

Strategic Market Status Investigations into Apple's and Google's mobile ecosystems

Invitation to Comment

23 January 2025

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Contents

Part 1: Introduction	4
Overview	4
What are mobile ecosystems and why are they important?	6
Implications of Apple’s and Google’s position for consumers, businesses and the UK economy	10
Wider background context	11
The CMA’s previous work on mobile ecosystems	11
Relevant proceedings or activity in other jurisdictions and the UK	15
Our mobile SMS investigations	16
Part 2: Scope of the investigations and the SMS assessment	17
The legal framework	17
The scope of our investigations and description of the digital activities	17
Mobile operating systems	18
Native app distribution	19
Mobile browsers and browser engines	20
Potential grouping of digital activities	21
Avenues of investigation relating to the SMS tests	21
Part 3: Potential interventions	24
Potential interventions in mobile operating systems	26
Potential interventions in native app distribution	27
Potential interventions in mobile browsers and browser engines	30
Remedies imposed or considered in other jurisdictions and by other UK regulators	31
Part 4: Next steps	33
How to respond to this ITC and how we will use your response	33
Next stages of the investigation	34

Invitation to Comment – Mobile Ecosystems

Part 1: Introduction

Overview

1. On 23 January 2025 the CMA started investigations under section 9 of the Digital Markets, Competition and Consumers Act 2024 (the Act) to determine whether Apple and Google should be designated with Strategic Market Status (SMS) in relation to their key activities within their mobile ecosystems.
2. Mobile ecosystems can be broadly characterised as comprising the following elements:
 - a. mobile devices (including both smartphones and tablets), which can connect to the internet;
 - b. mobile operating systems, which refers to the pre-installed system software powering the device in question; and
 - c. applications (or ‘apps’), which are a form of software providing additional functionalities to the devices and mobile operating system on which they are installed, and includes mobile browsers used to access content on the internet.
3. Mobile ecosystems are vitally important for people, businesses and the economy. Almost all (94%) of 16+ year olds in the UK¹ – around 56 million UK consumers² – currently have access to a smartphone and spend an average of three hours a day using their device.³
4. There are many types of apps⁴ which operate on mobile devices. These apps are key ways for consumers to access content on mobile devices; and are also key gateways for businesses wishing to access consumers using such devices.
5. A range of apps are pre-installed on mobile devices at the point of purchase – most importantly, mobile app stores (which are marketplaces for users to discover and download native apps on their mobile devices) and browsers (which are apps

¹ [Smartphone ownership by age 2012-2024 | Statista](#), accessed 17 January 2025.

² [United Kingdom \(UK\): number of smartphone users 2020-2029 | Statista](#), accessed 17 January 2025.

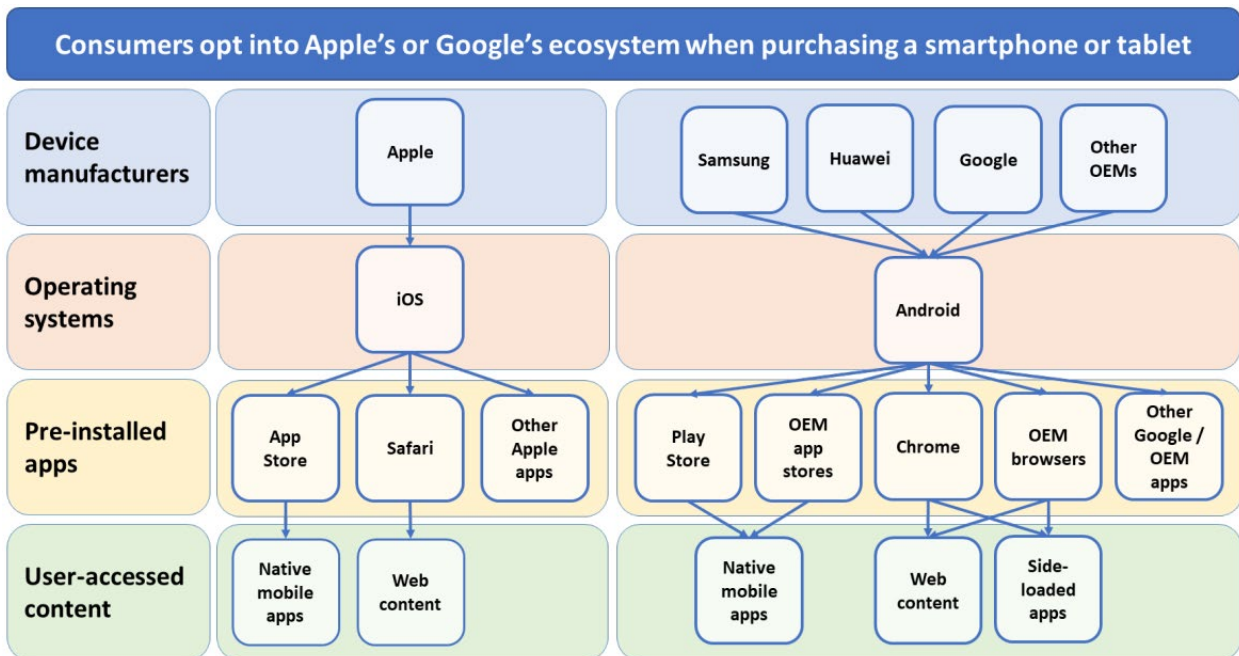
³ [Online Nation 2022 Report](#) (Figure 1.4)

