Dear MBCG team,

We are commenting on the recently published Working Paper 7 that outlines the team's current thinking on the remedies that may be imposed as a conclusion to the market investigation (MI) on mobile ecosystems. We strongly support the CMA's approach across all sections relevant to us. Our feedback below focuses on points that we consider particularly important and where we have useful input to provide, following the order of the paper:

Framework
We are impressed with the CMA's ambition and its deep level of understanding of the mobile browser market. We are enthusiastic to read about the CMA's bias for action and care for the effectiveness of what it will implement: the CMA "will tend to favour remedies that have a higher likelihood of achieving their intended effect". In the same vein, we welcome the CMA's intention to ensure "effective implementation, monitoring and enforcement" of the remedies, as experience shows that seemingly innocuous interface details can be of critical importance on their ease of use.

Geographical scope
Our experience with remedies aimed at favoring browser competition largely stems from the implementation of the Digital Markets Act (DMA) rules, and similar remedies from the 2018 EU Android decision. Our general view is that there should be as much alignment as possible between the CMA remedies and the DMA obligations, when they overlap. In fact, with the notable exception of choice screen coverage on Android, the remedies contemplated by the CMA are in the DMA, they just often have been ignored or under-implemented. So it works both ways: the CMA should look at successful precedents, but importantly can lead by imposing the interface changes that should anyway have happened in the EU too.

Testing
Testing and trialing, as stressed by the CMA, is a very important consideration for successful remedies. The CMA could use of mix of obtaining A/B testing from the regulated firm and internal user research, as well as submissions from third parties and its own user research (like it did for the working paper on choice architecture). Third parties should be given the ability to comment on the regulated firms' contemplated measures, with tight feedback loops.

Interplay with DMCCA
- The market study revealed how browser and online search engines (OSE) market positions are intertwined. The study and this MI call for a prioritization of the designation of firms with strategic market status operating relevant browsers, search engines and operating systems.

- Now, the priority should be to introduce effective remedies as soon as possible following this MI. Any further postponement would only further harm the market. They can then be "ported" under the DMCCA regime.
- Some of the remedies that will be devised under the DMCCA to address imbalances in the search market should build on those implemented under the MI concerning browsers, for instance when it comes to choice architecture.

[Redacted]

Remedies C1 to C9 - Choice architecture
The list of proposed remedies demonstrates a level of ambition from the CMA that is very encouraging. It is our strong conviction that all options need to be applied together in order to move the needle.[1] While the three overarching principles are well framed, we support the addition of 2 other very important points: choice remedies (like choice screens) need to be entirely **free of charge** for participants, and **non-skippable,** like the DMA choice screens are.

Looking at the specific remedies:
- **C1** "pre installation" is a welcome look into remedies that go a step above choice screens, where incumbent browsers still benefit from familiarity bias. There will be challenges in terms of deciding what browsers should be pre-installed, though, and how many of them.
- **C2** and **5** "choice screen" remains a necessary remedy:
  - All UK mobile users need to see a choice screen, otherwise the impact on the market is really diffuse over the years. The one shown to existing users (C5) needs to be as close as possible to the one shown at onboarding (C2).
  - [redacted]
  - The CMA should ensure *all* users of newly purchased Android devices (and not just those having Chrome as default at device setup) see the choice screen. This is justified given Chrome's strong market position and the fact that it's pre-installed everywhere. Currently, the DMA browser choice screen lacks effectiveness largely due to this flaw in the regulation. For users of existing Android devices, only those having Chrome as the default should see the choice screen ensuring that non-gatekeeper browsers do not lose users as a result of the choice screen.
- **C3** "hot seat" is really important, as evidenced by the CMA's own research. [Redacted] Apple recently announced that as of iOS18, the chosen app on the choice screen will replace Safari on the dock, and there is no reason this shouldn't

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[1] With the exception of C1 (pre-installation), which wouldn't necessarily require C2 or 5 (choice screens).

also be the case on Android. However, we question the necessity of limiting this to new devices only.

- **C4** "access points": impacting all browser access points is a crucial part of making an app the real underlying default browser app, together with moving it to the "hot seat". [Redacted] The "on device search" feature on Android [redacted] is either locked to Google Search or simply does not work when an alternative search engine has been picked on the choice screen.
- **C6** "user flow": we believe the paper misses a point by not referring to the fact that most people change the default browser via the in-app prompt:
  - Apps should be able to deeplink users directly to the relevant setting, enabling default switching in max 2 direct clicks [redacted]. It's also of critical importance for OSEs, where nothing of this sort exists (the paper mentions DMA compliance, but nothing has actually changed on this front).
  - There should be no restriction for third parties (see **C8**).
- [Redacted]
- **C8** "frequency of prompts": we believe the paper misses a point here by putting Google/Apple and third parties on an equal footing.
  - First, the regulated firms shouldn't make use of the in-app browser prompt to counter the choice made by the user in the choice screen. Chrome has started doing this in the EU on Pixel phones (which are covered by the DMA browser choice screen).
  - Second, the real problem is Google's omnipresent prompts in its *other properties*, e.g. Youtube / Gmail. Google shouldn't be allowed to leverage its other properties to steer users to Chrome.
- **C9** "uninstallation": the related DMA rule has been ignored by Google.[2] Yet, it is a design choice to make Chrome/Google Search a "system app", not a necessity. System features should be dissociated from these apps, and these apps be made uninstallable.

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[2] Apple announced that Safari will be made deletable with iOS18.