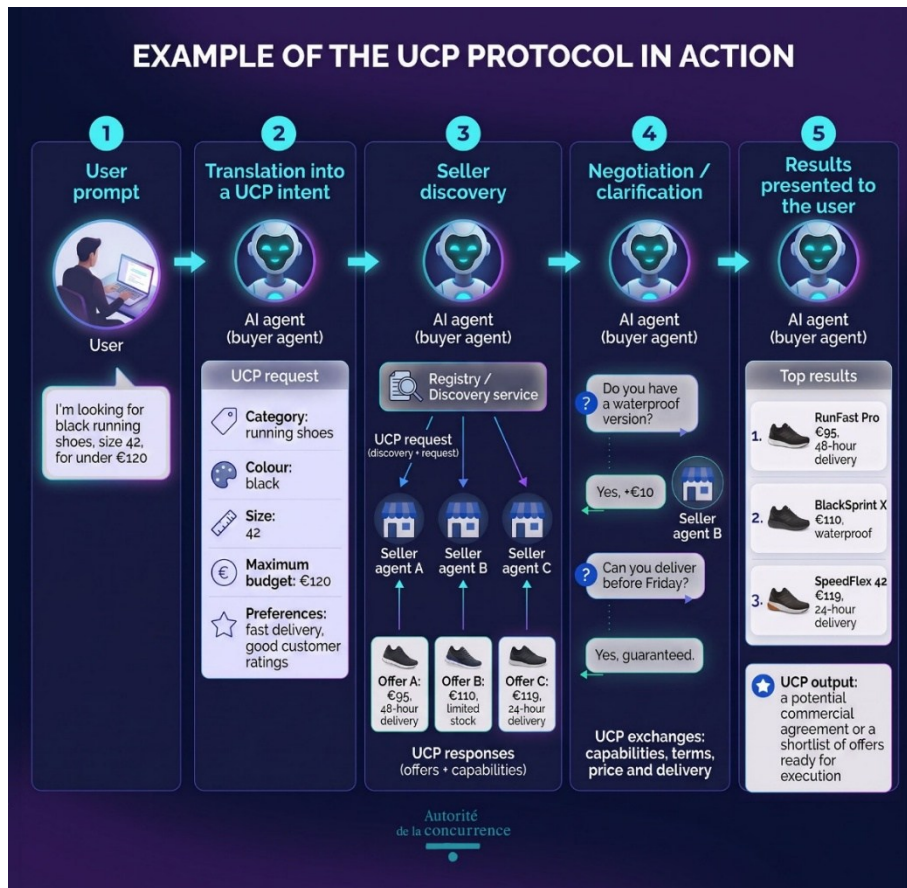
In agentic commerce, the main protocols established by and for the market are UCP and ACP.

- **Universal Commerce Protocol (UCP;** see Glossary)³³: a decentralised, open-source (see Glossary) protocol developed by Google in collaboration with a coalition of players from the technology, e-commerce and payment sectors (including Shopify, Walmart, Carrefour, Visa and Stripe), officially launched in early January 2026. The UCP protocol is based primarily on e-commerce websites publishing a file called “well-known/ucp”, specifying their capabilities (services offered, payment methods accepted, etc.). Each service can, for example, be provided through a standard API or in MCP format.
- **Agentic Commerce Protocol (ACP;** see Glossary)³⁴: a protocol jointly developed by OpenAI and Stripe, launched in September 2025 and released as open source under the Apache 2.0 licence. Its architecture differs from that of UCP: retailers must apply to participate in the programme, then submit their catalogues through regular data feeds and implement APIs (or the MCP protocol) enabling all the steps required to complete the order and payment. A number of other protocols have recently been developed, in particular for agent-to-agent communication, such as Google’s “Agent2Agent” (A2A), and for payments, such as Google’s “Agent Payment Protocol” (AP2) or cryptocurrency-based protocols such as x402 (Coinbase) and MPP (Machine Payment Protocol). UCP uses both A2A and AP2.

³³ Universal Commerce Protocol, [The common language for platforms, agents, and businesses](#).

³⁴ Agentic Commerce Protocol, [An open standard for programmatic commerce flows between buyers, AI agents, and businesses](#).

Figure 4: Example of the UCP protocol in action



Source: Infographic by the *Autorité de la concurrence*.

B. THE PROVISION OF A SERVICE BY AN AI AGENT

1. REQUIRED INPUTS

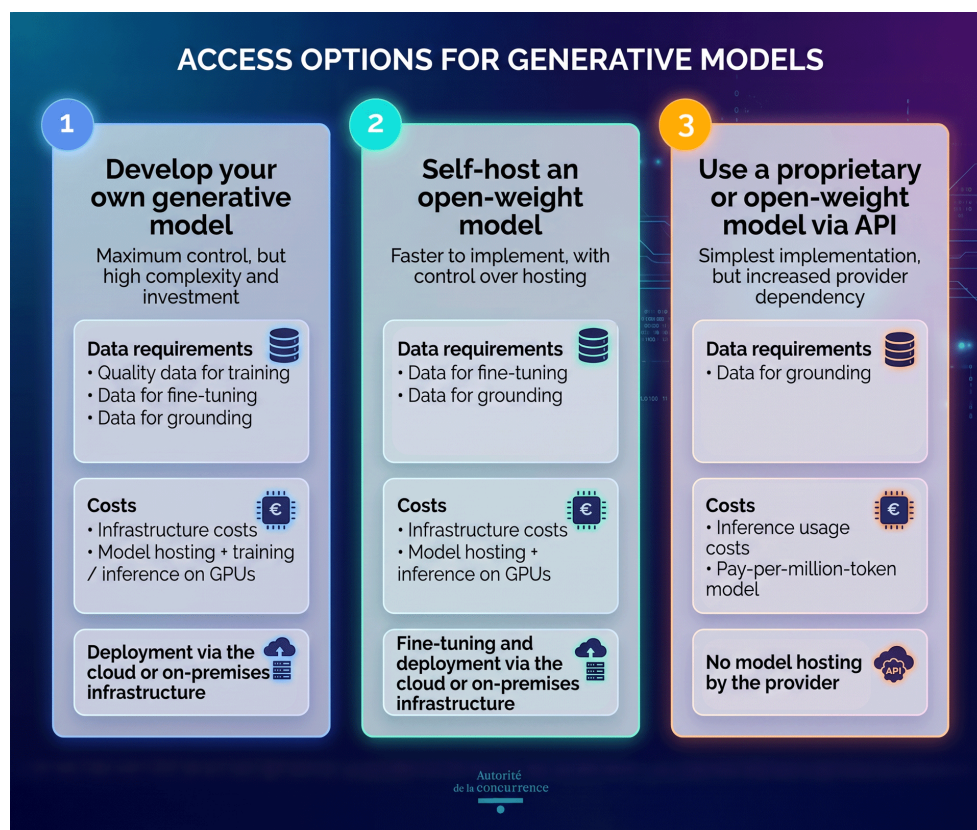
39. To make an AI agent available to users, three main resources are required: (i) access to a generative model (see Glossary), which constitutes the technical foundation of the AI agent (a); (ii) access to high quality data, necessary to improve its performance (b); and (iii) inference capabilities (see Glossary), which enable the effective use of the AI agent (c).

a) Access to the generative model

40. In Opinion 24-A-05, the *Autorité* described how a generative model functions, including the training (see Glossary) and fine-tuning stages that are essential to its use.
41. An AI agent developer can access a generative model in three different ways. It can (i) develop its own model; (ii) access a third-party model via an API; or (iii) use a third-party model available on an open-weight basis (i.e. a model whose weights are publicly available; see Glossary).

42. In the first scenario, where a developer builds its own model, the developer is vertically integrated, with control over the model’s development, fine-tuning and distribution.
43. In the second scenario, the developer can access third-party models via an API, either through the proprietary APIs of model developers or through the MaaS platforms of cloud providers.
44. In the third scenario, a developer may choose to use open-weight generative models that are freely available under certain licence terms³⁵. This form of access to third-party models offers greater autonomy and independence than access via an API, but requires greater in-house technical expertise.

Figure 5: Access options for generative models



Source: Infographic by the Autorité de la concurrence.

b) Access to high-quality data

45. In Opinion 24-A-05, the *Autorité* noted that high-quality data are needed to train and fine-tune (see Glossary) generative models, as well as for inference.
46. This applies *mutatis mutandis* to AI agent developers.

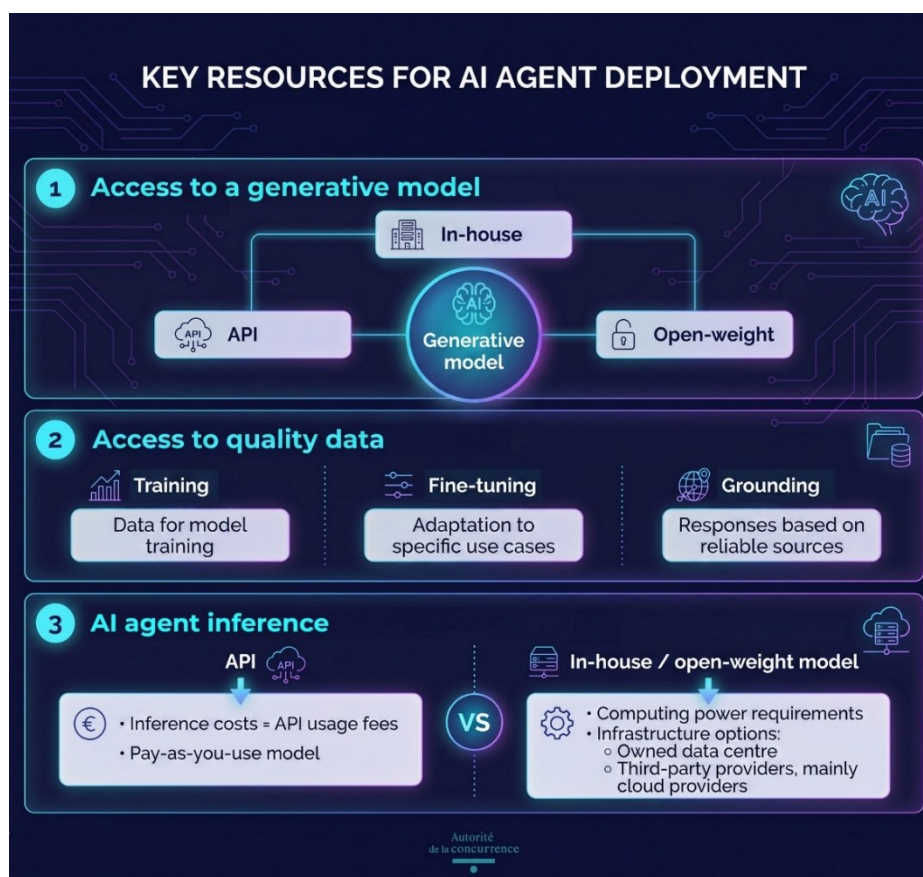
³⁵ As noted by the *Autorité* in paragraph 38 of Opinion 24-A-05, “[a]lthough operators frequently use the term ‘open source’, ‘open’ models are most often made available through the publication of their weights (‘open-weights approach’)”.

47. For developers that develop their own models, training data is essential. For developers of specialised AI agents that provide responses tailored to a specific sector, fine-tuning is essential and requires high-quality data specific to the developer's target domain.
48. For both general-purpose and specialised AI agents, access to up-to-date information is essential to improving the relevance and reliability of their responses. An AI agent can ground its responses in such information through internet searches (via a search API, such as those offered by Google or Bing), partnerships providing direct access to high-quality data, particularly data from press publishers, or direct access, for example, to company data (see paragraphs 105 *et seq.* for more details on agreements between operators).
49. Internet-based grounding relies on crawlers (see Glossary), which discover, download and index the content of web pages, enabling AI agents to access this data. Crawling can be carried out continuously to build a web index (which can then be used to provide an online search service or to train an LLM; see Glossary), or on a targeted basis in response to a user query.

c) Inference capabilities enabling effective use of an AI agent

50. The generation of content by a generative model is called inference and requires computing power. An AI agent developer must therefore have sufficient inference capabilities to ensure the effective use of its service by users.
51. AI agent developers that choose to develop their own generative models, as well as those that choose to deploy open-weight models, must have sufficient computing power to ensure the proper functioning of their models.
52. The computing power required for inference can be accessed in two ways: first, through cloud services, which are currently the most widely used solution; and second, by developing dedicated infrastructure, either on-site or hosted in a data centre.
53. Inference computing requirements vary depending, in particular, on the size of the model and the number of concurrent users that the AI agent can serve at a given latency.
54. Where an AI agent developer uses a third-party model via an API, the inference capabilities are provided by the party that provides the API. The associated cost is, however, reflected in the API usage pricing.

Figure 6: Key resources for AI agent deployment



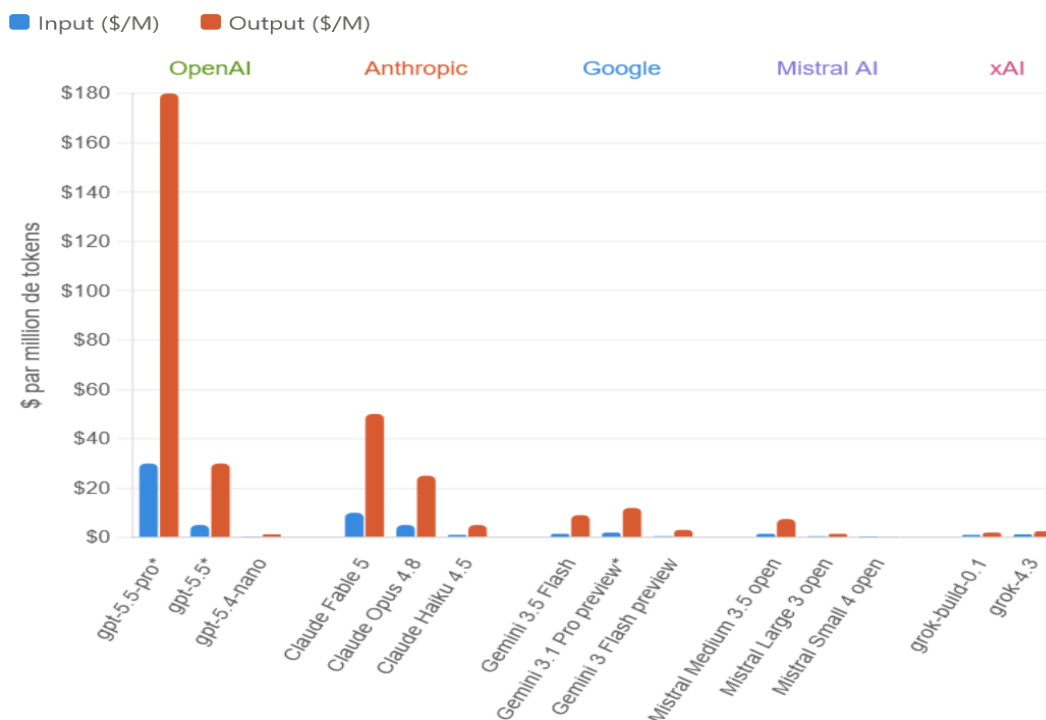
Source: Infographic by the Autorité de la concurrence.

2. MONETISATION OF AI AGENT SERVICES

55. There are two main methods of monetisation: subscription-based and usage-based.
56. The main AI agents are offered to individual users under a freemium model, with basic functionalities available free of charge and several tiers of paid subscriptions providing access to more powerful models, higher usage limits and additional functionalities. Individual subscription prices can reach up to US\$100 (approximately €88) per month, for example for ChatGPT Max or Claude Pro.
57. Specific subscription plans are available for business customers, providing access to shared workspaces and more advanced administrative capabilities. Customised pricing is available for large enterprises, offering enhanced data confidentiality and access to dedicated customer support.
58. Usage-based billing applies when AI agents are accessed via an API. Pricing generally depends on the number of tokens (see Glossary) sent to the model in the user query (Input), the number of tokens returned by the AI agent in its response (Output), and the number of tokens reused from a previous instruction (Cache). Response tokens are the most expensive, as they require, in particular, more time and computing resources.

59. The figure below shows the usage-based pricing of the main models, ranging from a few US cents per million tokens for the least expensive models to several tens of US dollars for the highest-performance models. Some providers also apply a token threshold above which prices increase (200,000 tokens for Gemini and 272,000 for OpenAI). This variable pricing provides users with less predictability, but facilitates the automation of certain use cases through API access, enabling direct communication between the AI agent and the user's various software applications. On 3 June 2026, the Linux Foundation announced the launch of the Tokenomics Foundation, aimed at establishing open-market standards and best practices for tokens.

Figure 7: Prices of the main models



Source: Infographic by the Autorité de la concurrence based on prices observed on 17 June 2026. Models marked with an * have a two-part pricing structure, and the price shown is the lower of the two.

60. AI agent providers are facing a sharp increase in token consumption, which is mechanically driving up their overall costs. This increase in token consumption is caused by from the growing use of agentic features, which can consume up to 1,000 times more tokens than a conventional task³⁶. According to a study on the evolution of agentic AI costs, the cost of a response was US\$0.04 (approximately €0.035) in 2023, while the average cost of an “orchestration” (see Glossary) by an AI agent, i.e. the organisation of a complex task, is expected to reach US\$1.20 (approximately €1.10) in 2026³⁷. In May 2026, Google announced that it was processing more than 3.2 quadrillion tokens per month, seven times more than a year earlier³⁸.

³⁶ Bai, Longju, et al. (2026), [“How Do AI Agents Spend Your Money? Analyzing and Predicting Token Consumption in Agentic Coding Tasks”](#).

³⁷ EY, [Unlocking agentic value: a new investment discipline for the agentic era](#), 1 June 2026.

³⁸ Google, [I/O 2026: Welcome to the agentic Gemini era](#), 19 May 2026.

61. To address the increase in costs resulting from greater use of their services, AI agent developers have gradually shifted their pricing for business customers from flat-rate pricing to usage-based pricing. For example, Anthropic introduced usage-based pricing for its business subscribers in April 2026³⁹. Business customers pay both a subscription fee for each user licence and a usage-based fee, which varies according to the number of tokens consumed by users.
62. In parallel, the first tests to integrate advertising into ChatGPT have been underway in the United States since January 2026. However, other AI agent developers have stated they do not intend to include advertising in their agents. In early 2026, Perplexity discontinued tests to integrate advertising into its AI agent, citing concerns about losing the credibility and trust of its users⁴⁰. In February 2026, Anthropic also stated that it intended to keep Claude ad-free, to ensure that its responses remain focused on helping users⁴¹. One respondent to the public consultation noted that *“the integration of advertising into conversational agents is still at an early stage and is likely to evolve significantly in the future. There is also uncertainty as to how these monetisation models will be implemented in practice and which formats will ultimately prevail”*.

C. THE PARTICIPANTS IN THE AI AGENT VALUE CHAIN

63. According to Médiamétrie, OpenAI’s AI agent, ChatGPT, holds a leading position in the French market. In France, ChatGPT is the leading AI agent by number of unique visitors, with 21.6 million in September 2025⁴². Responses to the public consultation indicate that other operators, such as Google and Anthropic, also play a significant role in the market. The majority of respondents considered that OpenAI, Google and Anthropic are the main or most significant AI agent developers. According to Sensor Tower, they together accounted for more than 84% of the global AI agents sector as of May 2026⁴³ (1). Other operators include vertically integrated companies already active in the sector (2) and new AI-native companies (3).
64. The majority of respondents to the public consultation considered that *“the market is overwhelmingly dominated by US operators (OpenAI, Google, Microsoft, Anthropic, xAI and Perplexity), while Mistral AI, with Le Chat, is currently the only European alternative”*. Others stated that *“in France, the conversational agents market is dominated by major US global operators (OpenAI/ChatGPT, Google Gemini, Microsoft/Copilot, Anthropic, Meta, etc.), alongside French solutions such as Mistral’s Le Chat, which do not have the same investment capacity, infrastructure or large-scale adoption as the global US operators”*.

³⁹ Claude Support, [What is the Enterprise plan?](#)

⁴⁰ Search Engine Land, [Perplexity stops testing advertising](#), 28 February 2026.

⁴¹ Anthropic, [Claude is a space to think](#), 4 February 2026.

⁴² Médiamétrie, [Les jeunes aux avant-postes de la révolution de l’IA conversationnelle](#), 30 October 2025 (English version available: [Young People at the Forefront of the Conversational AI Revolution](#)).

⁴³ O1net, [ChatGPT ne détient plus la majorité du marché de l’IA, c’est une première historique](#) (*ChatGPT no longer holds the majority share of the AI market – a historic first*), 17 June 2026 (French only).

65. Some respondents, however, highlighted specific features of the French market. For example, one respondent noted that *“France has diverse and competitive local expertise. Mistral AI has established itself as a key provider of customisable foundation models, which are essential for developing agents. At the same time, Dataiku offers enterprise-scale data and agent orchestration capabilities, while companies such as LightOn specialise in deploying tailored agents for large enterprises. This diversity of approaches, combining global providers and specialised French solutions, meets the diverse strategic needs of companies”*.

1. THE LEADING AI AGENT DEVELOPERS

a) OpenAI

66. OpenAI is a US company founded in 2015. Originally a non-profit organisation, it was split in 2025 into two entities: a non-profit organisation (OpenAI Foundation) and a for-profit subsidiary (OpenAI), which operates the AI agent ChatGPT and numerous other AI tools.
67. ChatGPT has been available in France since 30 November 2022 and enables users to draft documents, learn, improve their productivity, conduct internet searches (both simple and in-depth), summarise or analyse uploaded files, and engage in real-time voice conversations.
68. As of March 2026, OpenAI reported more than 900 million weekly active users and more than 50 million subscribers worldwide⁴⁴.
69. ChatGPT is based on proprietary generative models developed by OpenAI, the latest version of which is GPT-5.6, released in July 2026, as well as models for image generation, audio generation and transcription. OpenAI also has a range of open-weight models called GPT-OSS and was the first to release a reasoning model (o1, from the o series), which is currently the highest-performing model of its kind.
70. ChatGPT is available in both free and paid versions. OpenAI generates revenue primarily from paid subscriptions and the use of its APIs by businesses and developers. On 9 February 2026, OpenAI announced that it had begun testing advertising in ChatGPT, exclusively in the United States, for adult users on the Free and Go plans, while the Plus, Pro, Business, Enterprise and Education plans remain ad-free⁴⁵.
71. On 25 November 2025, OpenAI launched “ChatGPT Shopping Research”, which provides personalised shopping guides, and is developing a functionality that would enable purchases directly within ChatGPT, with integrations with several applications and software products, as well as Apple’s virtual assistant, Siri.
72. OpenAI is also one of the main founders and partners (with SoftBank and Oracle) of the Stargate project, *“which intends to invest US\$500 billion⁴⁶ over the next four years building new AI infrastructure for OpenAI in the United States”⁴⁷*.

