

Summary of Undertaking

Apple Inc has provided the following undertaking to the CMA, pursuant to section 219 of the EA02 (the **Undertaking**) in recognition of the importance of providing consumers with clear, unambiguous, timely and easily accessible information about material issues affecting the performance of their iPhones.

The CMA accepts these undertaking on the basis of Apple's assurances as to (i) its future conduct regarding material issues affecting the performance of iPhones and (ii) steps it has already taken to improve the provision of clear, unambiguous, timely and easily accessible information to consumers.

Undertaking

Definitions

Consumer - means an individual in the UK acting for purposes that are wholly or mainly outside that individual's business.

Performance Management – means dynamically managing performance peaks based in part on the chemical age of an iPhone's battery.

Third-Party Partners – means Apple authorised iPhone retailers.

Transparency about battery health, unexpected shutdowns and Performance Management

1. Apple will maintain prominent information about the existence of, and links to, easily accessible webpage(s) that provide clear and comprehensible information to Consumers about lithium-ion batteries, unexpected shutdowns and Performance Management. The webpage(s) will provide guidance to Consumers on steps they can take to maximise battery health. The webpage(s) will also describe the operation of Performance Management and its impact on iPhone battery and performance.
2. If a future iOS update materially changes the impact of Performance Management when downloaded and installed on an iPhone, Apple will notify Consumers in a clear manner of those changes in the installation notes for the update.

3. Apple will provide information to Consumers in the iPhone user interface (e.g., Settings > Battery > Battery Health) about the battery, such as the battery's maximum capacity and peak performance capability.

Apple's Consumer-facing staff and Third-Party Partners

4. Apple will use its best endeavours to ensure its Consumer-facing staff and its Third-Party Partners:
 - (a) are sufficiently familiar with the information in the webpage(s) described in paragraph 1 of this undertaking, and the iPhone user interface described in paragraph 3;
 - (b) communicate such information to Consumers wherever relevant; and
 - (c) refer Consumers to such webpages or interface, where appropriate.

BY SIGNING THIS UNDERTAKING APPLE IS AGREEING THAT IT WILL BE BOUND BY IT.

THIS UNDERTAKING DOES NOT AMOUNT TO AN ADMISSION THAT ANY PERSON HAS COMMITTED ANY CRIMINAL OFFENCE OR OTHERWISE INFRINGED THE LAW.

CONDUCT THAT CONTRAVENES PARAS 1 – 4, MAY CONSTITUTE A COMMUNITY INFRINGEMENT PURSUANT TO SECTION 212 OF THE EA02. IF HAVING SIGNED THIS DOCUMENT APPLE BREACHES ANY OF THE ABOVE UNDERTAKING, IT IS AWARE THAT IT MAY BE THE SUBJECT OF AN APPLICATION TO THE COURT FOR AN ENFORCEMENT ORDER UNDER SECTION 215 OF THE EA02.

THE CMA WILL CONSIDER VARYING OR TERMINATING THE UNDERTAKING, EITHER UPON REQUEST FROM APPLE OR UNDER THE CMA'S OWN INITIATIVE, WHERE THERE HAS BEEN A CHANGE OF CIRCUMSTANCES SUCH THAT THE UNDERTAKING IS NO LONGER APPROPRIATE IN DEALING WITH THE ISSUES IT WAS DESIGNED TO REMEDY (E.G., THE UNDERTAKING IS AFFECTED BY NEW LEGISLATION OR CHANGES IN TECHNOLOGY OR MARKET CONDITIONS).