⁴ These include native apps, which are apps written to run on a specific operating system and, as such, interact directly with elements of the operating systems in order to provide relevant features and functionality. Native apps can be pre-installed on the device as well as installed by the user at any time after they have set up the device. The other form of apps are web apps which are applications built using common standards based on the open web and are designed to operate through a web browser rather than being specific to an operating system.

used to access the web). Mobile app stores and browsers are the two major access points for content and service providers to reach consumers, and every mobile device comes with at least one app store and browser pre-installed.

6. In the UK, consumers are faced with a binary choice between two mobile ecosystems – either Apple’s or Google’s. Figure 1.1 below shows the nature of this choice between Apple’s and Google’s ecosystems, and in particular illustrates the control that each firm has over the main gateways in their respective ecosystems through which users access content online.

Figure 1.1: the choice between Apple’s and Google’s mobile ecosystems



7. The two investigations launched by the CMA today will consider whether Apple and Google meet the statutory test for designation with SMS in respect of their mobile ecosystems, and if they do, consider potential interventions that could be made to address existing and future potential harms arising from any position of SMS, if established.
8. This invitation to comment (ITC) sets out:
 - a. a description of the scope of the SMS investigations into mobile ecosystems, including how this builds on work undertaken by the CMA and other regulators;
 - b. the main avenues of investigation that the CMA will explore in these investigations in order to determine whether Apple and/or Google meet

the statutory test for designation with SMS in respect of their mobile ecosystems; and

- c. potential interventions that the CMA may consider, if the CMA decides to designate Apple and/or Google as having SMS.

What are mobile ecosystems and why are they important?

- 9. The key components of mobile ecosystems – and the relevant products and services, offered in each of Apple’s and Google’s ecosystems – are illustrated in Figure 1.2 below:

Figure 1.2 – key components of mobile ecosystems



- 10. First, we use the term **mobile devices** relatively narrowly to refer to smartphones and tablets.⁵ There are many similarities between smartphones and tablets, both in terms of the supply chain, and also the functionalities that they offer. There are also some important differences in the way that these devices are used, in terms of consumer reach, the amount of time spent online, and the purposes they are used for. We will account for those differences where appropriate in our analysis, as explained further below.

⁵ In this document we refer to smartphones and tablets that run the iOS and iPadOS operating systems as 'iOS devices' and smartphones and tablets that run the Android operating system as 'Android devices'.

11. Apple and Google also provide so-called '**connected devices**' which connect to, and in many cases are controlled by, mobile devices, such as in wearables (Apple Watch, Google Pixel Watch and Fitbit); smart speakers (Apple HomePod and Google Home); and operating systems for vehicle infotainment (Apple CarPlay and Android Automotive OS). These types of devices may be relevant to our analysis where their use may strengthen Apple's and Google's core position in mobile ecosystems or where Apple or Google could be in a position to give a competitive advantage to their own apps and services in such related markets.
12. As noted above, almost all adults in the UK currently have access to a smartphone and spend an average of three hours a day using their devices. They are also willing to spend substantial sums of money on mobile devices. In the CMA's 2022 mobile ecosystems market study (MEMS) final report,⁶ this was estimated at £500 per household in 2021.
13. As noted above, a **mobile operating system** is the pre-installed system software powering the mobile device. The operating system acts as an intermediary between hardware and software on the mobile device, with which all other software on a mobile device must interoperate. The operating system can determine a range of features that are important to users of mobile devices, ranging from the appearance of the user interface, through to the speed, technical performance, and security of the device. It can also determine what kinds of software can run on top, including all applications, such as native apps or websites run in a browser.
14. There are two main mobile operating systems in the UK – Apple's iOS⁷ and Google's Android – each pre-installed on roughly half of active smartphones in the UK.⁸ Apple's operating system is tightly integrated with its devices and not available on other devices, whereas practically all other smartphones use a version of Android which is available on an open-source basis, with most using Google's version subject to certain agreements between Google and device manufacturers.
15. As suppliers of the two main mobile operating systems in the UK, Apple and Google are able to make a number of decisions that can have significant implications for the providers of products and services that are accessed online.