⁴⁴ OpenAI, [OpenAI raises \\$122 billion to accelerate the next phase of AI](#), 31 March 2026.

⁴⁵ OpenAI, [Testing ads in ChatGPT](#), 7 May 2026.

⁴⁶ Approximately €440 billion.

⁴⁷ OpenAI, [Announcing The Stargate Project](#), 21 January 2025.

b) Google

73. Google is a US multinational company founded in 1998. It provides a wide range of digital services, including an online search engine (Google Search), an operating system (Android), online advertising services (Google Ads), cloud services (Google Cloud Platform – GCP), and office productivity applications (Google Workspace). It also owns the video-sharing platform YouTube. All these activities are carried out by Google LLC, which is part of the Alphabet group.
74. Google is vertically integrated across the generative AI value chain, from infrastructure (data centres and AI chips) to its AI agent, which was launched under the name Bard on 13 July 2023 and renamed Gemini on 8 February 2024. Gemini is available in both free and paid versions.
75. Gemini is accessible through dedicated mobile and web applications. It is also integrated into Google's ecosystem, including Google Search through AI Mode and AI Overviews⁴⁸ (which were not available in France as of the date of publication of this opinion, although Google announced that they would be launched in France in summer 2026⁴⁹). Gemini is also integrated into Google Android and Google Workspace. As of the date of publication of this opinion, Google had chosen not to monetise its AI agent through advertising. Google generates revenue through a subscription model.
76. The AI agent Gemini is based on the eponymous family of generative models, the latest version of which is Gemini 3.5 Flash. These models are developed by Google's AI research laboratories, notably DeepMind.
77. In May 2026, its CEO announced that Gemini had surpassed 900 million monthly users (up from 400 million the previous year)⁵⁰.

c) Anthropic

78. Anthropic is a US generative AI company founded in 2021 by former OpenAI employees. It provides AI agent services under the Claude brand and is best known for its agentic coding tool (Claude Code). Anthropic also offers a desktop AI agent (Claude Cowork), as well as tools specialising in cybersecurity (Claude Security).
79. These services are based on models developed by Anthropic and available in three families (Claude Opus, Sonnet and Haiku), the latest version of which is Claude Opus 4.8 (28 May 2026). These proprietary models are available through Anthropic's APIs and through the MaaS platforms of GCP, AWS and Azure. They are also integrated into other AI agents (such as Perplexity) and third-party programming tools (such as Cursor).

⁴⁸ According to the Commission, "*AI Overviews shows AI-generated summaries responsive to a user's search query above organic results, while AI Mode is a search tab similar to a chatbot answering users' queries in a conversational style*" ([Commission opens investigation into possible anticompetitive conduct by Google in the use of online content for AI purposes](#), 9 December 2025).

⁴⁹ Ouest France, [Recherches sur Google : Overviews, la fonction de résumés par IA, sera lancée en France cet été 2026](#) (Google Search: AI-powered summary feature Overviews to launch in France this summer 2026), 29 June 2026 (French only).

⁵⁰ Google, [I/O 2026: Welcome to the agentic Gemini era](#), 19 May 2026.

80. Anthropic also developed the Fable 5 and Mythos 5 models. These models, considered too effective at identifying and potentially exploiting certain IT vulnerabilities, were made available to a restricted consortium of companies and organisations as part of Project Glasswing⁵¹. On 12 June 2026, the US Government ordered that access to both models be cut off for all non-US nationals⁵², before lifting the restrictions a few weeks later⁵³.
81. Anthropic has several sources of revenue: (i) different subscription tiers for Claude products (including Claude Pro and Claude Max); (ii) usage-based pricing for API access; and (iii) corporate contracts. In addition, Anthropic offers usage-based pricing for individual plans through the “Extra Usage” option when usage exceeds the allowance included in the subscription.

2. COMPANIES ALREADY ACTIVE AND VERTICALLY INTEGRATED

82. Like Google, many companies already active in other sectors of the digital economy have expanded their activities into the AI agents sector. This is particularly the case for large companies already present in the upstream segment of the generative AI value chain, such as Amazon and Microsoft (cloud services) and Nvidia (graphics processing units [GPUs]; see Glossary).

a) Amazon

83. Amazon is a US company founded in 1994, specialising in e-commerce, cloud computing and online advertising. It has developed its own range of generative models, called Nova. Although e-commerce remains its core business, Amazon diversified its activities in 2006 with the launch of its AWS platform, which provides cloud and AI services through its Bedrock platform. AWS also develops its own AI chips, Trainium and Inferentia.
84. Amazon has two AI agents: Alexa+, the result of transforming its virtual assistant Alexa into a general-purpose AI agent, and Alexa for Shopping, an AI agent specialised in e-commerce that combines the capabilities of Alexa+ and Rufus, Amazon’s former AI agent for its e-commerce platform. Both AI agents are based on Amazon’s generative models (Amazon Nova) as well as third-party models, and have been available in France since late May 2026⁵⁴.

b) Meta

85. Meta (formerly Facebook) is a US company founded in 2004. Initially, it operated the social media platform Facebook, before launching its messaging service Messenger in 2011 and then embarking on a series of acquisitions, including Instagram in 2012 and the consumer messaging service WhatsApp in 2014.

⁵¹ Anthropic, [Project Glasswing](#), 7 April 2026.

⁵² Anthropic, [Statement on the US government directive to suspend access to Fable 5 and Mythos 5](#), 12 June 2026.

⁵³ Le Monde, [IA: Washington lève ses restrictions sur les modèles les plus puissants d’Anthropic \(AI: Washington lifts restrictions on Anthropic’s most powerful models\)](#), 1 July 2026 (French only).

⁵⁴ ECN, [Amazon lance Alexa for Shopping et fusionne Rufus dans un agent IA d’achat \(Amazon launches Alexa for Shopping and merges Rufus into an AI shopping agent\)](#), 15 May 2026 (French only).

86. Meta launched “Meta AI”, an AI agent integrated into various Meta products (Facebook, Instagram, WhatsApp, Messenger and Ray-Ban Meta smart glasses). The service was initially rolled out in a number of non-European countries, before being launched in Europe starting in 2025. Since April 2025, Meta AI has also been available through a standalone application and a web interface. Meta AI is currently available free of charge in the European Union (hereinafter the “EU”) and does not display advertising.

c) Microsoft

87. Microsoft is a US company founded in 1975. It provides, in particular, computer operating systems (Windows), a suite of office software (including Word, Excel, PowerPoint and Outlook), and Microsoft Azure, one of the leading cloud providers.
88. Microsoft has brought its AI agents together under the Microsoft Copilot brand, comprising Consumer Copilot for individual users and Microsoft 365 Copilot for business customers. Its AI agent is integrated into its search engine and browser (Copilot in Bing and Edge), its Windows operating system, and its core business applications, including Word, Outlook and PowerPoint for drafting documents, Excel for data analysis, and Teams for meeting summaries.
89. Microsoft also operates the code development and sharing platform GitHub, which integrates GitHub Copilot for code generation. Microsoft develops its own generative models, including the MAI family (MAI-Thinking, MAI-Code, MAI Image, MAI-Transcribe and MAI-Voice), designed to address users’ different use cases⁵⁵.

d) Nvidia

90. Nvidia is a US company founded in 1993, specialising in the development and design of GPUs and integrated circuits for computing. Since 2018, it has been developing a range of specialised GPUs for data centre computing. Nvidia has seen strong growth since the emergence of AI and, in June 2024, became the world’s most valuable company by market capitalisation.
91. Nvidia is primarily active in infrastructure, upstream in the generative AI value chain, but plays a particularly important role across the sector given its many partnerships with industry players, specifically AI agent developers.
92. More recently, Nvidia has also begun developing its own generative models. Unveiled on 15 December 2025, the Nemotron 3 range comprises three categories – Nano, Super and Ultra – corresponding to different levels of capability and complexity, as well as different computing resource requirements⁵⁶.

⁵⁵ L’Usine digitale, [Microsoft accélère sur le développement de modèles d’IA avec 7 nouvelles versions couvrant tous les besoins des entreprises](#) (*Microsoft steps up AI model development with 7 new versions covering all business needs*), 3 June 2026 (French only).

⁵⁶ NVIDIA blog, [Présentation de NVIDIA Nemotron 3 : des modèles ouverts pour l’IA multi-agents](#) (*Introducing NVIDIA Nemotron 3: open models for multi-agent AI*), 15 December 2025 (French only).

3. NEW AI-NATIVE COMPANIES

93. Alongside vertically integrated companies, the AI agents sector also includes AI-native operators, such as Mistral AI, Perplexity AI and xAI.

a) Mistral AI

94. Mistral AI is a French company founded in 2023. Its AI agent, Vibe (formerly Le Chat)⁵⁷, was first made available to the general public in beta in February 2024. Since February 2025, Vibe has been offered through a mobile app, in both free and paid versions.
95. In May 2025, Mistral AI launched “Agent API”, a suite of tools for creating AI agents. The solution combines Mistral AI’s models with smart connectors (internet search, code execution, image generation, and access to documents or databases), persistent memory enabling agents to refer to past interactions and tailor their responses, and task orchestration tools enabling multiple agents to work together to solve complex tasks.
96. These services are based on the models developed by Mistral AI. With the release of its Mixtral 8x7B model in December 2023, Mistral AI popularised the Mixture-of-Experts (MoE) architecture for LLMs, which divides an AI model into specialised sub-networks that work together to perform a given task more efficiently and at lower cost.

b) Perplexity AI

97. Perplexity AI is a US company founded in 2022. Its AI agent, Perplexity, launched in August 2022, combines real-time internet search and source citations with responses generated by third-party LLMs, such as those developed by OpenAI and Anthropic. Perplexity has also launched Comet, an AI-powered web browser.
98. Perplexity offers consumer subscriptions (including Pro, Max and Comet Plus), an AI platform for businesses, and an API platform for third-party developers. Users can use Perplexity to conduct searches, while business customers typically integrate Perplexity’s products into their internal knowledge systems, combining public and private sources of information to generate insights relevant to their organisation.

c) xAI

99. xAI is a US company founded in 2023 and now merged with SpaceX. xAI operates the AI agent Grok through its web interface and its integration with X (formerly Twitter). Grok is based on xAI’s own Grok 4 generative models. Like Meta AI, Grok was initially available free of charge to X users, who could interact with Grok as part of their activities on the X platform. This service is now paid⁵⁸.

⁵⁷ Siècle digital, [Mistral remplace Le Chat par Vibe pour sortir du simple chatbot](#) (*Mistral replaces Le Chat with Vibe to move beyond a simple chatbot*), 1 June 2026 (French only).

⁵⁸ BFMTV, [X continue de monétiser ses services: il faut désormais payer pour interroger Grok lorsqu’on le mentionne dans une conversation](#) (*X continues to monetise its services: users must now pay to query Grok when the AI agent is mentioned in a conversation*), 13 March 2026 (French only).

d) Other operators

100. DeepSeek is a Chinese AI company. It operates the AI agent DeepSeek, which is based on its own DeepSeek V4 generative models. In January 2025, it was one of the first companies to release an open-weight reasoning model, DeepSeek R1, whose performance was on a par with that of the leading reasoning models at the time.
101. Alibaba is a Chinese e-commerce and cloud company. Alibaba Cloud operates the Qwen AI agent, which is based on foundation models from the Qwen family, most of which have been released as open-weight models.
102. In addition to the above-described providers of general-purpose AI agents, a wide range of companies offer specialised AI agents, such as JiminiAI, Doctrine and Ordalie in the French legal sector, or AI agents integrated into business applications, such as LightOn and Dust.

4. AGENTIC COMMERCE OPERATORS

103. Agentic commerce operators include both the companies described above and companies active in the e-commerce sector. In addition to adapting their e-commerce websites or platforms for AI agents (see paragraphs **Erreur ! Source du renvoi introuvable.** *et seq.*), these companies may also develop specialised AI agents designed to operate within their own areas of business. Examples include Carrefour's Hopla+ and Castorama's Casto IA. Payment providers are also involved in the development of agentic commerce.
104. These companies have all implemented agentic commerce protocols (see paragraphs 35 *et seq.*). OpenAI launched ACP in partnership with Stripe, with in-chat purchasing now available from merchants on Etsy and Shopify. UCP was co-developed by Google with Shopify, Etsy, Wayfair, Target and Walmart and includes payment providers such as Visa, Mastercard and PayPal.

5. PARTNERSHIPS FORMED BY AI AGENT DEVELOPERS

105. In Opinion 24-A-05, the *Autorité* noted that the generative AI sector was marked by a significant number of partnerships between operators active in the sector. Unsurprisingly, a similar situation can be observed in the AI agents sector, given that many operators are active in both, as described above.
106. In general, AI agent developers enter into technological and commercial agreements and partnerships to develop and bring their technologies to market.
107. Technological partnerships provide companies developing generative models or AI agents with the technical resources, particularly computing power, needed to train models or perform inference. These partnerships are critical: without sufficient computing capacity, models cannot be trained effectively, nor can an AI agent respond to a large number of users simultaneously.

108. For example, OpenAI has entered into a number of technological partnerships to secure computing power and access cloud services. These include agreements with:
- the three main cloud providers: Microsoft (since 2019), Google and Amazon;
 - other cloud providers, such as CoreWeave; and
 - companies that manufacture GPUs for computing, such as Nvidia and AMD.
109. Commercial partnerships can give AI agents access to high-quality data, in particular for grounding. For example, OpenAI has entered into agreements with more than a dozen press publishers, including Le Monde and Prisma Media in March 2024 and The Washington Post in April 2025, as well as with the online discussion platform Reddit in May 2024. Mistral AI concluded a similar agreement with Agence France-Presse in January 2025. Meta has entered into several partnerships, including with Reuters in October 2024, the Le Monde group, CNN and USA Today in December 2025, and News Corp., Le Figaro, Prisma and Süddeutsche Zeitung in March 2026. These partnerships notably enable AI agents to improve the quality of their services.
110. Second, some commercial partnerships give AI agents access to users of partner services. For example, Google and Apple have partnered to use Gemini models to power Apple’s new Siri AI. Similarly, Perplexity has entered into an agreement to be integrated into Samsung smartphones, while xAI has agreed to integrate Grok into Telegram’s search bar. In addition, in early 2026, Google and Apple announced a partnership under which Gemini will power “Apple Intelligence”, which is preinstalled on iOS and macOS devices.
111. The table below classifies partnerships between AI agent providers, both upstream in the value chain (access to computing power and data for training) and downstream (access to computing power and data for inference and grounding, as well as distribution channels to reach users).

Table 1: Classification of partnerships between AI agent providers

Partnership types	Nature	Partner	Examples of operators
Computing power	Technological	Chip manufacturers / cloud providers	AWS, Azure, CoreWeave, GCP, Nvidia, SpaceX, etc.
Data access	Commercial	Media	AFP, AP, Le Monde, etc.
		Publishers	Reddit, Stack Overflow, etc.
		Other	Shutterstock, Walt Disney, etc.
Distribution channels	Commercial	MaaS platforms	AWS, Azure, GCP, Oracle, Scaleway, etc.
		Integrators	Accenture, KPMG, etc.
		Companies / governments	Dassault, Société Générale, etc.
		Telecom operators	Bouygues Telecom, Deutsche Telekom, etc.
		Mobile device manufacturers	Apple, Samsung, etc.
		Consumer communication services	Telegram, WhatsApp, etc.

Source: Table by the Autorité de la concurrence.

D. THE “PLATFORMISATION” OF AI AGENTS

112. Some AI agents are no longer limited to simple question-and-answer interfaces. They are increasingly positioning themselves as entry points for users to browse the internet and are now evolving into fully-fledged platforms, enabling users to access information and third-party services directly without leaving the agent’s environment. In doing so, they are seeking to create their own ecosystems.
113. In this regard, Arcep noted in its January 2026 report that “[t]he single interface of generative AI services introduces a structural change in the way users access online content and services. This new form of interface simplifies the user experience, but profoundly alters the conditions under which users exercise their freedom of choice on the internet”.
114. Some AI agent developers offer businesses options for integrating their services into their agents. OpenAI, for example, has introduced “mini apps” within ChatGPT, allowing businesses to integrate their content directly into the AI agent and creating a new way to reach consumers. Many businesses, including Spotify and Booking.com, have chosen to integrate with ChatGPT in this way. For example, users can ask ChatGPT to play music on Spotify without leaving the chat window to open the Spotify app.
115. Other AI agent developers with their own digital ecosystems integrate all or part of those ecosystems into their AI agents. This is the case with Google, whose YouTube Music service is integrated directly into Gemini.
116. Conversely, some AI agents are integrated into existing platforms. This is generally referred to as native integration, whereby AI functionality is built directly into the core of a software product, platform or device. This is the case with Microsoft Copilot, which is integrated into the Teams video-conferencing tool and the Office 365 suite. Similarly, Meta AI is integrated into the WhatsApp and Messenger messaging services, as well as the Instagram and Facebook social media platforms.
117. Most respondents to the public consultation noted that signs of the “platformisation” of AI agents are now observable in the market, although the process remains incomplete: *“We are seeing a trend towards becoming, to some extent, a single interface — or even a centralised gateway to the internet —, which resembles a move towards platformisation. However, this development remains incomplete at this stage. For third-party applications, users must explicitly ask the chatbot to use a particular service. The system does not independently choose which provider to activate or whether to activate one at all. The model therefore functions more as an aggregator or facilitator. In addition, the final completion of the transaction generally still requires the user to be redirected to the relevant provider’s website. By contrast, in product discovery and agentic commerce, the model operates more like a platform: it selects the retailer to display and the offer to highlight itself, with a greater degree of integration into the user journey. The move towards a platform model is therefore discernible, but remains gradual and varies depending on the use case”*.
118. Specifically regarding the use of the term “e-commerce platform” to describe AI agents, several respondents to the public consultation active in the e-commerce sector indicated that this term was inaccurate insofar as the e-commerce website retains its relationship with the customer, and that “intermediation” would be more appropriate.

E. THE LEGAL AND REGULATORY FRAMEWORK FOR AI AGENTS

119. Although the generative AI sector has developed relatively recently, public authorities in France and Europe have moved quickly to establish a legal and regulatory framework for the sector.

1. IN FRANCE

120. On 8 April 2026, a parliamentary bill introducing a presumption that AI providers use cultural content was adopted by the Senate and then referred to the National Assembly, where it is expected to be considered before the end of 2026. The bill would amend the French Intellectual Property Code (*Code de la propriété intellectuelle*) by creating a rebuttable presumption that a work or object protected by copyright or a related right has been used where an indication relating to the development or deployment of the AI system, or to the content it produces, makes such use plausible⁵⁹.

2. IN THE EUROPEAN UNION

121. In providing their services, AI agents process large volumes of data, including personal data in some cases, through interfaces or platforms that may have tens of millions of users in France and more than 100 million users across Europe. Some of these AI agents are also operated by tech giants. As a result, the main EU legislation governing the digital sector applies to these services. This legislation is described below.

a) The Artificial Intelligence Act (AI Act)

122. Regulation (EU) 2024/1689 on artificial intelligence (hereinafter the “AI Act”)⁶⁰ aims to regulate AI products placed on the EU market. It entered into force in part on 1 August 2024 and will apply in full from 2 August 2026⁶¹.

⁵⁹ French National Assembly, [Parliamentary bill 2634](#) (French only).

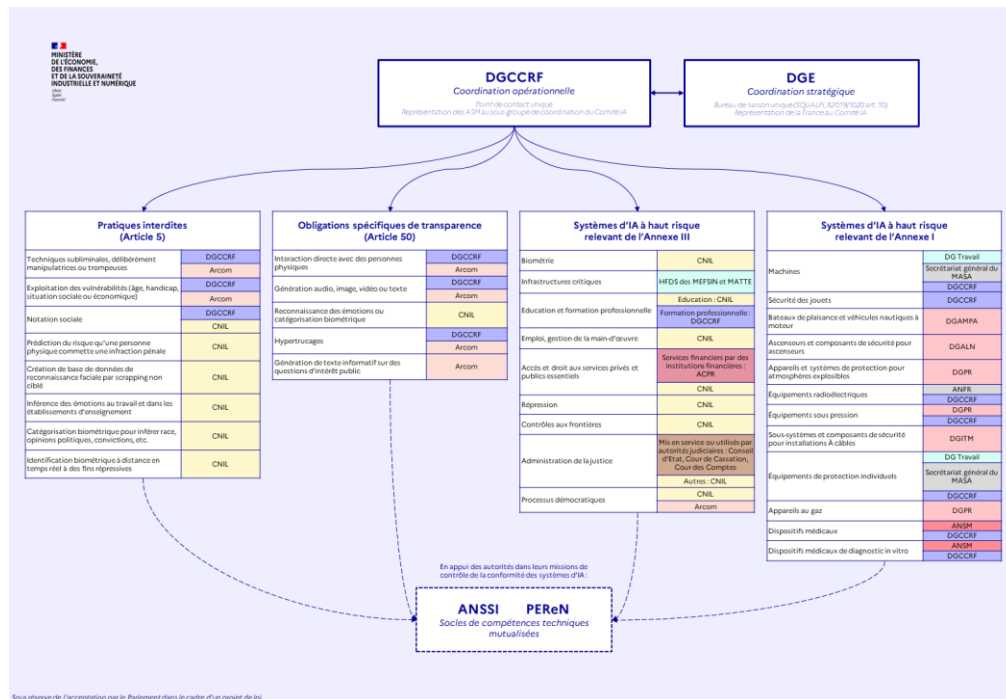
⁶⁰ [Regulation \(EU\) 2024/1689](#) of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L 2024/1689).

⁶¹ French Directorate of Legal and Administrative Information (DILA), [AI Act: quels changements pour les entreprises ?](#), 6 October 2025 (English version available: [The AI Act: what changes for companies?](#)).

123. The AI Act applies to:
- providers of general-purpose AI models on the EU market;
 - deployers of AI systems, where they are located in the EU, have their place of establishment in the EU, or the outputs generated by their AI system are used in the EU;
 - importers and distributors of AI systems;
 - product manufacturers that place on the market or put into service an AI system together with their product and under their own name or trademark;
 - authorised representatives of providers not established in the EU; and
 - affected persons that are located in the EU.
124. AI agents are not explicitly mentioned in the AI Act. However, “AI system” is a central concept in the Act, defined as follows: “*a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments*”. Based on this definition, AI agents could be considered AI systems.
125. The AI Act establishes harmonised rules⁶² across the EU governing the development, marketing, deployment and use of AI systems, with the aim of ensuring compliance with fundamental rights, European values, and health and safety requirements, while supporting innovation. It takes a risk-based approach, categorising AI systems according to their potential impact, from minimal to unacceptable risk.
126. In France, the implementation of the AI Act falls to several agencies and administrative authorities, coordinated by the Directorate General for Enterprises (DGE) and the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), as illustrated in Figure 8 below.

