

General Court partially annuls Meta's designation as a gatekeeper under the DMA

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In September 2023, the European Commission designated Meta as a gatekeeper under the Digital Markets Act (DMA). This status, reserved for large platforms with a dominant position on digital marketplaces, imposes specific obligations on them in order to ensure fairer competition. It applies to three of Meta's services: Facebook, Messenger and Marketplace. Meta accepted the designation for Facebook but challenged the other two before the General Court of the European Union, arguing that the Commission had misjudged the user thresholds and that these services did not constitute standalone "gateways" within the meaning of the law.

The General Court ruled on 3 June 2026, partially upholding Meta's appeal. Regarding Messenger, it upheld the designation, since Meta's messaging service operated autonomously. It had its own app, which could be used even without an active Facebook account, and far exceeded the relevant legal thresholds. The counting method adopted by the Commission was deemed valid. Meta therefore remains subject to the obligations of the DMA for this service.

As regards Marketplace, however, the General Court annulled the designation. The Commission had not sufficiently established that this classified ad service was an important gateway in its own right, notably because the identification of business users had become inadequate following changes made to the platform in 2023.

This is the first judgment to examine in depth the criteria for designating gatekeepers under the DMA. It confirms that each service must be analysed individually and that the Commission must substantiate its decisions. Meta has secured a partial victory, but remains subject to the European regulator's scrutiny where its other services are concerned.

Arrêt, Meta Platforms, Inc. c. Commission Européenne, T-1078/23

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Judgment of the General Court, Meta Platforms, Inc. v. European Commission, Case T-1078/23

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