⁶ MEMS, [Mobile ecosystems market study - GOV.UK](#).

⁷ In this document 'iOS' refers collectively to the operating systems currently known as iOS for smartphones and iPadOS for tablets.

⁸ MEMS Final Report stated that during 2015-2021: (i) between [50-60]% of active smartphones in each year of this period have been Apple's iOS devices and (ii) between [40-50]% of active smartphones in each year of this period have been Android devices, pg 33.

For instance, they can determine (or, in Google’s case, influence through contractual and financial agreements) which applications are pre-installed onto the device when it is first switched on. They can also place limits or restrictions on the channels through which software and apps can be downloaded onto a mobile device.

16. **Mobile app stores** enable consumers to search, select, purchase, install, and review millions of apps. As of 2022, the CMA estimated that there were around [1-1.5] million apps available on the App Store, and around [3-3.5] million apps available on the Play Store.⁹
17. Mobile app stores enable many hundreds of thousands of app developers to describe, distribute and promote their apps to millions of users. As an example, there are almost 15,000 businesses involved in app development in the UK and the total UK revenue for app development is estimated to be around £28 billion.¹⁰
18. Further, on average [20-30] million users in the UK downloaded at least one app from Apple’s App Store in a given month in 2021.¹¹ While there is no directly comparable data for Google, on any given day during a short period in 2022, an average of between [1.5-2.5] million users downloaded at least one native app through the Play Store.¹²
19. Apple and Google both set certain standards and requirements for their mobile app stores and where apps are deemed not to meet these requirements, they are prevented from being distributed through their app stores. In this sense, Apple and Google play a key gatekeeper role in relation to app distribution on mobile devices. Apple and Google also distribute many of their own first-party apps through their app stores and so compete with various third-party apps.
20. **Mobile browsers** enable users of mobile devices to access and search the internet and interact with content on different sites. Alongside app stores, web browsers are the most important way for users of mobile devices to access content and services over the internet. In addition, browsers are one of the key sources of traffic for content providers, in particular search engine providers.
21. Mobile devices are generally sold with one or more browsers pre-installed, typically with one set as the default for instances when a user clicks on a link within another application. For example, Apple’s iPhones and iPads come with

⁹ MEMS Final Report, paragraph 2.23.

¹⁰ [App Development in the UK - Market Research Report \(2014-2029\)](#)

¹¹ MEMS Appendix L, paragraph 44.

¹² MEMS Final Report, paragraph 4.40.

Apple's Safari browser pre-installed, and mobile devices using the Android operating system generally come with Google's Chrome pre-installed. A large number of third-party browsers are available. The combined share of Safari and Chrome on mobile devices in the UK amounted to around 90% in 2024.¹³

22. UK smartphone users spend an average of three hours a day using their mobile devices,¹⁴ including time spend on mobile browsers of around thirty minutes per day¹⁵. Consumers use mobile devices to do a great variety of things – to access communications, photography, news, music, TV, video streaming, fitness tracking, shopping, banking, food delivery services, maps, games, and much more. The five most popular uses in 2023 were messaging (which 75% of users surveyed used their smartphone for), emails (70%), online banking (62%), music (62%) and videos (61%).¹⁶
23. Overall, mobile operating systems, app stores, and browsers each act as a gateway between consumers and the businesses that want to reach them online. Apple and Google are both key gatekeepers to online content on mobile devices, because:
 - a. As providers of the primary mobile operating systems in the UK, Apple and Google can make decisions affecting the type of features on a user's device that apps can access and utilise and, to varying degrees, control which apps are pre-installed on device. The mobile operating system also acts as an intermediary in respect of access to device hardware such as the camera, GPS technology, Bluetooth and technology for making contactless payments and store digital identity, through digital wallets.¹⁷ Further, Apple and Google are in a position to control how new artificial intelligence (AI) services such as chatbots and personal assistants are integrated into their mobile operating systems.
 - b. As providers of the two main app stores, Apple and Google effectively control the terms of access between consumers and developers of native apps. They decide which apps are allowed in their store, how apps are

¹³ [Statcounter, Mobile & Tablet Browser Market Share United Kingdom](#), accessed 10 January 2025.