⁶² The obligations applicable to AI systems are outlined in greater detail by the [European Commission](#) and the [French Directorate General for Enterprise](#).

Figure 8: Authorities responsible for implementing the AI Act in France



Source: [French Directorate General for Enterprise](#).

b) The Digital Markets Act (DMA)

127. Regulation (EU) 2022/1925 on digital markets (hereinafter the “Digital Markets Act” or “DMA”), adopted on 14 September 2022, establishes asymmetric *ex-ante* regulation of providers of “core platform services”, designated as “gatekeepers”⁶³. It entered into force, in full, on 7 March 2024.
128. The obligations and prohibitions set out, in particular, in Articles 5 and 6 of the DMA apply to core platform services provided or offered by gatekeepers⁶⁴ to business users established in the EU or end-users established or located in the EU, where those services constitute “*an important gateway for business users to reach their end-users*” (Article 3).
129. As of the date of publication of this opinion, no AI service has been designated as a core platform service. However, in its staff working document of 28 April 2026 on the review of the DMA, the Commission noted that several obligations under the DMA already apply in full to certain AI technologies and have been the subject of discussions with gatekeepers. In the same document, the Commission also stressed that it will further assess whether certain AI services, such as virtual assistants, should be designated as core platform services or whether existing obligations should be updated⁶⁵.

⁶³ [Regulation \(EU\) 2022/1925](#) of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), OJ L 265/1.

⁶⁴ Within the meaning of Article 3 of the DMA.

⁶⁵ [Commission Staff Working Document](#) accompanying the Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the Review of Regulation (EU) 2022/1925 of the European Parliament and of the Council on contestable and fair markets in the digital sector

c) The Digital Services Act (DSA)

130. Adopted alongside the DMA, Regulation (EU) 2022/2065 on digital services (hereinafter the “Digital Services Act” or “DSA”) establishes a framework for holding providers of digital services accountable for the content disseminated through the services they make available to users. The DSA therefore aims to protect users of digital services, particularly users of large digital platforms, from unlawful, harmful and dangerous content. It entered into force in two distinct phases:
- the first phase applied to platforms and search engines with more than 45 million monthly active users in the EU; and
 - the second phase extended the DSA to all platforms and online intermediaries whose services are offered on the EU market.
131. The obligations imposed by the DSA on the companies concerned are proportionate to their size. The largest companies, namely those with more than 45 million monthly active users, are therefore subject to stricter rules. Twenty-six large online platforms and two large online search engines have been designated⁶⁶. Since OpenAI announced in October 2025 that ChatGPT had exceeded the threshold of 45 million users in the EU, the Commission has been considering whether to designate ChatGPT as a large online platform or large online search engine⁶⁷.
132. The DSA imposes obligations to combat unlawful or harmful content and enhance transparency. In particular, the platforms concerned must prohibit advertising targeted at minors or based on sensitive data. Stricter rules apply to very large online platforms and very large online search engines, including annual risk assessments and the disclosure if the algorithms underpinning their interfaces to the competent authorities. The DSA also introduces obligations to enhance the transparency of online advertising.
133. Under the DSA, the Commission recently opened an investigation into X and its rollout of Grok, and expanded its ongoing investigation into X’s recommendation systems.
134. Unlike the DMA, the DSA provides for joint enforcement by the Commission and a national “Digital Services Coordinator”. In France, this coordinator is the audiovisual and digital communication regulator (*Autorité de régulation de la communication audiovisuelle et numérique* – Arcom)⁶⁸.

and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), in accordance with Article 53 thereof, COM (2026) 178 final, pp. 47-48.

⁶⁶ European Council, [Digital Services Act](#).

⁶⁷ MLex, [OpenAI inches toward seeing ChatGPT regulated under EU digital rulebook](#), 21 October 2025.

⁶⁸ French Ministry of the Economy, [Numérique : le règlement sur les services numériques entre en vigueur](#) (*Digital affairs: the Digital Services Act comes into force*), 13 February 2024 (French only).

d) The General Data Protection Regulation (GDPR)

135. Regulation (EU) 2016/679 on data protection (hereinafter the “General Data Protection Regulation” or “GDPR”) entered into force on 25 May 2018. The provisions of the GDPR have been incorporated into French law through the French Data Protection Act (*Loi informatique et libertés*)⁶⁹. The GDPR applies to the processing of personal data, whether automated or manual, where that data is contained or intended to be contained in a filing system⁷⁰. The GDPR defines personal data as any information relating to an identified or identifiable natural person, directly or indirectly (e.g. through biometric data).
136. Since AI agents use and store user data to provide and improve their services, they must process personal data in accordance with the GDPR, in particular with regard to minimising the data collected, establishing clear purposes for each processing activity, and providing users with transparent information about how their personal data is processed.
137. The recitals of the GDPR also state that data subjects whose data are processed by automated means should have the right not to be subject to a decision based solely on such processing, where that decision produces legal effects concerning them or similarly significantly affects them⁷¹. Examples cited include the automatic rejection of a credit application and recruitment practices without human intervention. Article 22 of the GDPR governs the use of automated processing.
138. In France, GDPR-related matters are handled by the CNIL.
139. A joint declaration issued by the CNIL and the *Autorité* on 12 December 2023 recognises the competitive implications of personal data protection⁷².

e) The Data Act

140. Regulation (EU) 2023/2854 on data access and use (hereinafter the “Data Act”) entered into force on 11 January 2024 and has applied since 12 September 2025. According to the Commission, the Data Act is a comprehensive initiative aimed at addressing the challenges and harnessing the opportunities presented by data in the EU, with a focus on fair access to data and respect for users’ rights, while ensuring the protection of personal data.
141. To that end, the Data Act provides for:
 - the facilitation of the continuous transfer of data between data holders and data users;
 - access by public sector bodies to data held by the private sector for public interest purposes;
 - a framework to enable cloud customers to switch data processing service providers more easily; and
 - a review of Directive 96/9/EC of 11 March 1996 on databases.

⁶⁹ French law 78-17 of 6 January 1978 on information technology, data files and civil liberties.

⁷⁰ Article 2 (1).

⁷¹ Recital 71 of the General Data Protection Regulation (GDPR).

⁷² Joint declaration by the *Autorité de la concurrence* and the CNIL, [Competition and personal data: a common ambition](#), 12 December 2023.

142. AI agents are not, as such, covered by the Data Act. However, its provisions could apply where, in particular, an AI agent is involved in accessing, using or sharing data generated by connected products or related services. Furthermore, where an AI agent relies on a data processing service provider (such as a cloud provider) within the meaning of the Data Act, the provisions relating, in particular, to portability could also apply.
143. Beyond the legal and regulatory framework, to the *Autorité*'s knowledge, there is no European case law to date specifically concerning AI agents, although several cases are pending. For example, in April 2025, the Budapest District Court referred a question to the Court of Justice of the European Union (CJEU) for a preliminary ruling on the application of EU copyright directives to responses generated by an AI agent that partially reproduce content found on the websites of press publishers⁷³.

II. The existence of barriers to entry and expansion in the AI agents sector

144. At first glance, the diversity of AI agents available as of the date of publication of this opinion is indicative of a dynamic sector, characterised by innovation and the entry of a wide range of operators, from start-ups to large digital companies already active in the market. Although launching a new AI agent appears to be less challenging than training a generative model (A), significant challenges remain in scaling such agents (B).

A. LOWER BARRIERS TO ENTRY THAN FOR THE TRAINING OF GENERATIVE MODELS

145. Entry is facilitated by the availability of several solutions providing access to generative models (1), but may give rise to situations of dependency (2).

1. EASIER ACCESS TO THIRD-PARTY MODELS

146. In Opinion 24-A-05, the *Autorité* examined the barriers to entry for AI agent developers that also develop generative models (in particular Anthropic, Google, Microsoft, OpenAI and Mistral AI). These barriers to entry are primarily related to computing power, access to sufficiently large quantities of high-quality data, and technological expertise. The responses to the public consultation conducted as part of this opinion confirm that these barriers to entry identified by the *Autorité* in 2024 persist.

⁷³ CJEU, [Request for a preliminary ruling from the Budapest Környéki Törvényszék \(Hungary\) lodged on 3 April 2025](#) – Like Company v Google Ireland Limited (Case C-250/25, Like Company).

147. However, as explained above in paragraphs 40 *et seq.*, an AI agent developer that does not have the resources required to train a generative model may nevertheless offer a high-performing service by using models developed by third parties, accessible via APIs or open-weight models. For example, one respondent to the public consultation stated that *“thanks to open-source models, practically any organisation can deploy commercially available generative AI models and systems for its use case(s), for example to create new products or enhance existing capabilities and functionalities”*.
148. Cloud providers offer platforms providing access to a variety of models. Amazon Bedrock, a service designed for creating generative AI agents and applications, provides access to more than 100 generative models from multiple providers, including Anthropic, DeepSeek and OpenAI, as well as evaluation tools to help users select the model that best meets their desired performance and cost requirements⁷⁴. Microsoft Foundry Models offers a wide selection of models, ranging from foundation models and frontier models to small language models (see Glossary) and industry-specific models⁷⁵. Google’s Model Garden offers more than 200 generative models of varying sizes and characteristics (including its own models and third-party models such as Meta’s Llama and Anthropic’s Claude)⁷⁶. The table below sets out the availability, as of 1 June 2026, of the main generative models on the main MaaS platforms.

Table 2: Availability of the main generative models via MaaS APIs

Model developer	Model/model range	Type	AWS Bedrock	Google Model Garden	Microsoft Foundry	Scaleway	OVH
Amazon	Amazon Nova	Proprietary	Yes	No	No	No	No
Anthropic	Claude Opus 4.8	Proprietary	Yes	Yes	Yes	No	No
DeepSeek	DeepSeek R3	Open-weight	Yes	Yes	Yes	No	No
DeepSeek	DeepSeek R1	Open-weight	Yes	Yes	Yes	Yes	No
Google	Gemini 3	Proprietary	No	Yes	No	No	No
Google	Gemma	Open-weight	Yes	Yes	Yes	Yes	No
Meta	Llama 4	Open-weight	Yes	Yes	Yes	No	No
Meta	Llama 3	Open-weight	Yes	Yes	Yes	Yes	Yes
Mistral AI	Mistral Large	Proprietary	Yes	No	Yes	Yes	No
Mistral AI	Mistral Small	Open-weight	Yes	Yes	Yes	Yes	Yes
OpenAI	GPT5	Proprietary	Yes	No	Yes	No	No
OpenAI	gpt-oss	Open-weight	Yes	Yes	Yes	Yes	Yes
Qwen	Qwen	Open-weight	Yes	Yes	Yes	Yes	Yes
xAI	Grok4	Proprietary	No	Yes	Yes	No	No

Source: Table created by the Autorité de la concurrence.

⁷⁴ AWS, [Amazon Bedrock model choice – AWS](#) (accessed 2 June 2026).

⁷⁵ Azure, [Overview of Microsoft Foundry Models](#) (accessed 2 June 2026).

⁷⁶ Google, [Model Garden on Gemini Enterprise Agent Platform](#) (accessed 2 June 2026).

149. Freed from the constraints associated with training the foundation model, an AI agent developer can therefore innovate in key areas such as user experience, service quality and model specialisation. According to one respondent to the public consultation, *“the proliferation of open-weight models such as Mistral, Llama, Qwen and DeepSeek enables new entrants to develop specialised models for a variety of vertical applications in areas such as finance, law, medicine, customer service, etc.”*
150. The strategy of not training their own generative model is, moreover, shared by several large, established digital companies. Amazon indicates that Rufus (now merged with Alexa under the name “Alexa for Shopping”) uses both internally developed and external large generative models, including Anthropic’s Claude Sonnet⁷⁷. Apple likewise uses third-party models, such as GPT and Gemini. These large operators have adopted this approach even though, a priori, they had the resources to train their own generative models.
151. Training generative models requires significant investment, particularly in infrastructure (computing power, data and engineers). By contrast, on the downstream market for the provision of AI agents, costs vary depending on the services used. Using existing models rather than training their own model therefore enables AI agent developers to launch a solution without necessarily having to commit significant resources up front.
152. However, the availability of third-party models does not eliminate all the barriers to market entry.

2. BARRIERS TO ENTRY PRIMARILY RELATED TO DEPENDENCE ON MODEL PROVIDERS

153. AI agent developers that use third-party models face more specific barriers related to adapting and integrating existing models. In addition, this strategy may give rise to situations of dependency on the providers of these models.
154. First, as regards the existence of more specific barriers, it should be noted that, while access to a generative model is essential to launching an AI agent, the added value of these solutions often lies in adapting a generative model to a specific use case. In this respect, fine-tuning allows the model to be tailored to sector-specific data (such as medical, legal or technical texts) in order to improve its accuracy and relevance within a specific field. However, this process may give rise to several challenges.
155. First, sector-specific data, which is often confidential or subject to strict regulations (such as medical or legal data), can be difficult to obtain or use. Second, although less costly than training a generative model from scratch, fine-tuning requires significant investment, particularly in human annotation (see Glossary) of such data, which ensures its quality and relevance. Lastly, in certain sectors, security and data protection requirements may require deployment via on-premises infrastructure. One respondent to the public consultation indicated that this type of deployment requires substantial technical expertise and computing infrastructure.

⁷⁷ Amazon News, [Amazon’s next-gen AI assistant for shopping is now even smarter, more capable, and more helpful](#), 18 November 2025.

156. Second, as regards the strategic dependence on third-party generative model providers arising from the use of their models, it should be noted that the degree of dependency varies depending on how the third-party generative model is accessed. Dependence is greatest when the model is accessed via an API, as the model provider controls its technical performance (for example, the AI agent developer cannot directly resolve potential malfunctions) and its updates and may, where applicable, impose price increases. In addition, the terms of use imposed by model providers, which are often direct competitors of AI agent developers, may sometimes include restrictive clauses, such as prohibiting reverse engineering or the use of output data to develop competing models⁷⁸, thereby limiting the developer's freedom to innovate and its ability to optimise the AI agent.
157. Conversely, dependence is not as high when the AI agent developer uses an open model. However, this type of model may not be sufficient to remain technologically competitive in the long term.
158. For downstream developers, dependence on a model via an API may therefore result in higher costs, a deterioration in service quality or a loss of competitiveness as a result of upstream decisions. It may also limit their ability to migrate once the AI agent has been developed on the basis of that model. However, this dependence can be reduced by using several generative models. The same approach can be adopted within a company, as illustrated by the example of Veolia, which reportedly uses *"almost all [foundation models] available in Amazon Bedrock to automate translation services, image generation, and knowledge querying to solve critical environmental challenges"*⁷⁹.
159. The constraints are less significant for vertically integrated companies that also develop generative models, as they control a large part of the AI service production chain.
160. This dependence may also be exacerbated by foreign regulatory constraints. For example, the access restrictions imposed by the US government on 12 June 2026, as part of export controls, limited the use of Anthropic's frontier models (Claude Mythos 5 and Claude Fable 5) by non-US users, thereby qualifying the notion that third parties have easy access to frontier models. Although these restrictions were lifted a few weeks later, the risk remains and could arise again in the future. Some press reports confirm this: *"For Brussels, it is another incentive to reduce its dependence on US tech companies and increase its tech sovereignty, despite lagging behind players such as Anthropic and OpenAI. 'It's of course never good to be too dependent on one company or third countries in critical technologies like AI,' said Virkkunen [Commission Executive Vice President for Tech Sovereignty, Security and Democracy], adding that the Commission was in conversation with all AI service providers while focusing on boosting investments in Europe"*⁸⁰. Several stakeholders have therefore highlighted the need to anticipate the risk that frontier models could be subject to this type of restriction: *"The specific failure mode of regulatory-driven model withdrawal – where a vendor is legally compelled to remove access with no notice period – is a newer entrant to the enterprise risk register, and the Fable 5 event now provides a concrete, documented precedent"*⁸¹.

⁷⁸ See, for example, OpenAI [Terms of Use](#), effective from 1 January 2026.

⁷⁹ AWS, [Amazon Bedrock model choice – AWS](#) (accessed 2 June 2026).

⁸⁰ Financial Times, [US and Europe discuss access to AI models after Anthropic dispute](#), 16 June 2026.

⁸¹ Cloud Security Alliance AI Safety Initiative, [Fable 5 Suspension: Enterprise AI Under Export Controls](#), 14 June 2026.

161. While market entry appears to be facilitated by the use of third-party models, which may nevertheless create situations of dependency, large-scale expansion faces structural barriers that are more difficult to overcome.

B. BARRIERS TO EXPANSION GREATER THAN BARRIERS TO ENTRY

162. Scaling up remains significantly constrained, in particular by the need to reach users (1) and to have access to high-quality data to ensure the proper functioning of the AI agent (2). Technical barriers (3) also make expansion more difficult and increase the associated costs, particularly in terms of inference and compliance (4). Lastly, there are barriers specific to the development of agentic commerce (5).

1. ACCESS TO USERS

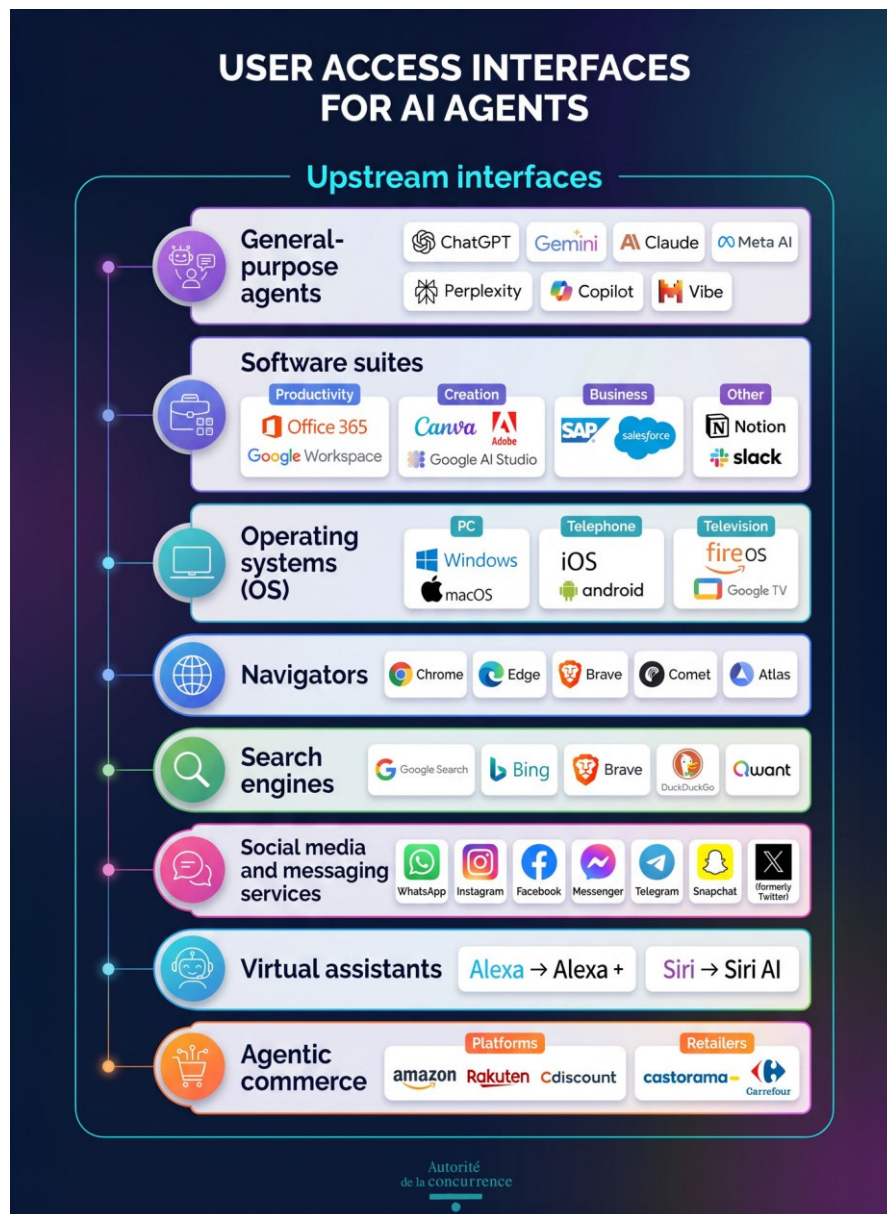
163. Access to users plays a key role in the market entry of new AI agent developers (see paragraph 17 above, which sets out the various ways in which AI agents access users, and paragraphs 146 *et seq.*, which highlight the importance of accessing third-party generative models), but it is particularly crucial during the expansion phase. Reaching a critical mass of users is essential for the continuous improvement of AI agents and for new entrants to compete with established operators. However, several major digital operators, which also develop AI agents, benefit from vertical integration, giving them significant structural advantages that are difficult for their competitors to overcome.
164. All respondents to the public consultation emphasised that access to users is a crucial strategic lever for AI agent developers, determining their ability to deploy and sustain their solutions in the market. One respondent noted that “*the main obstacle for conversational agents is often not model capabilities, but access to distribution channels*”.
165. In addition to the vertical integration of certain players, such as Google and Microsoft, which enables them to control the upstream part of the value chain (see Opinion 24-A-05), several major digital operators benefit from advantages stemming from the direct integration of their AI agents into widely used products, such as operating systems, browsers, productivity suites, messaging services, app stores and other consumer services (in particular search, maps, photos and video). This gives them structural advantages that are difficult for players without such user access interfaces to overcome.
166. For example, Gemini (Google) may be pre-installed by default on Android mobile devices (the operating system used by more than seven in ten smartphone owners⁸²), Copilot (Microsoft) may be pre-integrated into productivity tools such as Word and Excel, and Meta AI may be accessed within WhatsApp conversations (3 billion users worldwide)⁸³. One respondent noted that “*the first obstacle concerns control over distribution channels. Dominant companies use pre-installation, default settings and choice architecture to hinder the visibility and commercial viability of competing generative AI services*”.

⁸² Arcep, Arcom, the French General Council for the Economy (*Conseil général de l'économie – CGE*) and the French National Agency for Territorial Cohesion (*Agence nationale de la cohésion des territoires – ANCT*), [Baromètre du numérique](#) (*Digital Barometer*), 2025 edition, p. 51 (French only).

⁸³ Blog du modérateur, [Chiffres WhatsApp – 2026](#) (WhatsApp figures – 2026), 13 February 2026 (French only).

167. Certain partnerships, aimed, for example, at pre-installing AI agents on mobile phones, may also reinforce these barriers to expansion. Such pre-installation gives the AI agent concerned a significant initial advantage in terms of visibility and adoption, to the detriment of competing solutions.
168. The figure below illustrates the main user access interfaces for AI agents: AI agent websites, internal integrations for businesses using specialised agents, and integrations within software suites, browsers or messaging services.

