

## DA.104 Ban on gatekeeper being 3rd party

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### Art. 5 (2) Data Act - Trialogue Agreement

Any undertaking designated as a gatekeeper, pursuant to Article 3 of Regulation (EU) 2022/1925 on contestable and fair markets in the digital sector (Digital Markets Act), **shall not be an eligible third party** under this Article and therefore shall not:

[...]