¹⁴ [OFCOM Online Nation 2022](#), page 4.

¹⁵ CMA analysis from combining Statista figures with Ofcom Online Nation 2022 figures: according to [Statista](#), in March 2023, users in the United Kingdom spent approximately 80 hours per month on their mobile apps. In comparison, mobile web browsers engaged users in the UK for around 15 hours per month. According to [Ofcom Online Nation 2022](#), consumers use smartphones for an average of 3 hours daily.

¹⁶ Global figures, from Statistica, [Leading smartphone users activities worldwide in 2023](#), accessed 17 January 2025.

¹⁷ See e.g. [CP24/9 Big tech and digital wallets call for information](#).

ranked and discovered, and the commission that will be taken from app developers' revenues.

- c. As providers of the two most widely used mobile browsers and browser engines, Apple and Google determine the functionality and standards that apply to providers of online content that want to reach consumers through websites and web apps via the open web.

Implications of Apple's and Google's position for consumers, businesses and the UK economy

24. Mobile devices play a valuable role in people's lives. Reported consumer satisfaction levels are high¹⁸ and this is in part due to substantial investment by Apple and Google and other device manufacturers, software developers and content providers over the years in bringing forward new features and updates to their products and services. This, in turn, has been enhanced by the wide range of innovative and complementary products and services from the large number of third parties within Apple's and Google's mobile ecosystems.
25. It is also important to recognise the valuable roles that Apple and Google play as stewards of their ecosystems, helping to protect users' privacy, security and safety online.
26. On the other hand, there are concerns relating to potentially weak competition between and within mobile ecosystems. The CMA has previously found that once people choose a mobile device, they rarely switch between operating systems.¹⁹ As suppliers of the two main mobile operating systems in the UK, Apple and Google exert considerable influence on the choice of products and services offered to users of mobile devices, ranging from which apps are pre-installed on devices and the choice architecture that is used to present options to users, to which apps are allowed in their app stores and how apps are ranked and discovered by users.
27. For businesses, including many start-up app developers, Apple's and Google's decisions can be 'make or break'. Apple and Google may impose terms and conditions that businesses have little choice but to accept, such as determining which apps are available on their app stores, what functionality these apps can have access to and how they can connect with customers; and the fees that some app developers must pay as a condition of access to their app stores. Similarly,

¹⁸ MEMS Final Report, paragraph 3.85.

¹⁹ MEMS Final Report, paragraph 3.121.

most UK businesses – along with web developers that they hire or employ – rely on mobile browsers for their websites or web apps, which enable millions of people to navigate the web and access their services effectively via their mobile devices.

28. Overall, this could mean that consumers may not benefit from new and valuable innovations by third parties. We will explore, for example, whether there are barriers to third parties utilising and deploying technological developments such as AI products and services, contactless payments provided through digital wallets, new types of apps like super apps²⁰ and the use of web apps accessed through a browser as an alternative to native apps accessed through a mobile app store.
29. Overall, almost all consumers in the UK and a significant numbers of UK businesses rely on Apple’s and Google’s platforms. Therefore, greater choice, more innovation and lower prices could be expected to create benefits across the whole UK economy and help make the UK an even more attractive place to grow a digital business.

Wider background context

The CMA’s previous work on mobile ecosystems

30. These investigations build on significant prior CMA work connected to mobile ecosystems.
31. First, in June 2021 the CMA commenced MEMS. This study considered in detail the key products and services within Apple’s and Google’s mobile ecosystems. Box 1 summarises the key findings set out in the final report from this study, published in June 2022.

Box 1: Summary of findings from the CMA’s 2022 mobile ecosystems market study (MEMS)

The study found that Apple and Google hold an effective duopoly in mobile ecosystems. Their control over these increasingly crucial ecosystems means both firms hold powerful positions and can unilaterally determine the ‘rules of the game’, making it difficult for rival businesses such as browsers or alternative app stores to compete. In particular:

- In 2021, Apple was the largest provider of smartphones in the UK and its mobile operating system had a share of [50-60]% of active smartphones as well as [50-60]% of active tablets in the UK.

²⁰ Super apps provide multiple services typically including payment and messaging, e.g. WeChat in China, Tata Neu in India, and Grab in Southeast Asia.

- In 2021, Android devices comprised around [40-50]% of active smartphones and [30-40]% of active tablets in the UK.
- The study found that the supply of mobile devices and operating systems was segmented into broadly two groups – higher-priced devices supplied with Apple’s iOS system and lower-priced devices sold with Google’s Android operating system. In 2021, Apple’s iOS smartphone devices accounted for 77% of devices sold for over £300 whereas Android smartphone devices account for 100% of devices sold for £300 or less.