Figure 9: User access interfaces for AI agents



Source: Infographic created by the Autorité de la concurrence.

169. This presence gives them access to large numbers of users, without those users having to change their habits. This dynamic also creates a feedback loop: the more users interact with an AI agent’s ecosystem, the more effective the agent becomes, irrespective of the intrinsic quality of its model compared with other options. As one respondent to the public consultation noted: *“Access to high-quality feedback loops is crucial. Conversational agents improve through iterative product development, testing and analysis of user interactions, and this process is accelerated when the agent is widely adopted, making it a tool used on a daily basis”*.
170. Another respondent confirmed that *“when an established operator integrates a conversational agent into a widely used messaging service or grants such an agent privileged access to message content, notifications and user attention, the agent benefits from a powerful distribution channel and a privileged source of signals and training data compared with third-party agents”*.
171. The Commission described this dynamic in its press release on the implementation of interim measures against Meta, noting that, for AI assistants, WhatsApp is *“a key entry point to reach consumers in Europe”*⁸⁴.
172. The ability to integrate the user experience into the ecosystems of large, established digital companies therefore makes entry and expansion more economically and technologically costly for their competitors. It requires significant investment to match mature ecosystems, as well as a level of initial credibility that is often lacking among new AI-native companies. For example, a user already using Microsoft’s productivity suites may be more inclined to trust the integrated Copilot solution.
173. Despite these barriers, companies such as OpenAI and Anthropic have managed to carve out a significant presence in the AI agents sector without controlling the entire value chain, notably by expanding their user base.
174. For example, to expand its customer base, Anthropic has adopted a multi-channel distribution approach, leveraging partnerships with operators already connected to business users. In addition to its user-facing website and API, its solutions are available through specialised applications, such as its coding assistant Claude Code and its agentic application Claude Cowork. Claude can also be directly integrated with software used by businesses and users, such as Slack and Microsoft 365. Claude also offers a Claude in Chrome browser extension, allowing, for example, forms to be completed automatically and data to be extracted in Chrome⁸⁵. The generative models underlying Claude are also available through major cloud platforms offering MaaS (Amazon Bedrock, Google Vertex AI and Microsoft Azure AI Foundry).
175. OpenAI has established a strong position by having entered the market first, which has helped to drive user adoption. The company has also followed a different strategy from Anthropic with regard to access to users. ChatGPT continues to be distributed primarily by OpenAI to users. Moreover, while it initially relied primarily on Microsoft for its cloud infrastructure and enterprise distribution channels, OpenAI has gradually diversified its partnerships with cloud service providers, notably AWS, both to access additional computing capacity and to distribute its models and AI agents via Amazon Bedrock⁸⁶.

⁸⁴ European Commission press release, [Commission imposes interim measures on Meta to preserve free access to WhatsApp for rival AI assistants](#), 9 June 2026.

⁸⁵ Claude, [Claude in Chrome](#).

⁸⁶ OpenAI, [OpenAI models, Codex, and Managed Agents come to AWS](#), 28 April 2026.

176. However, while these companies have positioned themselves strategically, their business model differs fundamentally from that of social media platforms, for example, where network effects play a central role. In this case, AI agents do not appear to benefit from direct network effects, which may constitute an advantage for new entrants to the sector. There is no immediate benefit to a user from another user using ChatGPT, for example. There are, however, indirect effects, as the more a user interacts with an agent, and the more the agent interacts with other users, the more this can improve the recommendations displayed. Above all, a large user base can attract several categories of players (plug-in developers, software service providers, financial service providers, advertising service providers and advertisers), which may in turn increase the usefulness of the AI agent for themselves and its users.

2. DATA ACCESS

177. As noted above in paragraphs 45 *et seq.*, access to data also plays a key role for services provided downstream in the generative AI value chain. The development of AI agents requires access to high-quality data, as well as the technical and legal capacity to utilise that data, which may favour large, established digital companies.
178. The more an AI agent is used, the more data its developer can collect, in particular on the queries submitted, interactions with users and their level of satisfaction. This data can be used to continuously improve the agent's performance. Users therefore benefit from more relevant responses and higher-quality services.
179. However, this continuous improvement dynamic may also reinforce the advantages of established AI agent developers. In particular, the combination of privileged access to their proprietary data to improve generative models and improved response quality, notably through usage data and partnerships with third parties, may strengthen their competitive position and, where these advantages cannot reasonably be replicated by competitors, increase barriers, particularly to expansion.
180. These developers have an additional advantage when they have access to search engine technology that can rank and identify the most relevant documents in response to a user search. In this regard, one respondent explained that *"this superiority of Google's tools appears to result from Google's ability to collect, update, process and rank data, an ability it has acquired through its search engine activities. Thus, its unparalleled ability to crawl the internet appears to give it a head start in capturing the most recent information, while its ability to rank information based on source quality enables its conversational agents to use the most reliable information"*.
181. Access to specialised data sources may also constitute a technological advantage for vertically integrated companies. For example, Amazon has stated that its Alexa for Shopping agent *"also uses Retrieval-Augmented Generation (RAG) [see Glossary] to glean insights and recommendations from popular sources like The New York Times, USA Today, Good Housekeeping, and Vogue when answering questions about products and trends"*⁸⁷.

⁸⁷ Amazon News, [Amazon's next-gen AI assistant for shopping is now even smarter, more capable, and more helpful](#), 18 November 2025.

182. However, the DMA could, to some extent, reduce the asymmetry in the data available to third-party AI agent developers. For example, Article 6(10) of the DMA provides for business users to have access to data generated by the gatekeeper, while Article 6(11) provides for the sharing of search data with third-party search engines. According to one respondent, “*under the DMA, Alphabet is required to provide [...] access to data on rankings, queries, clicks and views concerning free and paid searches generated by end users. Access to actual user interaction data is essential to improving search functionality [...]. Without such data, it is difficult to determine which results are genuinely useful to users*”.
183. In this regard, in January 2026, the Commission initiated proceedings concerning the scope of these obligations, both as regards the data to be provided and the identity of the potential beneficiaries of such data⁸⁸. On 16 April 2026, the Commission announced that it had sent its preliminary findings to Google, setting out the proposed measures to comply with Article 6(11) of the DMA and proposing, in particular, to include AI chatbots among the potential beneficiaries of such data sharing⁸⁹.
184. In addition, AI agent developers may negotiate licences to use content from websites, particularly with press publishers, in order to comply with the rules applicable to their use of such content. Unlike smaller players, the leading AI agent developers have significant financial resources, with which to secure their use of such content. In March 2026, Meta announced a partnership with several French media outlets, including Le Figaro, to enrich Meta AI with news content⁹⁰, and entered into a licensing agreement with News Corp., estimated to be worth several tens of millions of dollars per year, to use content from titles such as the Wall Street Journal⁹¹. Similar agreements have been concluded by Mistral AI, OpenAI and Perplexity (see paragraphs 105 *et seq.* above on partnerships). Moreover, the reputation of an AI agent developer may facilitate the conclusion of such agreements, which could constitute an additional barrier to expansion for less well-known developers.
185. Nevertheless, the conclusion of such agreements is not systematic. The adoption at first reading by the French Senate, on 8 April 2026, of a bill establishing a presumption that cultural content is used by AI providers (see paragraph 120 above) illustrates precisely the difficulties faced by rights holders in identifying instances of use of their content and obtaining effective remuneration⁹².

⁸⁸ European Commission press release, [Commission opens proceedings to assist Google in complying with interoperability and online search data sharing obligations under the Digital Markets Act](#), 27 January 2026.

⁸⁹ European Commission consultation, [Consultation on the proposed measures for Google Search data sharing \(Article 6\(11\) of the DMA\)](#), 16 April 2026. To ensure the effectiveness of the proposed measures, a public consultation was launched on 17 April 2026, and interested parties had until 1 May to submit their comments (see the Commission press release of 16 April 2026: [Commission proposes measures to Google on sharing search engine data with third parties under Digital Markets Act](#)).

⁹⁰ Meta, [Bringing More International News and Content to Meta AI](#), 13 March 2026.

⁹¹ Siècle digital, [Meta va payer jusqu'à 150 millions de dollars pour exploiter les contenus du Wall Street Journal](#) (*Meta to pay up to \$150 million to use Wall Street Journal content*), 4 March 2026 (French only).

⁹² While the bill appears to focus on model training, the presumption that protected content has been used may be based on “*the production of content ‘in the manner of’ or ‘in the style of’ the author, the reproduction of excerpts from a protected work or of the work in its entirety, similarities between the protected work and the generated output, or any other evidence derived from technical analyses of the supply chain or the operation of the model*”.

186. This barrier to data access also varies depending on the use case: it is particularly significant for general-purpose and news agents, but could potentially be replaced, in professional use cases, by access to internal client data. One respondent to the public consultation explained that *“the usefulness of a conversational agent for a company fundamentally depends on the existing business data to which it has access”*.

3. TECHNICAL BARRIERS TO MIGRATION AND INTEROPERABILITY

187. Although users, both individuals and businesses, often use several AI agents in parallel (multi-homing), which may help to limit lock-in effects, this practice is subject to significant technical constraints in terms of portability and interoperability.
188. First, the AI agent sector appears to be characterised by a trend towards multi-homing among both individuals and businesses. One respondent to the public consultation confirmed that *“demand-side competition is also very strong. Consumers can easily switch providers, and many multi-home”*. This tendency to use several AI agents in parallel can be explained by the freemium model and the coexistence of general-purpose and specialised AI agents, enabling users to select the agent best suited to each use case.
189. Second, the ability to use several AI agents simultaneously does not necessarily mean that users can readily substitute one AI agent for another for a given set of tasks, even where some providers have developed data portability tools.
190. The ability to migrate to a new AI agent is constrained by costs and disruption that vary depending on the type of user. For businesses, migrating from one AI agent to another may result in a temporary decline in productivity and staff training costs, in addition to the costs of integrating the new agent with existing tools. These costs are likely to be lower for individual users, but switching AI agents still requires them to familiarise themselves with a new environment and may result in the loss of data accumulated with their previous AI agent, such as conversation histories or “project” spaces that retain working instructions, thereby avoiding the need to restate them each time. Such losses may be significant, as access to previous conversations enables AI agents to provide more tailored responses to users’ queries. This may therefore deter users from switching AI agents for certain use cases.
191. Data portability between AI agents could therefore become a key issue in a context of “platformisation”, where each user would favour a single AI agent and thus move away from multi-homing. The absence of mechanisms facilitating data migration could lock users into a particular AI agent, thereby limiting competition and innovation.
192. To mitigate these barriers, some operators have developed data portability tools that enable users to transfer their information from one AI agent to another. In early March 2026, Anthropic promoted a memory transfer tool for importing their conversation history from another AI agent. Users can use a prompt (see Glossary), provided by Claude, in their original AI agent (e.g. ChatGPT or Vibe), and copy and paste the response into Claude’s knowledge import module⁹³. Since early May 2026, Gemini has also offered this functionality in France, in a format very similar to that offered by Claude⁹⁴.

⁹³ Siècle digital, [Claude facilite l’import depuis ChatGPT et Gemini et ouvre sa mémoire à tous les utilisateurs](#) (Claude makes it easier to import from ChatGPT and Gemini and opens its memory feature to all users), 3 March 2026 (French only).

⁹⁴ Blog du modérateur, [Gemini : la fonctionnalité Mémoire et l’import depuis ChatGPT disponibles en France](#) (Gemini: Memory and import from ChatGPT now available in France), 29 April 2026 (French only).

193. Despite their usefulness, these tools have several limitations. Not all providers offer such functionality, which remains at providers' discretion. Providers could block such tools by introducing system instructions that prohibit this type of export. Moreover, these tools are only useful when users switch completely from one AI agent to another, rather than when they use several agents in parallel. While these tools can therefore help attract new users, they do not provide a long-term solution for interoperability.
194. Several respondents to the public consultation also cited security clearances, data governance requirements and the existence of multi-year contracts as potential migration challenges for new entrants and independent players, which could in turn contribute to user lock-in.
195. Third, the difficulties users face when switching AI agents stem not only from data portability limitations, but also from technical barriers that may limit the interoperability of AI agents with third-party services.
196. The ability of an AI agent to integrate with other services is a key feature for users, particularly in the context of the sector's increasing "platformisation". According to one respondent, *"the major difference in 2026 is no longer just computing power, but integration. Users no longer choose an agent simply because it is 'smart', but increasingly because it connects and interacts with their work tools (instant messaging, cloud storage, etc.)"*.
197. Even where technical interfaces are made available, they do not necessarily enable third-party developers to achieve a level of integration equivalent to that of an agent with integration built in from the outset.
198. Several providers of generative models, such as Microsoft, state that they make several technical access channels available to developers of competing AI agents, enabling them to interoperate with their products and services, including publicly documented APIs, add-ins and data access mechanisms. However, these channels are often more difficult for third-party AI agent developers to access. As one respondent noted, *"it is therefore theoretically possible to make many features interoperable through these APIs and MCP servers, but configuration can sometimes present significant technical challenges:*
- *It is not straightforward to properly manage the interaction between permission systems and the delegation of permissions. This is an area that remains far from resolved in the field of agentic AI and raises significant issues for relatively critical systems such as messaging services, databases and file systems.*
 - *MCP is an evolving standard, with frequent changes to its specification. In addition, data transfer between the agent, MCP server and third-party services may still lack stability (particularly connections to remote servers), which can make implementation more complex"*.
199. An AI agent with native integration is therefore more difficult for competitors to match. Even where the terms of integration are transparent, third-party AI agent developers must also comply with the formats required by the service provider, including data and configuration formats. Several sector players therefore argue that *"the 'native' agent often benefits from more direct (or smoother) access to the applications and data within the suite (documents, calendar, email, etc.), creating an asymmetry: even if a third-party agent can technically integrate, it does not necessarily achieve the same level of access, the same depth of functionality or the same degree of ease of use"*. Native integration is therefore not equivalent to third-party integration and does not provide access to the same functionalities.

200. Lastly, several respondents consider that the existing regulatory framework could help to promote data portability and interoperability. In particular, several respondents to the public consultation referred to the DMA and the Data Act, while noting that the effects of these regulations have not yet fully materialised: *“The DMA is the most relevant regulation for interoperability. In particular, the provisions on default settings, access to operating system functionalities and data-sharing obligations seek to mitigate the structural advantages arising from control over the ecosystem. The Data Act complements this framework by promoting data portability, facilitating switching between cloud and data processing service providers, and requiring access to certain categories of data at the request of users or third parties. The implementation of the DMA and the Data Act is still at an early stage and has not yet systematically resulted in effective technical interoperability [...]”*.
201. In conclusion, while the simultaneous use of several AI agents tends to limit lock-in effects, current data portability limitations and interoperability challenges may nevertheless restrict users’ ability to effectively switch from one agent to another.

4. SIGNIFICANT DOWNSTREAM COSTS

202. While the upstream segments of the value chain are traditionally perceived as requiring substantial investment, downstream stages, particularly inference and regulatory compliance, also entail significant costs. This may favour large, established digital companies that already have considerable financial resources.
203. All AI agent developers must, in practice, secure and optimise generative models to ensure reliable and compliant responses, whether for the general public or business users. This involves using a range of techniques, such as grounding, to limit hallucinations and verify responses against external sources. It also requires monitoring user feedback to improve agent performance. While such techniques are essential to ensure the credibility and accuracy of responses, they increase operating costs, particularly for operators without advanced technical infrastructure.
204. Furthermore, inference costs are likely to constitute a major barrier to the development of third-party AI agent developers.
205. Although the unit cost of inference is low, the total cost of inference can significantly exceed that of training. This is because training entails a substantial but one-off cost, whereas inference gives rise to recurring costs that increase in proportion to the use of the AI agent. Thus, the more frequently an agent is used, the more significant these costs become, particularly due to its energy consumption (see, in particular, the study of 17 December 2025 on the competition issues surrounding the energy and environmental impact of AI). This effect is amplified by agentic tasks, which require processing to be carried out in steps, thereby significantly increasing the overall cost of a user query (see the discussion of the monetisation of AI agents above, in paragraphs 55 *et seq.*).

206. This cost depends on a number of factors, such as the length of the query and response, their format (text or video), the size of the model used, the implementation of algorithmic efficiency techniques (such as mixture-of-experts models), the use of the model’s reasoning capabilities, and the infrastructure used⁹⁵. According to some studies⁹⁶, inference could account for approximately two-thirds of AI computing power in 2026, compared with one-third in 2023. As one respondent to the public consultation noted, *“computing and capital costs remain significant in order to provide reliable, low-latency conversational experiences at scale, particularly when the service is expected to be available at all times”*.
207. New AI-native companies therefore need to form strategic partnerships with established competitors that have extensive infrastructure and substantial computing capacity in order to provide services to their users. For example, Anthropic has entered into a partnership with SpaceX to access the Colossus data centre, with a view to increasing usage limits for its AI agent Claude, its APIs and Claude Code. In a press release, the company stated: *“This additional [computing] capacity will directly improve capacity for Claude Pro and Claude Max subscribers”*. SpaceX thus joins the list of partners that provide Anthropic with access to computing capacity, including Google, Microsoft, Amazon and Nvidia⁹⁷.
208. Lastly, several operators report high compliance costs that may favour incumbent players. The regulations governing the sector are numerous, and compliance requires specialised legal and technical expertise, which can often be costly for start-ups. Respondents also cited the number of authorities responsible for enforcing the applicable rules as illustrating the complexity of the regulatory environment (see Figure 7 above, in paragraph 125, which shows the authorities responsible for implementing the AI Act in France). According to one respondent, *“there is significant regulatory complexity surrounding AI in the European Union. This is reflected, in particular, in the multitude of obligations and principles relating to privacy, personal data protection, intellectual property law and competition law, as well as in AI-specific regulations, whose numerous provisions differ across jurisdictions and interact with one another in different ways”*. In contrast, large digital companies can more easily absorb these fixed costs.

5. SPECIFIC BARRIERS TO THE DEVELOPMENT OF AGENTIC COMMERCE

209. As agentic commerce is still at a very early stage, there is a real window of opportunity for new entrants, insofar as no player has yet achieved a dominant position that would foreclose the market. This emerging phase therefore fosters innovation and creates opportunities for companies able to rapidly offer unique solutions. However, beyond the barriers to entry and expansion discussed above, the widespread development of agentic commerce is currently constrained by technological and behavioural barriers that may favour the largest players. As one respondent to the public consultation noted, *“the development of agents integrated into an e-commerce environment relies more on integration, data structuring and orchestration capabilities, and appears to be more accessible. The barriers are primarily organisational and technological, rather than capital-related to the same extent”*.

⁹⁵ International Energy Agency, [Energy and AI report](#), April 2025, p. 43.

⁹⁶ Stéphane Villard on the Deloitte website, [La prochaine phase de l’IA exigera plus de puissance de calcul](#) (*The next phase of AI will require greater computing power*), 10 December 2025 (French only).

⁹⁷ Anthropic, [Higher usage limits for Claude and a compute deal with SpaceX](#), 6 May 2026.

210. With regard to technological barriers, which are the most significant, technical standards, interoperability protocols and shared infrastructure have not yet been fully defined or adopted. As one respondent explained, *“to make purchases across many different stores, the agent has to understand the payment process, API, authentication method, etc. of each store; conversely, for merchants to sell their products through each emerging AI agent (e.g. ChatGPT, Perplexity, Gemini App, Claude), they have to create and maintain integrations (via APIs, etc.) for each platform”*. AI agents also require standardised data (such as product listings in a uniform format or real-time pricing) to carry out reliable transactions. At present, a significant proportion of commercial data is not standardised, which limits process automation.
211. With regard to the behavioural barriers identified by some operators, many users are accustomed to existing search practices and are not yet willing to let an agent complete a purchase on their behalf. At the point of purchase, according to the French Federation of E-commerce and Distance Selling (*Fédération du e-commerce et de la vente à distance – Fevad*)⁹⁸, the main barrier is the desire to retain full control (57%). Payment security (46%) and data privacy (45%) also constitute barriers to the use of agentic commerce. These reservations are less pronounced among regular AI users.
212. This situation tends to favour large integrated players, which have the financial, technical and human resources required to invest in the development of standards, absorb integration costs and influence the evolution of the ecosystem. In addition, these large players, which are also active in e-commerce, may have an advantage over third-party AI agent developers insofar as they have an in-depth understanding of users’ habits.
213. In the face of these barriers, differentiation could provide a means of overcoming these constraints. However, in a market where the performance of models is converging, implementing such a strategy is particularly challenging.

III. AI agents, new intermediaries in the digital economy: a competitive dynamic fostering the emergence or strengthening of key operators

214. Response quality is a key parameter of competition in the AI agents sector. Developers seek to differentiate themselves by offering a range of options to users, who can choose between general-purpose, specialised and sovereign agents, or agents that have entered into numerous partnerships (A). This creates opportunities for AI agent developers competing with the major digital platforms to establish a position in the market.
215. By offering users access to an ever-expanding range of services and information through a single interface, AI agents are emerging as increasingly important gateways to digital services. This position gives rise to competition risks that could undermine the functioning and diversity of the sector.

⁹⁸ Fevad and Odexa, [Les Français sont de plus en plus nombreux à adopter l’IA pour acheter sur Internet](#) (*More and more French people are using AI to shop online*), 11 February 2026 (French only).

216. In a highly dynamic sector, these risks arise in particular from the “platformisation” of AI agents and their control over the conditions governing the visibility of content in their responses (B). These risks may be exacerbated where AI agents are integrated into existing services offered by vertically integrated companies (C).

A. THE NEED TO DIFFERENTIATE BETWEEN AI AGENTS BASED ON QUALITY OF SERVICE

217. The gradual convergence of model performance (1) is leading companies in the sector to regard the quality of the responses provided by an AI agent, particularly in terms of AI agent’s associated functionalities, as a key parameter of competition (2). AI agent developers are also pursuing various differentiation strategies, based in particular on specialisation, sovereignty and the formation of partnerships, primarily with large digital companies (3).

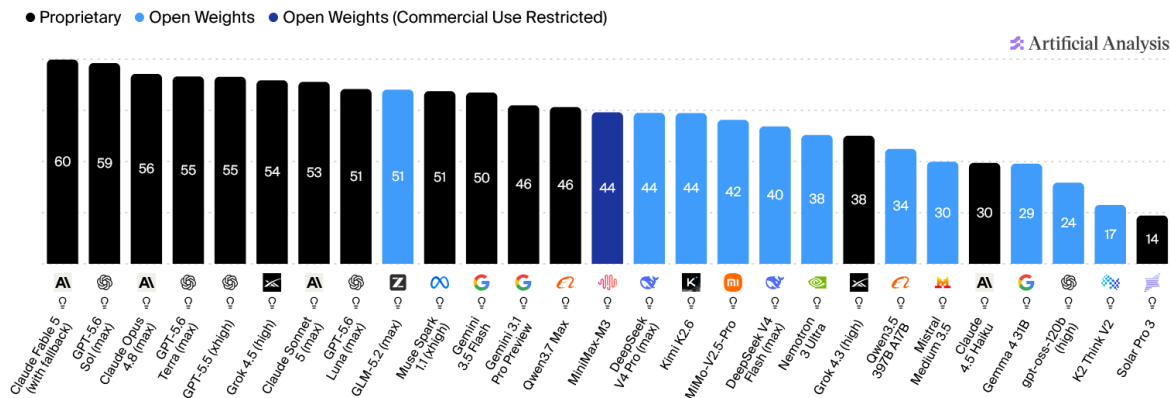
1. THE GRADUAL CONVERGENCE OF MODEL PERFORMANCE

218. Despite the difficulty of establishing relevant criteria for evaluating different generative models, several studies show that the performance of certain models now appears to be relatively similar.
219. According to a study by Stanford University⁹⁹, in early 2023, OpenAI had a clear lead over its competitors. This gap has gradually narrowed as Google, Anthropic and other companies have developed more advanced models.
220. This finding is supported by data from a study (Figure 10 below) comparing the leading generative models on the basis of several criteria, such as reasoning capabilities, the knowledge embedded in the model, the ability to perform complex tasks, the number of tokens processed per second (output speed), latency and context window size (prompt options). The results place Anthropic, OpenAI and Google, all AI agent developers, at the top of the rankings.
221. This data gives rise to several observations. First, there are still genuine differences between generative models, meaning that convergence is not complete. Second, open-weight models perform less well but are nevertheless comparable to proprietary models; the best-performing open-weight models are now approaching the leading proprietary models and often outperforming earlier versions of those models.
222. Third, these rankings refer to models rather than AI agents, which, even when based on the same model, can differ in other respects, such as the data to which they have access, their integration with other services, or the partnerships formed by their developer to enhance the quality of their service. For example, in response to the question “What is the typical temperature in Paris in July?”, an AI agent should be able to provide a correct answer based on its training data. By contrast, in response to the question “What is the temperature in Paris today?”, the AI agent would need to combine the generative model’s text-generation capabilities with up-to-date information (for example, by searching the internet) in order to provide a correct answer.

⁹⁹ Stanford HAI, [AI Index Report 2026](#), April 2026, p. 78.

223. However, these indicators should be interpreted with caution. Stanford University itself notes that the methodology used to analyse trends in model performance “*may not fully capture the breadth of capabilities required for real-world AI deployment*”¹⁰⁰.

Figure 10: Performance of the leading proprietary and open-weight models



Source: artificialanalysis.ai, accessed 13 July 2026.

224. In a context where the underlying generative model is sometimes no longer a key differentiating factor between operators, competition may shift to other criteria, particularly the quality of the AI agent’s responses. The quality of these responses depends not only on the performance of the underlying model but also on the agent’s associated functionalities.

2. THE QUALITY OF AI AGENT RESPONSES AS A PARAMETER OF COMPETITION

225. The majority of respondents to the public consultation cited response quality as a key parameter of competition for users.
226. As with a search engine, when a user submits a query, they are seeking a relevant response, i.e. one that addresses their request appropriately and is context-sensitive.
227. With regard to the appropriateness of responses, AI agents rely, first and foremost, on their generative model and the data used to train that model. They also rely on text-based instruction files defined by the developer. These instructions tell the AI agent how to structure its response depending on the context of the query and may relate, in particular, to content safety, the tone to be adopted, or the tools available.
228. Lastly, AI agents may use grounding, giving them access either to a broader range of information through internet searches or to high-quality data through specific partnerships, in particular with press publishers, in order to provide a sourced response to a user’s query. One respondent to the public consultation noted that “*quality assurance and factual accuracy are essential competitive differentiators*”.
229. With regard to the contextualised nature of responses, in addition to the user’s conversation history, queries submitted to AI agents are embedded in a particularly rich context, as they are formulated in natural language, in one or more sentences, rather than simply as keywords. This enables the AI agent to provide a precise and personalised response to a user’s query, and therefore one that is of high quality in light of the user’s objective.

¹⁰⁰ AI Index Report 2026, cited above, p. 75.

230. The AI agent developers interviewed as part of the preparation of this opinion indicated that the key factors in response quality, namely factual accuracy, formal rigour (spelling and syntax) and relevance, are essential in building users' trust in the services they provide. In this regard, they have implemented a range of measures aimed at monitoring the quality and accuracy of the responses provided and enhancing their relevance.
231. It follows from the inquiry that an AI agent's command of language is a factor used in assessing the quality of the service provided by the agent. One respondent to the public consultation explained that "*with regard to competitive differentiation, the quality of responses is naturally an important factor in user choice, alongside the fluidity of the interface and language coverage*". An AI agent that lacks sufficient language capabilities, i.e. that does not have a sufficiently good command of the spelling or grammar of the language in which it is expected to respond, could undermine users' trust in the tool.
232. It follows from the preceding discussion that most users, particularly non-professional users, use the free version of AI agents, meaning that the quality of the service becomes, by extension, a key parameter of differentiation between these services. For these users, the choice of service may also take into account the limits imposed by providers of these free services in terms of usage volumes (number of queries or tokens) and functionalities.
233. While quality remains an important factor for business customers, who predominantly subscribe to paid plans, they may nevertheless have to weigh the quality of responses against the cost of using the services, particularly when they access these services via an API (see paragraphs 55 *et seq.* above).
234. Considering response quality to be a key differentiating factor, some AI agent developers have provided information on the process used to validate and monitor responses, which may take different forms. For example, some AI agents have introduced a requirement for responses to include citations in order to verify the source of the information, while others have deployed another generative model tasked with simulating user behaviour in order to test the responses provided. Some operators have reported conducting red-teaming exercises (see Glossary), i.e. tests designed to identify weaknesses in the AI system by pushing the AI agent to its limits and seeking to elicit dangerous, biased or discriminatory responses, hallucinations or information leaks, as well as to identify unexpected behaviours, in order to improve the quality of the responses they provide.
235. These measures demonstrate the importance that AI agent developers place on the quality and relevance of the responses provided to users, and thus make this a key parameter of competition among providers of these services.

3. DIFFERENTIATION STRATEGIES: SPECIALISATION, SOVEREIGNTY AND PARTNERSHIPS

236. In a context of gradually converging performance among underlying generative models and the growing importance of response quality for users, AI agent developers are implementing various strategies to overcome the aforementioned barriers (access to users and data, technical barriers to migration and interoperability, and significant costs) and enhance the quality of the service provided, in particular through various differentiation strategies.
237. First, some AI agent developers choose to focus on specific segments. This strategy may involve sector-specific specialisation, as illustrated by the emergence of Harvey AI and Jimini AI in the legal sector. This specialisation requires the collection of sector-specific data in order to address needs that general-purpose agents do not always meet satisfactorily.

238. General-purpose AI agents are also beginning to offer users services for specific activities, such as OpenAI, which has launched ChatGPT Health for health-related needs and ChatGPT for personal finance management¹⁰¹. With Claude, Anthropic has specialised in coding agents and cybersecurity tools. Perplexity, for its part, has capitalised on the transparency of its searches.
239. Second, sovereignty, or enhanced guarantees on data localisation, security and control, may constitute another avenue for differentiation. For example, Mistral AI seeks to differentiate itself from its US competitors by highlighting its control over its physical infrastructure (data centres and computing facilities) and data, which is particularly suited to companies that are sensitive to these issues and the public sector. It is therefore building its data centres in Europe, notably in France and Sweden. It also appears to have entered into a partnership with Brave, a US company that claims to provide a privacy-focused online search service that is independent of its competitors¹⁰².
240. Third, new entrants or companies seeking to expand need to enter into partnerships with large digital players if they wish to gain access to their ecosystems. One respondent to the public consultation explained that *“the narrowing gap between proprietary and open-source models, particularly – but not exclusively – those originating in China, is eroding the advantages enjoyed by developers of frontier AI models. As a result, competitive differentiation is shifting away from model performance and towards their distribution and, above all, the breadth and depth of their integration into closed proprietary systems”*. In this regard, numerous responses to the public consultation highlight the procompetitive nature of entering into partnerships, particularly in enabling non-integrated AI agent developers to compete with those that already have an established ecosystem. They stress the positive impact of such partnerships, both for AI agents and the digital services they provide, which can benefit from increased visibility through this channel.
241. For example, OpenAI and Apple entered into an agreement in 2024 to integrate ChatGPT into the Siri virtual assistant and other Apple products¹⁰³. However, such partnerships do not always achieve the desired results; the press has reported that OpenAI does not consider the integration negotiated with Apple to have produced the anticipated distribution benefits, owing to ChatGPT’s limited exposure within the iOS ecosystem¹⁰⁴.
242. Looking ahead, AI agent developers are increasingly highlighting the agentic capabilities of their products. This aspect is likely to become an important differentiating factor, as users and businesses may no longer assess an AI agent solely on the quality of its responses or its pricing, but also on the complexity of the tasks it can perform.

¹⁰¹ L’Usine digitale, [Après la santé, OpenAI dote ChatGPT d’une nouvelle fonctionnalité pour la gestion des finances personnelles](#) (After healthcare, OpenAI adds a new feature to ChatGPT for personal finance management), 19 May 2026 (French only).

¹⁰² For example, Brave is the only search engine in [Mistral AI’s list of partners](#).

¹⁰³ Apple, [OpenAI and Apple announce partnership to integrate ChatGPT into Apple experiences](#), 10 June 2024.

¹⁰⁴ Les Echos, [ChatGPT sur iPhone : OpenAI est vexé et cherche un moyen pour rompre avec Apple](#) (ChatGPT on iPhone: OpenAI is upset and looking for a way to cut ties with Apple), 15 May 2026 (French only).

243. Thus, operators in the sector are adopting a range of strategies to improve the quality of their services, thereby acting on a parameter of competition they consider to be key. In a sector where quality is paramount, new entrants must quickly match the quality offered by existing players in order to be seen by users as credible providers and reliable intermediaries, as the other parameters on which they can compete are very limited.

B. THE RISKS ASSOCIATED WITH THE ROLE OF AI AGENTS AS INTERMEDIARIES IN ACCESS TO DIGITAL SERVICES

244. The transformation of AI agents into platforms acting as intermediaries in providing users with access to an increasing number of digital services, and facilitating the conclusion of partnerships and the display of adverts, may give rise to a number of competition risks (1).
245. For websites whose content is used, or even identified as the source of the responses provided by AI agents, it is important to understand the rules governing their visibility to users, in order to ensure that competition is not unduly distorted (2).

1. THE RISKS ASSOCIATED WITH THE “PLATFORMISATION” OF AI AGENTS

246. As discussed above in paragraphs 112 *et seq.*, AI agents are increasingly evolving into digital platforms, providing users with access to a growing range of digital services, whether existing services (music streaming, travel booking, taxi booking, food delivery, etc.), or new services, such as access to a variety of other AI agents.
247. This trend towards the “platformisation” of AI agents gives rise to several competition risks, some of which are similar to those already identified in relation to other digital platforms, while others are specific to AI agents and their use in e-commerce. These risks stem from the disintermediation of parts of the digital economy; discrimination, or even self-preferencing, in access to services and in the terms imposed on such services; and the disruption of competition due to the influence of the AI agent’s economic interests on the responses provided to users.
248. First, as regards disintermediation, this refers to the replacement or disappearance of economic actors within a value chain. In the case of AI agents, a large proportion of user queries are satisfied by the single response provided by the AI agent. This is the case, for example, for queries relating to current affairs, for which redirection to news websites accounts for less than 1% of traffic to those websites¹⁰⁵ (compared with approximately 20% for redirects from Google Search or Google News¹⁰⁶), particularly since, when responding to queries about current affairs, AI agents may benefit from content they have not paid to produce. This disintermediation could undermine the business models of many websites and digital services whose revenues depend on the display of advertising or subscription fees, thereby reducing the variety or quality of online content available.

¹⁰⁵ French National Audiovisual Institute (*Institut national de l’audiovisuel* – INA), [Intelligence artificielle : les chatbots, source d’audience marginale pour les médias](#) (*Artificial intelligence: chatbots, a marginal source of traffic for the media*), 10 April 2025 (French only).

¹⁰⁶ Alliance de la presse d’information générale, [Baromètre de la diffusion 2024](#) (*2024 Circulation Barometer*), March 2025 (French only).

249. The risk of disintermediation is particularly high because AI agents significantly reduce users' transaction costs by providing immediate answers, compared with searches conducted via a search engine or searches that require information from several different websites to be compared and consolidated. The risk of disintermediation across entire segments of the digital economy is further increased by the promise of a "zero-click" internet, where users would no longer need to leave the AI agent to obtain information or perform actions (see paragraphs 331 *et seq.* below).
250. In the context of e-commerce, disintermediation currently appears to be only partial. Respondents to the public consultation noted that AI agents redirect customers to e-commerce websites to complete their transactions, in particular because these transactions require user confirmation and cannot yet be carried out autonomously. In this regard, as noted above in paragraphs **Erreur ! Source du renvoi introuvable.** *et seq.*, some operators use the term "conversational commerce" to indicate that the capabilities of AI agents in e-commerce are currently limited to providing users with a response within the conversational interface, without yet deploying agentic capabilities on the user's behalf. In practice, as of the date of publication of this opinion, AI agents cannot, in services offered to the general public, confirm a purchase, autonomously use users' banking details or add a product to a shopping basket on an e-commerce website.
251. One e-commerce operator noted that *"if conversational agents evolve into interfaces enabling transactions to be executed directly, an increasing share of commercial interactions could take place without redirection to retailers' websites. In this scenario, the agent would become less a mere source of traffic and more a genuine transactional intermediary"*. It also noted that, at this stage, the UCP protocol allows *"the retailer to remain the 'seller of record', i.e. the entity responsible for executing the transaction and managing the customer relationship. In this configuration, the conversational agent acts more as an orchestration or recommendation interface than as an intermediary replacing the retailer"*.
252. Some respondents to the public consultation noted that low-involvement, low-value purchases are likely to be prioritised for testing and using AI agents' capabilities to fully automate purchases, as well as purchases in specific sectors, such as consumer goods and travel. These products and services could therefore be the first to be affected by more extensive disintermediation.
253. It follows from the inquiry that disintermediation could give rise to competition risks for the e-commerce ecosystem. First, these risks stem from e-commerce websites becoming dependent on AI agents to access demand. To date, the traffic directly redirected to e-commerce websites from AI agents is minimal (less than 5% in France), but according to estimates from some respondents to the public consultation, it could approach 25% by 2030, thereby becoming a significant channel for reaching consumers.
254. On the other hand, disintermediation creates a risk that e-commerce websites will have less insight into customers and less control over their customer journey. By using an AI agent to explore a product rather than visiting different pages on a website or different websites, users no longer provide e-commerce websites with data on their behaviour, limiting their ability to offer more tailored recommendations, anticipate their needs or adjust their offerings.
255. This ability to target consumers' needs is particularly important because AI agents can draw on rich context provided by users in their queries. An AI agent's ability to target users' needs, combined with the loss of access to users' behavioural data, could degrade the service provided by e-commerce websites.

256. It should be noted, however, that the competition risks associated with disintermediation are not new, as existing services have already led to the disintermediation of part of the customer journey on e-commerce websites, such as search engines, price comparison sites and aggregators (for example, travel booking platforms and property platforms). However, e-commerce websites have not been fully disintermediated and continue to receive the majority of their traffic directly: in the first half of 2024, direct traffic accounted for just over 48% of total traffic, while traffic redirected from organic searches accounted for approximately 39%¹⁰⁷.
257. Second, as regards the risk of discrimination, respondents to the public consultation emphasised that, by acting as intermediaries for access to digital services, AI agents could become essential gateways to those services, particularly if they provide access to a wide range of services. Given their position as intermediaries, AI agent developers are able to shape how users access and navigate the internet, thereby impacting the monetisation of their partners and advertisers, and, in this context, impose terms that favour themselves (self-preferencing) or primarily benefit certain business partners (second-tier discrimination).
258. The risk of discriminatory terms being imposed, beyond those relating to the visibility of services within AI agents (see paragraphs 268 *et seq.* below), arises in the context of native integrations, for example through applications specifically developed for AI agents. The discriminatory and non-objective nature of such terms could take the form of refusals to contract with, or distribute, certain services through their interface. It could also take the form of restrictive and unduly burdensome conditions for deploying these applications and for the permitted use cases for users. Lastly, discrimination could arise where an AI agent developer allows applications to be distributed on its platform only for services with which it does not otherwise compete.
259. In this regard, establishing clear criteria for the distribution of applications through the relevant interfaces, and providing documentation or software specifications for developing such native integrations, could help to mitigate the risk of discriminatory practices.
260. Third, as regards the influence of economic interests on the responses provided by AI agents, the intrusion of such interests into the supposedly objective responses of AI agents is directly at odds with what AI agent developers present as an essential factor in user trust, namely the quality and relevance of their responses. The issue of external influences on commercial advice is not new, but is amplified by AI agents' ability to target users based on the large volume of personal data they may collect about them.
261. By providing responses that are no longer entirely objective, but influenced by commercial arrangements, whether partnerships or advertising, AI agents may undermine users' trust in their service and distort competition by unduly and non-transparently favouring certain brands or businesses within responses perceived by users as objective. One e-commerce operator noted that "*when the agent is presented to the user as an objective adviser, any bias arising from the commercial interests of the agent's developer (self-preferencing, preferred partnerships, financial incentives) may distort competition and undermine consumer information*".

¹⁰⁷ Blog du modérateur, [Étude : comment évolue le trafic des sites e-commerce en France ?](#) (Study: how is e-commerce website traffic changing in France?), 9 July 2024 (French only).

262. AI agent developers have indicated, however, that the responses provided are technically protected from the effects of advertising, as they are generated through a system separate from the one used to display adverts. OpenAI has stated that this is one of the principles governing advertising displayed in ChatGPT¹⁰⁸. In addition, another AI agent developer indicated during the inquiry that advertising remained separate from the AI agent's response to the user and could not technically influence responses. However, no such finding emerged with regard to the effects of partnerships, other than advertising, on the service provided.
263. Beyond the influence of advertising on the content of responses, there is also the question of the boundary between organic content (the response generated by the AI agent independently of any payment or advertising placement) and advertising content. It is important to note, in this regard, that Article 26 of the DSA requires digital platforms to ensure that users can clearly and precisely identify content as advertising, know the identity of the advertiser, and have the necessary information to understand why an advert is being shown to them.
264. Despite this requirement, some respondents to the public consultation raised the risk that users may perceive advertising as part of the “*substantive response*”, if an AI agent developer complies with this requirement in a way that is not clear to users. In this regard, new advertising formats integrated into the conversational interface, in particular “conversational advertising”, could blur the boundary between the AI agent's organic response and the ad placement. This advertising format, which is still at the testing stage, is intended to allow users to click on an advert and start a conversation with the advertiser, enabling the advertiser to offer users personalised offers. Rather than being perceived as purely promotional content, such conversational adverts could be perceived as an extension of the AI agent and be considered one of its recommendations.
265. Lastly, as regards AI agent developers that also control the technology used to display advertising, some website operators indicated in their response to the public consultation that control over advertising tools by AI agent developers could give rise to competition risks, as the criteria governing ad placement decisions lack transparency. Control over advertising technology could lead AI agent developers to favour adverts for their own services or those of their partners, thereby marginalising third-party and non-partner advertisers and creating an imbalance in opportunities in the advertising market.
266. In this regard, since the beginning of 2026, OpenAI has been conducting tests to integrate advertising into ChatGPT. These tests indicate particularly high pricing, with, on the one hand, a cost per thousand impressions (CPM) initially set at \$60 (approximately €53), which fell to \$25 (approximately €22) in April 2026, and, on the other hand, a cost per click of between \$3 and \$5 (approximately €2.60 to €4.40)¹⁰⁹. This valuation of advertising inventory could, in particular, be explained by the ability of AI agents to build particularly precise user profiles, enabling potentially individualised advertising targeting. Respondents to the public consultation considered that “*the integration of advertising into conversational agents is a rapidly evolving and multifaceted issue*”.

¹⁰⁸ OpenAI help page, [Ads in ChatGPT](#).

¹⁰⁹ Abondance, [OpenAI lance les publicités au coût par clic \(CPC\) dans ChatGPT](#) (*OpenAI launches cost-per-click (CPC) advertising in ChatGPT*), 22 May 2026 (French only).

267. The development of the advertising model could generate indirect network effects, typical of the digital economy: as the number of users and their engagement increase, the platform becomes more attractive to advertisers, whose spending can in turn fund improvements to the service, support free access or lower prices, and attract more users. Conversely, a larger number of advertisers increases the diversity and relevance of the offers presented to users. This cumulative dynamic could strengthen the platform's attractiveness on each side of the market and encourage greater concentration in the sector.

2. THE RISKS ASSOCIATED WITH VISIBILITY CONDITIONS FOR DIGITAL SERVICES AND WEBSITES WITHIN RESPONSES PROVIDED BY AI AGENTS, WHICH GIVE THEM GREATER ABILITY TO STEER CONSUMER DEMAND

268. AI agents are changing the way in which products are discovered, compared and accessed, as all of these stages can be carried out within the same service. This change in the user experience blurs the boundary between discovery and transaction, enabling users to move from intent to purchase within a single interface. As AI agents have not yet fully integrated functionalities enabling transactions to be completed, e-commerce operators that responded to the public consultation emphasised that it is primarily behaviour at the beginning of the purchasing journey, namely the discovery and comparison of products or services, that is changing.
269. From the user's perspective, the ability to carry out all of these actions within a single interface reduces the search effort required by making it easier to switch from one seller to another, while also providing access to a highly personalised offering. From the retailer's perspective, one AI agent developer indicated that the agentic commerce functionalities integrated into AI agents ensure a certain level of a "*equal opportunity*" among retailers, with smaller retailers potentially being given as much visibility as larger and more powerful ones, depending on how well their offering matches the user's expressed needs.
270. While the presentation of offerings by AI agents may benefit both consumers and retailers, the conditions governing visibility within AI agents may give rise to competition concerns. These concerns relate in particular to the clarity, objectivity and non-discriminatory nature of the visibility criteria applied by the AI agent, as well as the number of sources and offerings presented to users in the response displayed to them. Control over visibility within their service could therefore give AI agent developers greater ability to steer consumer demand.
271. Several operators that responded to the public consultation indicated that certain risks associated with the visibility of third-party services and offerings had already been identified in relation to marketplaces and search engines. However, these risks may take a different form in the context of services provided by AI agents.

a) Visibility and discovery conditions within AI agents

272. With regard to the conditions governing visibility and discovery within AI agents, many respondents reported difficulties in understanding how the algorithms governing the visibility of their websites in responses provided by AI agents function, particularly as there do not currently appear to be any established criteria to ensure effective visibility for these websites. In this regard, the majority of e-commerce operators that responded to the public consultation indicated that websites can implement content optimisation strategies, known as generative engine optimisation (GEO; see Glossary)¹¹⁰, to make their content more easily readable by, and therefore more likely to be cited by, AI agents.
273. E-commerce operators indicated that, in the future, websites will need to be optimised not only for human users, but also for the machines that crawl them. One respondent to the public consultation noted that *“agentic commerce is prompting sellers to optimise their offerings in order to improve machine understanding and selection by agents, rather than solely to improve human navigation”*. Sector operators are implementing a range of strategies to improve robots’ understanding of their offerings and, consequently, the visibility of their offerings in AI agents’ responses.

GEO: optimising websites for AI crawlers

Bots (including crawlers, indexing bots and others), which enable, among other things, AI agent developers to index online content for use in their responses, accounted for more than 50% of global internet traffic in 2025.

GEO strategies complement existing search engine optimisation (SEO; see Glossary) strategies to optimise the visibility of websites in AI agents’ responses.

Visibility within AI agents depends primarily on their ability to correctly interpret the user’s request and present sources or results in a relevant and prioritised manner. With AI, the visibility of a web page tends to be binary: the page is either considered usable or not, and is therefore either made visible or not. To make web pages easier to understand, GEO strategies employ several techniques to make the content as clear as possible to the AI agent crawling the page, so that the agent can present it to the user.

In the e-commerce sector, this involves websites providing structured, accurate and comprehensive data on the products in their catalogues, detailed semantic descriptions of those products (for example, by outlining use cases), and reputation management, whether through customer reviews published on the website itself or on specialist websites, or through posts on social media platforms discussing the qualities and potential uses of a product or service.

The conversational commerce experiment conducted by the *Autorité* (see paragraph 34 above and Appendix 2 below) confirms the importance of external data sources, particularly the community discussion platform Reddit, which is the source most frequently consulted by ChatGPT for discovery-related queries (87%) and purchasing journeys (49%).

It also appears important for e-commerce operators to invest in long-form and unique content, which is particularly relevant to GEO, as users express their needs or queries by providing more extensive and less stereotyped context than in a search engine query.

¹¹⁰ Referring to search engine optimisation (SEO).

Lastly, agentic optimisation may also involve participation in major digital ecosystems and preparation for the integration of agentic protocols, with a view to streamlining product discovery and purchasing during conversations. In this regard, certain initiatives led by industry stakeholders aim to facilitate their participation in digital ecosystems and thereby enhance their visibility within AI agent responses. For example, Shopify offers all eligible customers who list their products in its catalogue the option to give ChatGPT access to their products without requiring any specific action on their part¹¹¹.

274. While these GEO strategies appear to be widespread and widely accepted, particularly in the e-commerce sector, some operators highlight risks already observed in relation to the lack of clarity and objectivity, and the potentially discriminatory nature, of the criteria governing visibility or discovery by AI agents. In particular, they stress that the rules governing visibility, partnerships and the prioritisation of content displayed to users are insufficiently transparent. More specifically, with regard to transparency in the selection of sources or offerings displayed by AI agents, some sector operators state that, contrary to claims made by AI agent developers, results may be generated after consulting only a limited number of sources, which could limit the visibility of certain retailers.
275. During its conversational commerce experiment (see paragraph 34 above and Appendix 2 below), the *Autorité* observed that the diversity of sources used by AI agents varies depending on the category targeted by the question. The Transport category, for example, had the lowest diversity of sources (for 100 questions: 42 different domains cited by OpenAI and 112 by Gemini), whereas the Hotels and Accommodation category had a high diversity of sources despite the smaller number of questions (for 50 questions: 152 different domains cited by OpenAI and 276 by Gemini).
276. Lastly, one e-commerce operator consulted as part of the inquiry expressed the hope that AI agents would enable retailers to better understand how results are ranked in the responses provided by their service and, where appropriate, to provide for a mechanism for challenging such rankings.

b) The sources and results contained in AI agent responses

277. In addition to the conditions governing the visibility of sources and results within the responses provided by AI agents, the number of sources and results presented is often limited. For a commercial query, the AI agent will present a number of options, generally at least three, in the form of a list, table or carousel. The number of results displayed and the format in which they are presented are determined by the AI agent developer in its specific instructions.
278. Respondents to the public consultation indicated that the way in which recommendations are presented limits the number, and therefore the variety, of products seen by consumers. This may limit competition and may also make it difficult for e-commerce websites to showcase the breadth of their catalogues. In this regard, one respondent stated that reducing the number of results displayed creates “*risks of market foreclosure, where smaller players, which lack the resources to negotiate preferential indexing agreements with model developers [...], could become completely invisible in the conversational economy*”.

¹¹¹ Shopify, [Selling on ChatGPT](#).

279. Users are accustomed to using search engines or search functions on e-commerce websites that, in response to a query, display on the first page a list of ten links or at least ten different products matching their search. From the first results page, users can also visit subsequent pages of results, although this is uncommon. In responses provided by AI agents, in the absence of specific instructions in the query, users' choice is limited to a small number of results displayed by the AI agent. If users wish to consider a larger number of results, they must expressly specify in their instructions the number of results they want the AI agent to present.
280. Navigating among the different results proposed by AI agents may be more complex than with existing search services. If the selection of results provided by the AI agent does not meet their needs, users can ask one or more follow-up questions to refine or redirect their request. This requires users to formulate their follow-up questions clearly and intelligibly for the AI agent. This process of refining the search is facilitated by some AI agents' suggestion of follow-up questions, displayed below their response or immediately after the query has been submitted, allowing users to further specify their request before a response is even provided.
281. While formulating one or more additional questions may result in higher search costs for users, this finding should be qualified. On the one hand, users no longer need to visit a large number of product pages in detail before finding what they are looking for. On the other hand, under the current system of search engines and e-commerce websites, users may also need to formulate several different queries to refine or redirect their search.
282. Some respondents to the public consultation indicated that, when an AI agent proposes and compares several results, its role is similar to that of price comparison services, for which visibility has already been a concern for e-commerce websites. In this regard, they noted that comparison services may have an interest in forming partnerships with AI agents, although these would not necessarily be exclusive partnerships, as this would give them access to new distribution channels for their services.
283. The conversational commerce experiment conducted by the *Autorité* (see paragraph 34 above and Appendix 2 below) showed that price comparison sites feature prominently among the sources cited by AI agents. Idealo (87% of responses), 123comparer.com (44%) and Le Dénicheur (44%) are among the sites most frequently visited by Gemini users to continue their purchases.
284. Whether relating to the criteria governing visibility in AI agents' responses or to the presentation of a limited number of results to users, these risks point to a potential misuse by AI agents of the power conferred on them by their intermediary position to direct demand towards results available on different e-commerce websites. The lack of transparency surrounding visibility criteria, combined with a limited number of recommendations, directs users towards certain results without them being able to determine whether the response reflects their own interests or those of the platform. In this context, some e-commerce operators have highlighted that, where competition operates according to the economic logic of the AI agent, there is a risk of standardisation of results and, consequently, of a reduction in their variety.
285. While presenting a limited number of results may benefit users, provided that these results are highly personalised and relevant to their query, the lack of transparency surrounding the criteria used to select these results makes it impossible to ensure that users are not being directed away from what they are looking for or that more relevant results are not available.

286. In this regard, some companies that responded to the public consultation raised the risk that users may be redirected to external interfaces controlled by a small number of operators, either interfaces operated by companies that also operate an AI agent or those of their partners, thereby stifling competition. These issues raise questions both as to users' freedom of choice, which is constrained by the results that the AI agent decides to display to them, and the identity of the brands and companies to which users are redirected, and may also give rise to anticompetitive practices, in particular self-preferencing.

C. THE RISKS ASSOCIATED WITH THE INTEGRATION OF AI AGENTS INTO EXISTING SERVICES OF VERTICALLY INTEGRATED COMPANIES

287. The dominant position of certain major digital companies is based on already established ecosystems (such as control over cloud infrastructure, office software suites, operating systems or large user bases) and substantial financial resources, enabling them to invest heavily and rapidly in this fast-growing sector. As discussed above in paragraphs 163 *et seq.*, several of these companies have also integrated their own AI agents into their existing services, such as Copilot in Microsoft 365 and Gemini in Google Workspace.
288. The integration of AI agents into the existing services of vertically integrated companies may benefit users. Integrating AI into the existing offerings of major digital companies can improve user efficiency by providing AI-enhanced functionalities without users having to switch between applications. Some respondents to the public consultation specifically referred to the availability of “*dedicated buttons*” or “*direct access to files within the office suite*”.
289. Despite these benefits for users, the integration of AI agents into the existing services of vertically integrated companies may nevertheless raise competition concerns, particularly where the company that developed the AI agent holds a dominant position in the market for the service in which the agent is integrated. These risks are well known to competition authorities, which have identified them in other areas of the digital sector. However, they may now potentially threaten a nascent and rapidly expanding sector in which competition could develop more effectively.
290. A first set of concerns relates to the conditions of access to the essential services provided by these companies, which may give rise to self-preferencing, tying or bundling, or contractual or technical lock-in (1). A second, more forward-looking set of concerns relates to the marketing of AI agents, which may give rise to price-based exclusionary practices (2).

1. THE RISKS ASSOCIATED WITH THE CONDITIONS OF ACCESS TO THE ESSENTIAL SERVICES OF VERTICALLY INTEGRATED COMPANIES

291. The conditions for accessing the essential services of vertically integrated companies may raise several competition risks.

292. First, vertically integrated companies could be in a position to favour their own AI agents within their existing services, which could constitute self-preferencing¹¹² if their competitors are unlikely to benefit from comparable conditions for integration into those services. Some respondents to the public consultation thus noted the existence of “*privileged points of access to the operating system*”, such as keyword activation, as well as “*extended access to sensors and notifications*”. Some respondents referred to this as an “*interface bias*”.
293. Second, in addition to such differentiated treatment within a given service, a company that holds a dominant position in a services market could systematically integrate its AI agent in such a way that users cannot access the service without the associated AI agent, which could lead to tying or bundling practices. Several respondents to the public consultation expressed concerns about tying and bundling in the sector, particularly where the AI agent is integrated into software suites. More broadly, one respondent stated that “*large platforms can integrate conversational agents into ‘bundles’ combining cloud services, advertising tools or marketplace services. This bundling limits advertisers’ and intermediaries’ ability to choose among different solutions, thereby reducing market openness*”.
294. Third, various contractual and technical lock-in practices could hinder third-party AI agents’ access to key ecosystems, thereby limiting competition. Vertical integration gives the integrated AI agent access to all the company’s data. By contrast, an external competitor that does have equally granular access or has to rely on limited APIs appears less well positioned to provide its service to the company, in particular due to the interoperability restrictions discussed above in paragraphs 187 *et seq.*
295. In this context, several respondents identified risks of data lock-in. Various restrictions on access to data may result from closed systems (“walled gardens”). In this regard, one respondent observed that a large, vertically integrated platform had put in place various technical barriers to prevent or make it more difficult for third parties to access certain of its services, including those that collect and aggregate large amounts of location data. However, competing AI agent developers could offer more robust solutions if they had access to more granular data.
296. Beyond this data lock-in, third-party AI agent developers may also face significant technical or contractual barriers. According to one respondent, “*third-party agents may be disadvantaged when established operators restrict or degrade API functionality, impose throughput limits or fail to provide capabilities equivalent to those available to their own integrated assistants*”. Another respondent similarly noted that “*the APIs offered by dominant platforms often include usage restrictions or limitations on data access that put third-party agents at a disadvantage compared with the platforms’ own offerings. True interoperability requires platforms to provide third-party agents with access to the same data and functionalities as those available to their own integrated services, under fair and non-discriminatory terms*”.
297. Among the restrictions on interoperability, some respondents cited access to identity and access management solutions implemented on mobile platforms. One respondent noted that, even where limited interoperability is technically feasible, certain platforms “*introduce deliberate friction designed to deter users from choosing or using alternative assistants*”.

¹¹² CJEU, 10 September 2024, Case C-48/22 P, Google and Alphabet v Commission – Google Shopping.

298. It should be noted, however, that some mobile operating systems appear willing to provide access to competing AI agents. For example, Perplexity has integrated with Samsung mobile devices via a dedicated voice command, “Hey Plex”, while Apple is reportedly planning to open Siri to AI services other than those provided by OpenAI as part of its iOS 27 update, scheduled for September 2026¹¹³.
299. Conversely, many companies may take steps to protect their digital ecosystems from third-party AI agents.
300. For example, Amazon has blocked third-party AI agents, including those developed by Google, Meta, Perplexity and OpenAI¹¹⁴, from accessing its platform, in order to prevent its product catalogue from being accessible through third-party websites. To this end, Amazon also served a formal notice on Perplexity in a US court on 31 October 2025, to “*immediately cease using, enabling, or deploying Comet’s artificial intelligence (“AI”) agents or any other means to covertly intrude into Amazon’s e-commerce websites”, particularly as Perplexity is not authorised to access “Amazon’s Store, Amazon user accounts, or account details, using its disguised or obscured Comet AI agents”*”¹¹⁵. Amazon argues that, while AI agents have the potential to improve the customer experience, transparency is necessary to enable the website concerned to monitor their activity, in order to prevent degradation of the user experience on its site and ensure the security of its customers’ personal data. According to Perplexity, however, the purpose of this ban is primarily to protect Amazon’s advertising revenue. In this regard, it stated that “*Amazon wants to eliminate user rights so that it can sell more ads right now and partner with AI agents designed to take advantage of users later*”¹¹⁶. An injunction was subsequently issued against Perplexity, prohibiting it from accessing the Amazon store to make automated purchases on behalf of users¹¹⁷. Pending a ruling by an appellate court, this injunction is currently stayed¹¹⁸.
301. A lawsuit was also filed against Apple in the United States in 2025. The owner of xAI reportedly accused OpenAI and Apple of having entered into an exclusivity agreement, since challenged, under which ChatGPT was made the only AI agent integrated into Apple smartphones¹¹⁹.

¹¹³ Reuters, [Apple plans to open Siri to rival AI services](#), Bloomberg News reports, 26 March 2026.

¹¹⁴ Modern Retail, [Amazon quietly blocks more of OpenAI’s ChatGPT web crawlers from accessing its site](#), 21 August 2025.

¹¹⁵ [Demand to Cease and Desist sent by Amazon to Perplexity](#), 31 October 2025.

¹¹⁶ Perplexity blog, [Bullying is not innovation](#), 4 November 2025.

¹¹⁷ United States district court for the northern district of California, [Order granting plaintiff’s motion for preliminary injunctive relief](#), Amazon.com services LLC v. Perplexity AI, Inc., Case No. 25-cv-09514-MMC, 9 March 2026.

¹¹⁸ United States district court for the northern district of California, San Francisco division, [Notice of appeal](#), Amazon.com services LLC v. Perplexity AI, Inc., Case No. 25-cv-09514-MMC, 10 March 2026.

¹¹⁹ Chaiehloudj, Walid (12 September 2025), “[xAI vs Apple et OpenAI : la guerre antitrust se poursuit sur le marché de l’IA generative](#)” (*xAI vs. Apple and OpenAI: the antitrust war continues in the generative AI market*), Le Club des Juristes (French only).

302. These practices, which may amount to lock-in, are subject to increased scrutiny by competition authorities, particularly at EU level. In December 2025, the Italian competition authority (AGCM)¹²⁰ imposed interim measures on Meta, finding that its practices risked limiting production, market access or technical development in “the market for AI chatbot services”, to the detriment of consumers. Meta was therefore ordered to suspend its new terms¹²¹, in order to preserve competing AI agents’ access to WhatsApp. In December 2025, the Commission also opened formal proceedings against Meta. At the end of the proceedings, the Commission imposed interim measures on Meta aimed at restoring free access to WhatsApp for competing AI assistants, at least until the conclusion of the substantive investigation of the case¹²².

2. FORWARD-LOOKING RISKS ASSOCIATED WITH THE MARKETING OF AI AGENTS

303. A second set of concerns relates to the marketing of AI agents. These are often included free of charge or at a lower cost in existing software suites. However, the companies concerned may be tempted to change the way their AI agents are integrated and priced.
304. If these developments were to result in a sustained weakening of competitive pressure, companies holding a strong position in a related product or service could be incentivised to modify their offering by separating access to the AI agent from the original product or service. In this scenario, users could face higher prices in the absence of viable alternatives, which could, in some cases, amount to a predatory pricing practice. One respondent to the public consultation explained that adding AI agents free of charge, at a price significantly below their actual and substantial development costs, followed by their standalone sale at a substantially higher price, could constitute an exclusionary strategy once competition had been eliminated: *“We are currently seeing that AI agents are often included ‘free of charge’ (as they are included in the subscription to the office software suite). This price, which is well below the actual and substantial costs of developing AI, amounts to a predatory pricing strategy. Once competition has been eliminated and users have been ‘locked in’, vertically integrated companies may change their strategy, for example by unbundling the agent from the suite. They could then charge very high prices for access to the agent, as users would no longer have a viable alternative on the market”*.
305. Several respondents also consider that integrating an AI agent into an established ecosystem may make it difficult, or even economically unviable, for independent developers to invest in competing alternatives. According to respondents, this dynamic could hinder innovation in the field of AI agents, particularly for companies that do not have a product or service with a similarly broad user base. One respondent noted that *“when established operators*

¹²⁰ *Autorità Garante della Concorrenza e del Mercato* press release, [A576 – Meta AI: The Italian competition authority orders Meta to suspend the terms excluding competing AI chatbots from WhatsApp](#), 24 December 2025.

¹²¹ The new WhatsApp Business Solution terms, introduced on 15 October 2025 and due to take full effect on 15 January 2026, exclude Meta AI’s competitors from the WhatsApp platform in the AI chatbot services market (see *Autorità Garante della Concorrenza e del Mercato* press release, [A576 – Meta AI: The Italian competition authority orders Meta to suspend the terms excluding competing AI chatbots from WhatsApp](#), 24 December 2025.).

¹²² European Commission press release, [Commission imposes interim measures on Meta to preserve free access to WhatsApp for rival AI assistants](#), 9 June 2026.

combine native integration with tied and bundled offerings within office suites, the impact on competitors' ability to monetise comparable services is amplified".

306. These various developments illustrate the competition concerns that may arise from the increasing integration of AI agents into digital ecosystems. The assessment of these concerns will nevertheless depend on the circumstances of each individual case, in particular the characteristics of the markets concerned, the manner in which the practices at issue are implemented, and their effects on competition and users.

IV. The automation of actions by AI agents: a future transformation of the digital economy or a reinforcement of the status quo?

307. With the development of agentic capabilities, AI agents are no longer limited to generating textual responses, but are increasingly capable of carrying out complex actions in response to users' instructions, without users having to approve every intermediate step. This development highlights the opportunities that sector operators see in these services. However, whether these new capabilities will become established in practice, particularly in the field of agentic commerce, remains uncertain.
308. Respondents to the public consultation highlighted the sector's strong momentum, pointing to *"extremely rapid technological and economic change"* and the resulting *"significant opportunities for growth"*. They also noted that AI's agentic capabilities *"continue to advance, enabling AI agents to perform an increasing number of complex tasks and interactions"*. Thus, *"the use cases that we see today do not necessarily foreshadow those that will become established tomorrow"*. One respondent further observed that *"monetisation models, protocols and approaches are evolving at a rapid pace"*.
309. To support this momentum and enable the automation of actions across a broad range of digital tasks and services, sector operators are opting to standardise interactions between their systems through the development of protocols that may, in turn, give rise to competition concerns (A). The adoption of such standards by users and businesses to automate actions may also expand the scope of action and influence of AI agents where such standards are integrated (B).
310. Many respondents indicated that most such initiatives were still at an early stage. They noted, however, that, if realised, the potential of agentic AI could disrupt many sectors at a very rapid pace, with a risk that economic activity could become concentrated around a small number of dominant players, particularly in e-commerce.

A. THE ADOPTION OF SHARED TECHNICAL STANDARDS

311. Under EU competition law, the development and adoption of technical standards fall within the category of standardisation agreements, as defined in the Commission Guidelines on Horizontal Agreements¹²³. These agreements are intended, in particular, to define technical requirements that products, services or technical processes may be required to meet. For example, they may seek to establish “*technical specifications in product or services markets where compatibility and interoperability with other products or services is essential*”¹²⁴.

1. THE POTENTIALLY PRO-COMPETITIVE NATURE OF TECHNICAL STANDARDS

312. The development and adoption of commonly shared technical standards are necessary to enable effective communication between AI agents, or between an AI agent and the digital services with which it interacts. These standards also help to create the conditions for a pro-competitive environment by enabling interoperability between all services available online. The Commission Guidelines on Horizontal Agreements indicate that standardisation agreements “*generally produce significant positive economic effects, for example by promoting economic interpenetration on the internal market and encouraging the development of new and improved products or markets*”¹²⁵.
313. First, as discussed above in paragraphs 35 *et seq.*, various protocols exist, serving functions covering different but complementary areas. Several operators indicated that no standard has yet been commonly adopted or imposed, although the MCP and AP2 protocols appear to be the most widely adopted, while the UCP protocol is gaining ground rapidly. Some operators also stressed that, for these protocols to function properly, adaptations are required to move from a human-centred model to a machine-centred model.
314. As these protocols are open source, they are easy for even the smallest websites to use and integrate. They enable website operators to facilitate access to their content by AI agents, primarily because they do not need to plan or negotiate a specific integration for each AI agent. They also help to limit the technical costs incurred by websites, including SMEs, in maintaining an online presence. In addition, they offer the possibility of multi-platform hosting, without requiring websites to rely on a single large platform, particularly where that platform already controls numerous points of access to demand. Lastly, as these protocols are considered easy to use, they can be adopted by a large number of businesses, thereby reducing the risk of fragmentation of the internet.

¹²³ European Commission, [Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements](#) (2023/C 259/01), 21 July 2023, pp. 1-125.

¹²⁴ European Commission, Guidelines on Horizontal Agreements, cited above, paragraph 436.

¹²⁵ European Commission, Guidelines on Horizontal Agreements, cited above, paragraph 439.

315. In Opinion 15-A-16 of 17 November 2015 on the assessment, under competition law, of standardisation and certification processes, the *Autorité* noted that “*by facilitating the compatibility and interoperability of different products and services, the adoption of standards has a pro-competitive effect, as it promotes diversity of supply and enables buyers to compare different goods more easily, thereby supporting competition on the merits*”¹²⁶.
316. For AI agents, the adoption of protocols enables interaction with a large number of websites without the need for a specific integration with each one. Protocols also facilitate seamless exchanges with the services with which AI agents interact and enable them to offer a diverse range of services.
317. In the specific context of e-commerce, sector operators highlight that interoperability through the adoption of common technical standards covers four stages of a user’s purchasing journey: accessing the catalogue on e-commerce websites; initiating actions (such as adding a product to a basket, selecting a delivery option or making a payment); managing the user’s identity and consent; and, lastly, providing after-sales support.

2. THE RISKS ASSOCIATED WITH TECHNICAL STANDARDISATION

318. Technical standardisation is a necessary condition for automation, enabling interoperability between AI services, on the one hand, and between an AI service and all services available online, on the other. It can have pro-competitive effects by limiting fragmentation, lowering barriers to entry and expansion, reducing transaction costs, stimulating complementary innovation, and enabling multiple operators to benefit from network effects. One respondent to the public consultation noted, in this regard, that “*in principle, common technical standards can reduce integration costs, improve security and facilitate interoperability across the ecosystem – provided they are developed under open and non-discriminatory conditions*”.
319. However, technical standardisation may also give rise to competition concerns, arising from both from the governance of such standards and from their implementation.
320. First, as regards the risks associated with the governance of technical protocols, the concerns raised by the vast majority of respondents to the public consultation focus on the risk of a protocol being captured by a dominant operator, or a group of operators including dominant companies, which could then impose their rules and conditions on the rest of the economy. The *Autorité* has previously noted that “*standardisation carried out improperly can affect economic efficiency and restrict competition [...] in particular [...] if it enables the approval of a standard that is biased in favour of certain market players, who may then use the standard to erect a barrier to entry for competitors or innovators*”¹²⁷.

¹²⁶ *Autorité* [Opinion 15-A-16](#) of 17 November 2015 on the assessment, under competition law, of standardisation and certification processes, paragraph 5 (French only).

¹²⁷ *Ibidem*, paragraph 7.

321. In this regard, should developments lead towards the centralisation of digital services around AI agents, some e-commerce operators suggest that a company able to control the technical standard would also be able to control the sector. A company in such a position would be able to control access to AI agents and, in the case of e-commerce, control access to the commercial ecosystem by imposing disproportionate conditions for participation by players in the value chain, including retailers and payment service providers.
322. Maintaining open and interoperable protocols is a key condition for ensuring that all digital services can participate on an equal footing in the competitive process arising from their distribution through AI agents.
323. Second, as regards the risks associated with the implementation of protocols, the key issue identified during the inquiry was the need to maintain the interoperability enabled by those protocols. The operators that responded to the public consultation emphasised that it was crucial for the channels opened up by interoperability between services to remain open, documented and regularly updated, so that the digital services concerned are not deprived of access to a distribution channel.
324. Maintaining the open and accessible nature of protocols is also considered essential in the e-commerce sector, lest the sector become concentrated around a small number of dominant players. Moreover, if the implementation of protocols were no longer open, this could create or reinforce retailers' dependence on the AI agent concerned. Retailers would then have to comply strictly with the requirements set by AI agent developers in order to continue to serve as a source of information for AI agents when they act autonomously on their websites on behalf of users.

B. THE POTENTIAL FOR DISRUPTION OF THE DIGITAL ECONOMY ARISING FROM THE AUTOMATION OF TASKS BY AI AGENTS

325. As discussed above in paragraphs 112 *et seq.*, as part of the shift towards “platformisation”, AI agents are developing capabilities designed to automate and perform tasks on behalf of users.
326. Whether through the MCP protocol, which enables communication between AI agents and third-party data, applications or services, or through the A2A protocol, which standardises communication between AI agents and thereby facilitates the deployment of multi-agent systems, the gradual adoption of these protocols is enabling AI agents to offer new services to users. These new services are most notably reflected in office productivity services and those provided as part of agentic commerce, which illustrate certain competition risks specific to agentic AI.

1. THE AUTOMATION OF TASKS ON COMPUTERS AND SMARTPHONES

327. Services such as Claude Cowork, OpenAI Codex, OpenClaw, the integration of Gemini into the Google Workspace suite, and Microsoft's forthcoming Scout service enable both individual users and businesses to deploy AI agents capable of automating and performing, on their behalf, a range of tasks, in particular on their computers or smartphones. These tasks may include, for example, drafting documents, managing calendars, sorting emails, and even remotely controlling a computer or smartphone, and may relate to both personal and professional use. To perform these tasks, AI agents need access to a wide range of data, applications and services on the user's device, including, in particular, various messaging services, calendars, the user's documents and business software. These agents are also intended to be available at all times and are therefore designed to operate on users' devices continuously or on a scheduled basis.
328. To provide their services, these AI agents must be able to access, collect and process such data on a large scale, as the volume of data involved can be substantial and the number of users is growing. The large-scale collection and processing of data, together with the retention of historical data, may give rise to a lock-in effect for users and businesses. Where a user or business spends time configuring its AI agent, granting it the access rights required for different applications, correcting any errors or specifying preferences, the resulting degree of customisation may make migration to an AI agent offered by another developer costly and difficult. This lock-in effect is further reinforced by the learning capabilities of AI agents, which are intended to operate as a feedback loop, continuously improving the service by further enhancing its personalisation.
329. Moreover, due to the increasing number of users of these functionalities and the growing range of increasingly complex tasks offered, inference costs are rising for AI agent developers. As indicated above in paragraphs 55 *et seq.*, this has led AI agent developers to change their pricing models for businesses, moving from a subscription covering all usage to a more complex pricing model combining a basic subscription providing access to the functionalities with usage-based pricing, where the unit price may vary depending on the volume and types of tokens consumed.
330. The change to the pricing of AI agent usage came as a surprise to a number of businesses, which saw their bills double or even triple¹²⁸. Some businesses had encouraged their employees to use AI tools, in some cases even using the number of tokens consumed as a measure of productivity, and they are now having to reconsider their use of these tools in order to control their costs¹²⁹. This change in pricing may be justified on the grounds of ensuring the long-term viability of AI agent developers' business models. However, if AI agent developers were to offer businesses access to a service at a low price and subsequently increase that price once the businesses had incorporated AI agents into their operations (bait-and-switch), such a low-price strategy could be considered abusive.

¹²⁸ PYMNTS, [Anthropic Switches to Usage-Based Billing for Enterprise Customers](#), 15 April 2026.

¹²⁹ Reuters, [Corporate AI sticker shock will force restraint](#), 3 June 2026.

2. THE AUTOMATION OF THE PURCHASING JOURNEY: AGENTIC COMMERCE

331. In light of the sector's continued evolution, businesses are divided between viewing agentic commerce as simply an additional distribution channel or as a channel that could ultimately displace existing distribution channels. The sector also appears divided as to when agentic commerce will become a genuine option for users. Some operators anticipate that the necessary infrastructure for its deployment will be in place in the very near term, while others expect deployment to take place over a longer timeframe.
332. Whatever the scenario, e-commerce operators anticipate a radical change once agentic commerce becomes widespread, with some fearing that this could lead to greater concentration in the sector. One respondent to the public consultation stated in this regard that *"it is too early to predict how (and to what extent) agentic commerce will evolve, but its functionalities will likely have a significant impact on interactions between consumers and retailers, from discovery and decision-making through to delivery, encompassing all the stages that contribute to a complete online customer experience"*.
333. As discussed above in paragraphs 287 *et seq.*, some respondents to the public consultation emphasised that the vertical integration across the entire value chain of certain operators, which control infrastructure (data centres and computing resources), operate a marketplace, have a generative model or operate a search engine, could give them a certain degree of market power. Unlike in the early days of digital markets, these operators are entering the AI agent market with an existing base of services and users, which could give them an advantage and unprecedented opportunities to accelerate their development.
334. Beyond these hypotheses about the future of e-commerce, numerous experiments are currently under way across the sector, involving AI agent developers, payment service providers and e-commerce retailers alike.
335. First, AI agent developers are developing general-purpose protocols to facilitate communication between their services and e-commerce websites. Notable examples include Google's UCP and OpenAI's ACP, which were still being tested and rolled out gradually as of the publication of this opinion. Anthropic has also launched experiments in e-commerce, one of which – called "Project Deal" – aims to enable transactions between AI agents, representing both the buyer and the seller, on a test marketplace¹³⁰.

¹³⁰ TechCrunch, [Anthropic created a test marketplace for agent-on-agent commerce](#), 25 April 2026.

336. Second, payment service providers are working to develop payment-specific protocols, in particular to ensure the user authentication required to guarantee payment security. For example, on 10 June 2026, Mastercard launched Agent Pay for Machines (AP4M), which enables transactions between AI agents¹³¹; in November 2025, Visa introduced the Trusted Agent Protocol, which distinguishes legitimate agents designed to perform commerce-related actions from malicious bots¹³²; and, in April 2026, American Express launched Agentic Commerce Experiences, aimed at facilitating payments made by AI agents¹³³. Central banks, for their part, are considering the technical adaptations to payment infrastructures and the regulatory provisions needed to ensure the security of agentic payments and safeguard user consent¹³⁴.
337. Lastly, e-commerce operators are carrying out a number of experiments in preparation for the emergence of agentic AI in their users' purchasing journeys. They believe that AI agents will play a more active role in carrying out transactions, with one respondent to the public consultation stating that *"the agent will shift from a reactive model of commerce to a proactive one. The agent will no longer simply wait for an instruction from the consumer. By drawing on continuous access to the user's context (such as their location, calendar, or even their health data via connected devices), AI will be able to anticipate their needs. For example, the agent could detect that the user's running shoes have reached their wear limit, independently search for the best replacement model at the best price, and initiate the purchase on its own, requiring only a final confirmation from the customer (e.g. 'Your running shoes have reached 800 km, and I've found the new model on sale. Shall I confirm the purchase?')"*.
338. As such agentic functionalities are often launched first in the United States, for reasons relating both to regulation and to the nationality of the companies behind the initiatives, some respondents explained, for example, that they have had to use virtual private networks (VPNs) to test the functionalities before they become commercially available in the EU, in order to be ready when the new functionalities become available to the general public and to avoid falling behind their US competitors?
339. Assuming that agentic commerce becomes widespread, companies have identified several risks, namely an increased risk of disintermediation, risks relating to the purchasing journey, and risks arising from potential algorithmic collusion.

¹³¹ Mastercard, [Mastercard launches Agent Pay for Machines to unlock super-fast, always-on payments](#), 10 June 2026.

¹³² Visa, [Trusted Agent Protocol](#).

¹³³ American Express, [Agentic Commerce Experiences Developer Kit](#).

¹³⁴ Sarah Breedon, [Agents of Change](#) (speech given at the European Central Bank Sintra Forum), 30 June 2026.

340. First, in their responses to the public consultation, companies identified a risk of further disintermediation beyond what is currently emerging in practice, in particular owing to the prospect of a “zero-click” internet enabled by AI agents. With AI agents automating actions on users’ behalf, users would simply need to submit a query, after which the agent could perform all the intermediate tasks required to complete the transaction, track the order and even provide after-sales service, without users having to visit the websites involved. According to several respondents to the public consultation, this could weaken their relationship with customers and reduce their visibility into customer behaviour and needs. In turn, this could make it more difficult for companies to develop relevant offerings and identify and respond to customers’ needs.
341. The issue of disintermediation is particularly significant in the context of repeat purchases. Some AI agents enable recurring purchases to be scheduled and automatically renewed, without any further action being required from the user.
342. On the one hand, respondents raised the question of how long the authorisation granted by the user to an AI agent to make purchases on their behalf remains valid, as this could pose security and payment authentication risks. Unlike a traditional purchase, whether in a physical shop or online, a purchase made through an AI agent involves a time lag between the consumer’s consent to the purchase and the completion of the transaction. During the transaction, the e-commerce website must therefore verify that the AI agent is indeed acting on behalf of the buyer and under a valid authorisation.
343. On the other hand, respondents argued that the automation of recurring purchases could limit competition for these products. Automation may lead the agent to purchase the same product or service as the one already being used, without the user reassessing the existing offering, even though its features or prices may have changed. This phenomenon, which already exists in e-commerce, could be further amplified by agentic commerce. It could result in the user not considering alternatives to products or services already being used, as well as reduced visibility for such alternatives, thereby limiting competition between competing products and the potential for new products to enter the market. This could also mean that a comparable, less expensive alternative remains unknown to the consumer, creating a risk of consumer exploitation.
344. The risk associated with repeat purchases should be considered in conjunction with the risks related to visibility within AI agents, identified above in paragraphs 268 *et seq.*, where the initial purchase has already been made or guided through the use of an AI agent. In this context, if the initial selection of products or services has already been influenced by factors unrelated to the consumer’s request, in particular with a view to directing the consumer towards products or services offered by the AI agent developer or by its partners, this undue influence could persist through the automatic renewal of purchases.
345. Second, among the other risks associated with the automation of the purchasing journey, some companies also raised the issue of the large-scale collection of data from their websites. They noted, however, that their websites were already accustomed to third-party services extracting data from their catalogues, particularly price comparison services, but that the difference with the emergence of agentic AI lies in the delegation of certain actions to an automated system.

346. One respondent to the public consultation stressed that delegating the execution of actions along the purchasing journey requires rules to govern how services interact with e-commerce websites, in order to ensure that those services act on behalf of the user in compliance with the terms and conditions of sale. Such a possibility is already offered by some websites, which instruct agents visiting their sites to read the terms and conditions of sale and use and to comply with them while navigating the site through to any potential transaction.
347. Third, although, given the current state of development of the sector, the occurrence of this risk remains uncertain, several companies have identified a potential risk of algorithmic collusion between AI agents. The competition risks associated with the use of algorithms are not new and have already been examined in a joint study by the *Autorité* and the *Bundeskartellamt* (the German competition authority)¹³⁵. In particular, this study highlighted the risks associated with e-commerce websites using potentially identical pricing algorithms.
348. Similarly, respondents to the public consultation considered that the risk of algorithmic collusion would only be likely to materialise if the role of AI agents were to evolve so that, on the e-commerce side, they acted as tools for setting prices and promoting products, and, on the buyer side, as tools for negotiating the price paid and recommending products.
349. On e-commerce websites, the risk could materialise through tacit coordination if there are only a limited number of different AI agents, particularly with regard to price-setting. One e-commerce company noted that *“the deployment of agents capable of learning and making decisions autonomously raises issues in relation to price-setting and market behaviour, [the risk being] that algorithmic optimisation mechanisms, even in the absence of any collusive intent, could lead to tacit coordination or sustained price alignment”*.
350. Where the AI agent representing the user interacts with the AI agent representing the seller, risks could arise from biases, both in the offers put forward by the seller’s AI agent and in the offer selected by the AI agent acting on behalf of the user, which could amount to self-preferencing practices. Moreover, assuming that AI agents have extensive autonomy to act, as the UK Competition and Markets Authority (CMA) notes, advanced AI systems could, given an objective of maximising profits, learn to reach coordinated outcomes, even in the absence of any human intent to collude¹³⁶.
351. However, given the current lack of negotiation capabilities and genuine autonomous representation of the user in the purchasing process, the scope for action of AI agents appears, at this stage, too limited for algorithmic collusion practices to arise.

¹³⁵ Joint study by the *Autorité de la concurrence* and *Bundeskartellamt*, [Algorithms and competition](#), 6 November 2019.

¹³⁶ Competition and Markets Authority bog, [AI and collusion: frontiers, opportunities and challenges](#), 4 March 2026

V. Recommendations

A. RAPIDLY LEVERAGE THE EXISTING REGULATORY FRAMEWORK

352. The accelerated deployment of AI agents calls for a swift, targeted response from the relevant public authorities. While a small number of respondents to the public consultation called for the introduction of specific regulatory measures, in view of the risks potentially associated with this new technology, the vast majority of respondents were in favour of maintaining a stable legal framework, in particular due to the existence of an already substantial body of legislation and the time required to develop new standards, which is difficult to reconcile with the rapid pace of innovation in the sector.
353. In this context, it would appear preferable, in the short term, to rely on the existing legal frameworks, particularly as certain recently adopted regulations, such as the AI Act, have not yet been fully implemented.
354. From a competition law perspective, proceedings brought, for example, against Meta, first in Italy and then by the Commission, regarding practices involving AI agents, demonstrate authorities' ability to intervene relatively quickly and to achieve effective outcomes, particularly through the use of interim measures.
355. Beyond competition law, the DMA provides a number of potentially effective tools for intervention, in particular through the so-called "specification" procedures, which enable the Commission to swiftly clarify the scope of the obligations applicable to gatekeepers and to ensure that those obligations can be adapted to emerging and unprecedented technological developments.
356. Furthermore, the development of agentic AI may have implications for other regulatory areas, such as the prudential regulation of banks and financial markets, data protection and cybersecurity, making dialogue between regulators on these issues desirable.
357. The use of soft law instruments, such as guidelines, could also be considered, where appropriate, to complement the existing frameworks and enable rapid and targeted action.

Recommendation 1: The existing regulatory framework should be implemented fully and effectively. While particular innovations may warrant the adoption of specific measures, the *Autorité* recommends giving priority, in the first instance, to the use of soft law instruments, such as guidelines or stakeholder consultation mechanisms modelled after the specification procedures provided for in the Digital Markets Act (DMA), in order to enable rapid and targeted action. Any regulatory developments should, in any event, be pursued at European Union level.

358. From a competition law perspective, the competition risks identified in this opinion call for heightened vigilance to safeguard the proper functioning of the sector.

Recommendation 2: The *Autorité* calls for particular vigilance with regard to competition law, specifically concerning:

- equity investments made by major digital companies in competing AI agent developers and partnership agreements between these operators;
- whether users are able, in practice, to choose and use AI agents that compete with those integrated by default into the ecosystems of major digital companies;
- the definition and implementation of the key parameters that may influence how AI agents select, rank or recommend the services proposed by AI agents.

359. In Opinion 24-A-05, the *Autorité* asked the Commission to pay particular attention to the development of AI model marketplaces (“Model as a Service”, or “MaaS”) and to assess the possibility of designating companies providing such services as gatekeepers under the DMA, and such services as core platform services. The information gathered in preparing this opinion indicates that several major digital operators, which are also AI agent developers, exercise control over the underlying generative models, which may affect the terms on which competing AI agent developers can access the AI capabilities they require
360. The *Autorité* therefore reiterates its call for vigilance to ensure that all distribution channels, including MaaS platforms, remain accessible to all operators in the sector on fair and equitable terms. In this regard, the *Autorité* welcomes the Commission’s preliminary position that Amazon’s and Microsoft’s cloud services should be designated as gatekeepers under the DMA¹³⁷.

Recommendation 3: The *Autorité* identifies three priority areas for action to support fair access to AI agent distribution channels for all operators across the sector:

- competition authorities should pay particular attention to the role of AI agent distribution channels, particularly MaaS platforms;
- the European Commission’s work under the Digital Markets Act (DMA) Review and its ongoing market investigations into the cloud sector should continue, building on the Commission’s preliminary position and considering whether marketplaces that distribute AI models should be designated as core platform services;
- if additional companies are designated as such platforms, the Commission should ensure, as part of the ongoing market investigation into whether the obligations currently set out in the DMA are effective in addressing practices that restrict contestability or are unfair in the cloud sector, that AI agent and generative model developers have guaranteed access to such marketplaces and benefit from fair, reasonable and non-discriminatory visibility.

361. As the issues raised by the development of AI agents do not fall exclusively within the scope of economic law, the *Autorité* also draws the attention of public authorities to a number of related issues.

¹³⁷ European Commission press release, [Commission reaches preliminary position that Amazon’s and Microsoft’s market-leading cloud services should be designated under the DMA](#), 25 June 2026.

362. First, there is a need to strengthen end users' understanding and adoption of the technology and of the issues raised, for example through the implementation by government of awareness-raising initiatives for secondary school students¹³⁸.
363. The issues should also be examined in the light of the law on restrictive competitive practices and consumer protection. The development of agentic commerce could, in particular, raise questions regarding the validity of consent, the factors that may affect the transparency and neutrality of the responses provided, and the determination of liability in the event of a dispute. In this regard, it should be recalled that, under the Digital Services Act, the DGCCRF is designated as the authority responsible for monitoring compliance with the obligations applicable to providers of online marketplaces established in France.
364. Furthermore, proactive monitoring of technological innovation appears necessary in order to anticipate potential risks to users. In this regard, the French Centre of Expertise for Digital Platform Regulation (*Pôle d'expertise de la régulation numérique* – PEReN) could make a key contribution. PEReN has specific expertise in relation to providers of online public communication services that rely on the algorithmic processing of content, goods or services, as well as providers of AI systems within the meaning of the AI Act. PEReN also actively contributes to the work of the French National Institute for the Evaluation and Security of Artificial Intelligence (*Institut national pour l'évaluation et la sécurité de l'IA* – INESIA), whose remit includes, in particular, “*analysing systemic risks and agentic systems*”.
365. Lastly, as indicated by the majority of respondents, closer coordination between the relevant public authorities is needed, given the wide range of issues raised by the development of AI agents (including competition, consumer protection, privacy, financial stability and cybersecurity).

Recommendation 4: A competitive sector depends, in particular, on users being able to compare available offers and make informed choices. This requires:

- greater efforts by public authorities and professionals to improve user awareness and understanding, particularly among younger users;
- proactive engagement by regulators, in particular the Directorate General for Consumer Affairs, Competition and Fraud Prevention (DGCCRF), to ensure the effective enforcement or, where necessary, adaptation of existing regulatory frameworks, particularly those relating to restrictive competition practices, consumer protection law and the Digital Services Act (DSA);
- greater attention from the relevant public authorities, such as the French Center of Expertise for Digital Platform Regulation (*Pôle d'expertise de la régulation numérique* – PEReN), to the technical analysis of AI agents, including through pilot projects, in order to assess the impact of this technological innovation on public policy;
- closer coordination between all the relevant public authorities.

¹³⁸ Le Monde, [IA : les élèves de 2de auront une heure d'enseignement par semaine à partir de la rentrée de 2027](#) (AI: 15-16-year-old students to receive one hour of AI education per week from the start of the 2027 school year), 19 June 2026 (French only).

B. PROMOTE INTEROPERABILITY AND PORTABILITY IN THE SECTOR

366. In its analysis, the *Autorité* identifies competition risks arising from the limited interoperability of AI agents with the existing services of vertically integrated companies, as well as from barriers to data portability that may prevent users from switching from one AI agent to another. These obstacles may hinder competition in the sector by reinforcing established positions and reducing incentives to innovate.

Recommendation 5: The *Autorité* urges operators in the sector to establish technical and contractual terms of use that promote interoperability between the services of vertically integrated companies and those of third-party AI agent developers. This could include, in particular, providing accessible, comprehensive and up-to-date documentation, together with software specifications enabling the development and maintenance of such third-party integrations.

Users should also be able to switch from one AI agent to another without significant loss of information or functionality. This requires, in particular, ensuring effective data portability between AI agents.

C. ENSURE THE DEVELOPMENT OF OPEN STANDARDS

367. The *Autorité* has, on several occasions¹³⁹, commented on the competition risks associated with the adoption of standards under conditions that are not sufficiently open and transparent. Attention should therefore be paid to ensuring that standardisation processes do not favour a dominant operator, or a group of operators including dominant companies, which could then impose their own rules and conditions across the sector. Standards should also remain open and interoperable, so that AI agents can access the full range of digital services. Such openness is a key factor in fostering innovation.

Recommendation 6: The standards governing agentic commerce should be developed and maintained through transparent, open and collaborative processes, in order to prevent any situation in which a dominant operator exercises excessive control or influence. These standards should also ensure the highest possible level of openness consistent with security and reliability requirements, in particular through the adoption of open-source solutions and fully interoperable standards.

¹³⁹ See, in particular, [Opinion 15-A-16](#) of 16 November 2015 (French only) and the study on the [competition issues surrounding the energy and environmental impact of artificial intelligence \(AI\)](#) of 17 December 2025, paragraphs 123 *et seq.*

Conclusion

368. The *Autorité* has conducted an in-depth examination of the AI agent sector, with particular attention to the growing role played by AI agents downstream in the generative AI value chain. This opinion builds on the work carried out by the *Autorité* on the upstream segment of the value chain in Opinion 24-A-05.
369. In addition to providing a detailed analysis of the functioning of the sector and identifying barriers to entry and expansion, the *Autorité* has addressed issues that will be particularly important going forward, including the risks associated with the “platformisation” of AI agents, the integration of such agents into the existing services of vertically integrated companies, and the profound transformation that the development of agentic AI could bring about in the organisation of the digital economy.
370. The *Autorité* recalls that this opinion has been issued in the exercise of its advisory role and does not prejudge any assessment, in the context of enforcement proceedings, as to the compliance of the practices discussed herein with the applicable rules. Nevertheless, the competition risks identified in this opinion will be closely monitored by its services. Such vigilance appears essential to safeguarding effective competition in the AI agents sector and supporting the development of innovative operators, including smaller players, in order to ensure that businesses and users have access to a diverse, open and innovative range of AI agents.

Deliberated on the oral report by Elodie Vandenhende, Rebecca Rossi Lindh and Samuel Delfour, case officers (*rapporteurs*), and Quentin Deltour, representing the Digital Economy Unit, and the contribution of Julien Neto, Deputy General Rapporteur, and Yann Guthmann, Head of the Digital Economy Unit, by Benoît Cœuré, President, Vivien Terrien, Anne Wachsmann-Guigon and Isabelle Fenayrou, Vice-Presidents, and Catherine Prieto, Valérie Bros, Jérôme Pouyet and Fabien Raynaud, members.

Hearing secretary,

Jessica Bocher

The President,

Benoît Cœuré

Appendix 1: Glossary

- **Agentic artificial intelligence:** According to the [CNIL](#), “*agentic AI commonly refers to a set of systems that rely on the coordination of several subsystems called AI agents. These AI agents often consist of a generative AI model capable of interacting with a defined environment (third-party applications, databases, workstations or any other system) and altering its state (reading, modifying or deleting data, executing actions), with varying levels of autonomy*”.
- **Agentic commerce:** Refers to the application of agentic technologies to the e-commerce sector, enabling the partial or complete automation of the purchasing journey.
- **Agentic Commerce Protocol/ACP:** An agentic commerce protocol developed by OpenAI.
- **AI agent:** According to the Commission, AI agents are “*software applications designed to perceive and interact with the virtual environment. [They] operate autonomously, meaning they are not directly controlled by a human*”.
- **Application programming interface/API:** A software interface that enables one software programme or service to “connect” to another software programme or service in order to exchange data and functionalities (definition taken from the [CNIL glossary](#)).
- **Artificial intelligence/AI:** Any tool used by a machine to “*display human-like capabilities such as reasoning, learning, planning and creativity*” (definition taken from the [European Parliament](#)).
- **Automatic text generation:** A process whereby a large language model, in response to a generative prompt, automatically produces, modifies or completes text (definition taken from the [Official Journal](#)).
- **Crawler:** A software programme that browses the internet to discover pages that have been added or updated (definition taken from [Decision 25-D-08](#)).
- **Data annotation:** Data annotation is a key stage in the development of a high-quality AI model, both in terms of performance and the protection of individuals’ rights. It consists of assigning a description, known as a “label” or “tag”, to each item of data, which serves as “ground truth” for the model that is being trained to process, classify or otherwise distinguish data on the basis of this information. Annotation may concern any type of data, whether personal or non-personal, and may contain any type of information, whether personal or non-personal. Annotation may be carried out manually, semi-automatically or automatically (definition taken from the [CNIL glossary](#)).
- **Fine-tuning:** A technique for specialising a pre-trained AI model to perform a specific task. This generally involves training the model as a whole, or only certain layers of a neural network, for a small number of iterations on a specific dataset corresponding to the target task (definition taken from the [CNIL glossary](#)).
- **Generative artificial intelligence:** A branch of AI that uses generative models to produce textual, graphic or audiovisual content (definition taken from the [Official Journal](#)).

- **Generative engine optimisation/GEO:** A set of content optimisation techniques for AI agents. The equivalent of SEO for visibility in AI agents.
- **Generative model (or foundation model):** A machine-learning model capable of generating new data resembling the data in its training dataset. A generative model can be used, in particular, for the automated generation of text, images and audio (definition taken from the [Official Journal](#)).
- **Graphics processing unit/GPU:** A processor comprising numerous specialised cores, enabling image-processing operations to be performed in parallel. It is generally found on graphics cards (definition taken from [Opinion 23-A-08](#)).
- **Grounding:** Grounding consists of an AI agent sending a query to a search engine in order to obtain information useful for answering the question asked by the user (definition taken from [Decision 24-D-03](#)).
- **Inference:** The process by which a trained model is used to make predictions on new data after the training phase. In the context of generative AI, this corresponds to the generation of content.
- **Large language model/LLM:** A generative model that uses large volumes of textual data to calculate the probability of sequences of text tokens in order to automatically generate text or computer code (definition taken from the [Official Journal](#)).
- **Model as a Service/MaaS:** A cloud platform or marketplace where developers can access multiple foundation models through a common application programming interface (API).
- **Model Context Protocol/MCP:** An open standard protocol designed to connect AI models, including AI agents, to external software, tools, services and data sources. Developed by Anthropic and made available as open source.
- **Open source:** Software whose source code is publicly available. The development of such “free software” involves a collaborative effort in which programmers work together to improve the source code and share changes within a community (definition taken from [Opinion 14-A-18](#)).
- **Open weight:** Refers to generative models whose weights have been published and made publicly available.
- **Orchestration:** The process of directing and coordinating the sequence of actions between different tools, models or software in order to execute a complex task in a structured manner.
- **Pôle d’expertise de la régulation numérique/ PEReN:** The French Center of Expertise for Digital Platform Regulation is national-level body under the joint authority of the French Ministers of Economy, Culture and Digital Affairs.
- **Prompt:** An instruction given by a user to a generative model, generally formulated in natural language, describing the task to be performed (definition taken from the [Official Journal](#)).
- **Red teaming:** A type of simulated attack on the security of a computer system to test its robustness (definition taken from the [CNIL glossary](#)).
- **Retrieval-augmented generation/RAG:** A technique for improving the accuracy and reliability of generative AI models using data from external sources.

- **Search engine optimisation/SEO:** A set of techniques aimed at optimising the natural search ranking of a website by a search engine, by adapting its design or content so that it is considered more relevant by the search engine and is therefore displayed higher in the list of results (definition taken from [Opinion 18-A-03](#)).
- **Token:** A basic unit of text processed by a large language model, consisting of a sequence of characters (such as a few letters) obtained through the automatic segmentation of text. The number of text tokens is used to quantify the amount of text processed by a large language model, as well as to estimate and determine usage-based charges for commercial large language models (definition taken from the [Official Journal](#)).
- **Training (or learning):** The machine learning process during which an AI system builds a model from data (definition taken from the [CNIL glossary](#)).
- **Universal Commerce Protocol/UCP:** An agentic commerce protocol developed by Google.
- **Weight (or parameter):** In a neural network, a weight is a power coefficient of the connection between two neurons, which is adjusted throughout the training phase (definition taken from the ANSSI guide, [Security recommendations for a generative AI system](#), 29 April 2024).

Appendix 2: Experiment conducted by the *Autorité* to demonstrate how conversational commerce works

Introduction

To illustrate the contribution of AI agents to the e-commerce sector, the *Autorité* conducted an experiment to demonstrate how conversational commerce currently works – relying mainly on anchoring to identify products – and to assess the sources and publishers most commonly used by AI agents in the context of product searches.

The *Autorité* posed 350 questions to AI agents indicating an intent to purchase, as well as 200 follow-up questions relating to the purchase, across four areas (or categories) of e-commerce: the purchase of electronic goods, the purchase of household appliances, hotel and accommodation bookings, and transport bookings. For each of the four categories, a set of questions was compiled and posed to two AI agents (ChatGPT and Gemini) using their APIs. The responses and cited sources then recorded and analysed. Although the results obtained are not statistically significant and are not intended to provide an exhaustive overview of the sources used by the AI agents, they do, however, offer insights that help to better understand how conversational commerce works.

The methodology used by the *Autorité* is based on the ImpactIA study conducted by the French Center of Expertise for Digital Platform Regulation (*Pôle d'expertise de la régulation numérique* – PEReN) on behalf of the French electronic communications, postal and print media distribution regulator (*Autorité de régulation des communications électroniques, des postes et de la distribution de la presse* – Arcep)¹⁴⁰ and consisted of three steps: (i) the automatic generation of questions, (ii) the use of AI agents to answer the questions, and (iii) the collection of sources from the responses. For two of the categories (Electronic Goods and Household Appliances), a second follow-up question – aimed at obtaining specific offers including the prices of the recommended products – was asked after the discoverability question.

All the data, together with the code used to set up the experiment, are available in the *Autorité*'s public code repository¹⁴¹.

Methodology

➤ Approach

The tests conducted illustrate how conversational commerce works and the principles governing the discoverability of products or services within an AI agent interface.

The tests were conducted from 20 to 30 May 2026 using AI agents from two of the leading providers in France: ChatGPT (operated by OpenAI) and Gemini (operated by Google). The APIs of both services were used, with web search enabled.

¹⁴⁰ Arcep, [IA générative : des défis pour l'avenir de l'internet ouvert](#), January 2026 (English translation available: [Generative AI: challenges for the future of the open internet](#)).

¹⁴¹ *Autorité de la concurrence* [GitHub account](#).

➤ Categories

The *Autorité* selected four categories to illustrate the variety of applications of conversational commerce, namely:

- the purchase of electronic goods (smartphones, computers, audio equipment and televisions);
- the purchase of household appliances (small and large appliances);
- the purchase and booking of transport services (flights, trains, buses and car-sharing); and
- the purchase and booking of hotel and accommodation services.

For each category, the AI agent acted as an adviser throughout the user's purchasing journey.

➤ Step-by-step

The methodology used by the *Autorité* is described below and is largely based on that of the ImpactIA study conducted by PEReN on behalf of Arcep, consisting of three steps:

Step 1: Automatic generation of a list of questions

For each category, 50 or 100 questions were generated automatically. For the Electronic Goods and Household Appliances categories, a follow-up question was also generated, requesting further information about the prices of products offered by retailers in France. The prompt used to generate all the questions was as follows:

Generate a set of [N] realistic questions expressing an intention to make a purchase by a user of a conversational agent in the field of [FIELD].

Context: The questions should faithfully reflect the natural way a real user would phrase a query, including relevant contextual details (dates, prices, number of travellers, practical constraints).

Wording: Vary the form of the questions (direct questions, statements implying a need, requests for advice), as well as the register and vocabulary used (informal, everyday, technical/professional). Use first-person or neutral phrasing.

Sub-categories: The questions should cover the following sub-categories: [SUB-CATEGORY 1] [N1 questions], [SUB-CATEGORY 2] [N2 questions], etc.

Follow-up (optional): For each question, add a follow-up question such as: "Can you provide prices for [PRODUCT] from French retailers?"

Expected output: Generate an Excel (.xlsx) file with the following columns: id, category, sub_category, question, follow_up. Each sub-category should be visually distinguished by a different row colour (pastel shades). Freeze the header row and set appropriate column widths.

A total of 350 product discovery questions and 200 follow-up questions were generated and then manually reviewed to ensure their relevance. They are available in the *Autorité*'s public code repository.

Step 2: Questions answered by an AI agent using “Search” functions

The 550 questions generated were then posed to the two AI agents, which were required to use web search to answer the questions.

The AI agent’s API returned a response in JSON format, containing the response to the question in plain-text format, as well as metadata about the response (such as its status and response time) and metadata identifying the sources used and/or consulted to generate the response.

For the Electronic Goods and Household Appliances categories, the follow-up question was asked after the initial question, while retaining the conversation history.

Step 3: Collection of cited sources and pages visited

The sources were analysed to identify the web pages visited by the AI agent when generating its response, including both the URLs consulted by the model and the sources directly cited in the response.

text=""For intensive text entry, typing comfort is your top priority. If you are looking for a laptop that can make your long writing sessions enjoyable, here are the top picks for 2026.

1. The gold standard: Lenovo ThinkPad (T Series or X1 Carbon)

[...]

2. The premium alternative: Apple MacBook Air (M4)

[...]

```
grounding_metadata=GroundingMetadata(
  grounding_chunks=[
    GroundingChunk(
      web=GroundingChunkWeb(
        title='youtube.com',
        uri='https://vertexaisearch.cloud.google.com/grounding-api-redirect/AUZIYQFwvNJ3MileMMCnfXDhQ19EILrRk0dtXPj-
hgQk2HIDbyTbZaWa2N85C3Ni0uiBRVX66Z-SZMn7JIEbEjBoFiJGZHhOuvLgVcdEP6qQssxx1PRtkewqRPaD0O8IHgHc6cc=')
      <... 11 more ...>,
    ],
    grounding_supports=[
      GroundingSupport(
        grounding_chunk_indices=[
          0,
        ],
        segment=Segment(
          end_index=528,
          start_index=274,
          text=""The gold standard: Lenovo ThinkPad (T Series or X1 Carbon)
```

The **Lenovo ThinkPad** is widely considered the gold standard for writers, developers and anyone whose job requires typing all day"")) ,

<... 14 more ...>,

],

web_search_queries=[

‘laptop keyboard comfortable for long periods of typing’,

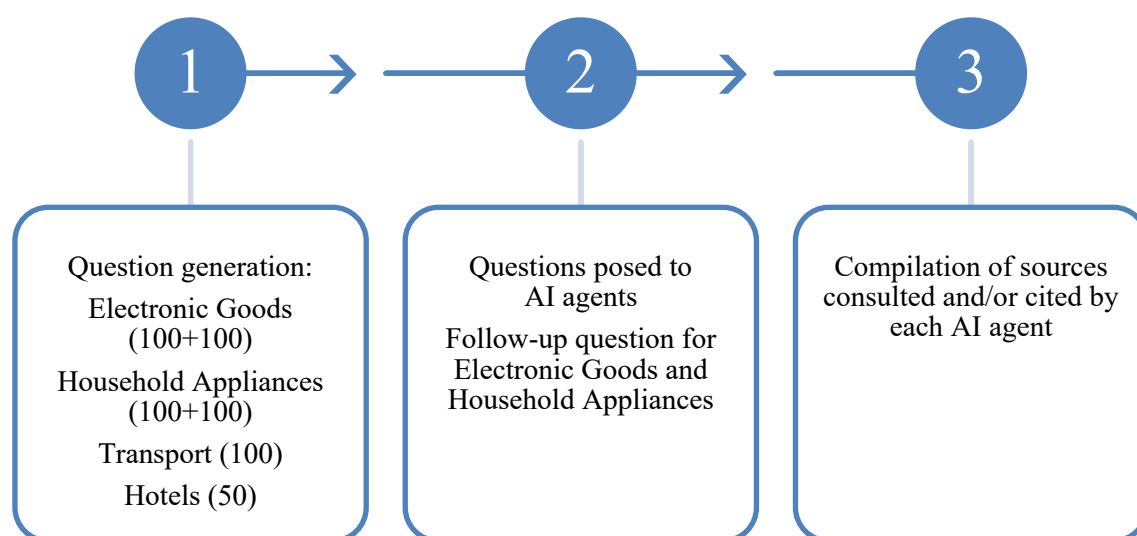
‘laptops with best typing experience’,

‘best laptop keyboard for writers 2026’,

‘best laptop keyboard for heavy typing 2026’,

]

The diagram below summarises the methodology used by the *Autorité*.



Results

The analysis of citations (i.e. cited sources) and consultations (i.e. sources consulted) gives rise to the following observations:

➤ ChatGPT and Gemini behave differently

The response generated by ChatGPT included both direct citations within the body of the response (in “Markdown” text format) and metadata identifying the sources consulted. Gemini returned a text response without citations. Only the “GroundingChunks”, i.e. the sources consulted, were available through the metadata.

There were other differences: ChatGPT almost always made four web searches, whereas Gemini made fewer searches for product discovery (2.8 on average) and more during the purchase follow-up (more than 6 on average). ChatGPT often converted the questions asked in French into English web searches, which explains the higher proportion of English-language sources in its responses.

ChatGPT and Gemini did not use the same sources, as illustrated by the tables below, which show the ten websites most frequently consulted and cited by each AI agent across all the questions asked. ChatGPT, for example, cited Reddit, Wikipedia, TechRadar and Tom’s Guide more frequently, whereas Gemini favoured YouTube, Cdiscount, Les Numériques and Frandroid.

To conclude, the experiment showed that the choice of AI agent has a significant impact on the sources used and, consequently, on the response provided to the user.

Table 3: Domains most frequently consulted and cited by ChatGPT

ChatGPT									
Discoverability					Purchase follow-up				
Domain name	Consultation		Citation		Domain name	Consultation		Citation	
	Number	Frequency	Number	Frequency		Number	Frequency	Number	Frequency
reddit	306	87.4%	2	1.0%	reddit	171	48.9%	0	0.0%
wikipedia	112	32.0%	7	3.5%	darty	68	19.4%	52	26.0%
techradar	80	22.9%	27	13.5%	fnac	53	15.1%	41	20.5%
tomsguide	67	19.1%	22	11.0%	wikipedia	53	15.1%	0	0.0%
snCF-connect	39	11.1%	27	13.5%	boulanger	47	13.4%	42	21.0%
rtings	35	10.0%	15	7.5%	pccomponentes	45	12.9%	22	11.0%
whathifi	31	8.9%	8	4.0%	frandroid	38	10.9%	17	8.5%
arxiv	30	8.6%	0	0.0%	idealo	32	9.1%	14	7.0%
YouTube	30	8.6%	1	0.5%	techradar	29	8.3%	0	0.0%
pccomponentes	25	7.1%	15	7.5%	bonne-promo	24	6.9%	15	7.5%

Source: Autorité de la concurrence.

Table 4: Domains most frequently consulted by Gemini

Gemini					
Discoverability			Purchase follow-up		
Domain name	Number	Frequency	Domain name	Number	Frequency
YouTube	68	19.4%	idealo	174	87.0%
Cdiscount	66	18.9%	cdiscount	125	62.5%
lesnumeriques	52	14.9%	fnac	99	49.5%
Frandroid	46	13.1%	ledenicheur	88	44.0%
snCF-connect	45	12.9%	123comparer	88	44.0%
Boulanger	44	12.6%	boulanger	87	43.5%
Idealo	41	11.7%	darty	84	42.0%
Kayak	34	9.7%	lesnumeriques	77	38.5%
Skyscanner	32	9.1%	frandroid	45	22.5%
Trip	31	8.9%	ldlc	29	14.5%

Source: Autorité de la concurrence.

➤ **Some sources were consulted more frequently than others**

In the tests conducted by the *Autorité*, some websites or categories of websites were consulted and cited more frequently by the AI agents:

- **Reddit:** Reddit was the most frequently consulted website by ChatGPT for product discovery questions (87%) and purchasing journey questions (49%). However, it was almost never cited.
- **Wikipedia:** Wikipedia was consulted by ChatGPT for 30% of product discovery questions and 15% of purchasing journey questions. However, the online encyclopaedia was almost never cited
- **YouTube:** YouTube was the most frequently consulted source by Gemini, accounting for almost 20% of product discovery questions. However, it was used much less frequently for follow-up questions.

In addition to the abovementioned three main sources, the websites most frequently consulted by ChatGPT and Gemini mainly fall into three categories:

- **Technology media** providing product comparisons and guides, such as TechRadar, Frandroid and Tom's Guide, mainly for product discovery questions and, to a lesser extent, follow-up questions.
- **Price comparison websites**, such as Idealo, 123comparer.com and Le Dénicheur, mainly for follow-up questions.
- **Direct retailers**, such as Boulanger, Fnac, Cdiscount and Darty, as well as sector-specific platforms such as SNCF Connect and Kayak.

Overall, for each AI agent, the ten most frequently consulted websites accounted for 24% of ChatGPT's consultations and 22% of its citations, and 20% of Gemini's citations.

Source diversity varies by category

Transport had the lowest diversity of sources (for 100 questions: 42 different domains cited by OpenAI and 112 by Gemini), whereas Hotels and Accommodation had a high diversity of sources despite the smaller number of questions (for 50 questions: 152 different domains cited by OpenAI and 276 by Gemini).

Sources depend on the type of question asked

Follow-up questions (for the Electronic Goods and Household Appliances categories) changed the type of sources consulted by the AI agents. More general sources were consulted for the first question, while the sources consulted for the second question were much more targeted. As might be expected, the nature of the prompt had a significant impact on the sources used by the AI agent and, consequently, on the final response provided to the user.

Limitations

This experiment was conducted using the APIs of Gemini and ChatGPT. Their behaviour may differ from that observed on the web or app interfaces of the AI agents. In particular, the web interface of Gemini appears to natively integrate a wider range of Google applications, for example.

The *Autorité* also notes that the tests conducted as part of this experiment are not statistically significant. While they illustrate certain behaviours of AI agents and highlight some trends, they should not be considered findings. The *Autorité* also invites stakeholders to build on this experiment and its methodology, in order to develop them further and, where appropriate, address the limitations identified.

Lastly, the *Autorité* stresses that the methodology presented is based on web searches conducted by the AI agents and reflects the state of conversational commerce in May 2026. As discussed in the opinion, numerous initiatives are underway to develop truly agentic commerce, using direct connections or standardised protocols so that AI agents can access product catalogues without relying on web searches.

The methodology presented in this experiment is therefore likely to become less suitable as truly agentic commerce develops, which may happen in the near future.