The study found that there was limited effective competition between iOS and Android, given the segmentation of the supply of mobile devices and operating systems and that users rarely switch between iOS and Android devices. In addition, it found there to be no significant threats from other competitors because mobile ecosystems have certain characteristics which make it very challenging for other businesses to enter and expand, including: (i) strong indirect network effects (i.e. the more apps and content on the operating system or app store, the more users it attracts, and vice versa); (ii) economies of scale; (iii) perceived barriers to users switching away from their current mobile ecosystems; and (iv) pre-installation and default-settings given to first-party Apple and Google apps and the design of user settings, which create barriers for rival suppliers.

The study found that Apple and Google had been able to make substantial and growing profits for over a decade. For example, Apple made £80 billion in profit globally in 2021, with an estimated return on capital employed of over 100%, and Google made £57 billion in profit globally in 2021, with an average return on capital employed of 39% between 2011 and 2021. These figures were consistently above any reasonable competitive benchmark.

The study also considered the key gateways for users accessing content and services – through native apps downloaded onto the device; and mobile browsers. The study found that Apple and Google both have substantial market power within their ecosystems in relation to both the distribution of native apps; and the supply of mobile browsers and browser engines.

32. Second, the CMA carried out investigations under the Competition Act 1998 into Apple’s and Google’s conduct regarding their policies related to how in-app payments work within native apps:
 - a. An investigation commenced in March 2021 relating to Apple’s conduct in relation to the distribution of apps on iOS and iPadOS devices in the UK, in particular the terms and conditions governing app developers’ access to

Apple's App Store.²¹ We closed this investigation in August 2024 on the grounds of administrative priorities – noting that, should both of Apple and Google or one of them be designated as having SMS in connection with any digital activities in the mobile sector, the CMA would be able to use its new powers under the Act to consider the range of issues raised by parties more holistically than it otherwise could under the specific Competition Act 1998 investigations.²²

- b. An investigation commenced in June 2022 relating to Google's conduct in relation to the distribution of apps on Android devices in the UK, in particular Google Play's rules which oblige certain app developers to use Google Play's own billing system for in-app purchases.²³ In 2023, the CMA consulted on commitments offered by Google to address its competition concerns. Having regard to the responses to the consultation, the CMA decided that it would not be appropriate to accept the proposed commitments.²⁴ As above, we closed this investigation in August 2024 on the grounds of administrative priorities, noting the CMA's new powers under the Act.²⁵
33. Third, the CMA made a market investigation reference on 22 November 2022 in relation to mobile browsers and cloud gaming (mobile browsers MI). The questions to be determined by a separate, independent inquiry group within the CMA through this investigation are whether any feature or combination of features of the markets for the supply of mobile browsers and mobile browser engines, and the distribution of cloud gaming services through app stores on mobile devices in the UK, prevents, restricts or distorts competition (an 'adverse effect on competition' or AEC). Should the inquiry group find there is any adverse effect on competition, it is required to decide whether remedial action should be taken by the CMA, whether it should recommend the taking of action by others and, in either case, what action should be taken to remedy, mitigate or prevent the AEC.
 34. Box 2 summarises the provisional findings from the mobile browsers MI provisional decision report published in November 2024.

²¹ [Investigation into Apple AppStore - GOV.UK](#)

²² [CMA looks to new digital markets competition regime to resolve app store concerns - GOV.UK](#)

²³ [Investigation into suspected anti-competitive conduct by Google - GOV.UK](#)

²⁴ [Decision not to accept commitments](#)

²⁵ [CMA looks to new digital markets competition regime to resolve app store concerns - GOV.UK](#)

Box 2: Summary of findings from mobile browsers MI provisional decision report

The provisional decision report for the mobile browsers MI published in November 2024 provisionally found that Apple's and Google's duopoly in relation to the supply of mobile operating systems persists. In 2023, iOS devices comprised around [50-60]% of active smartphones and Android devices around [40-50]% in the UK ([Provisional decision report](#), paragraph 3.155a).

The provisional decision report describes the mobile operating system as the foundational layer of software on which other software operates on mobile devices, including mobile browsers. The report provisionally identifies a number of features in the markets for mobile browsers, browser engines and in-app browsing technology which restrict competition. The report provisionally concludes that an effective and comprehensive means of addressing the competition concerns that were provisionally identified is to recommend to the CMA Board that, using these new powers:

- it prioritises commencing SMS investigations to assess whether it would be appropriate to designate Apple and/or Google for their respective digital activities in mobile ecosystems; and it is recommended that the scope of such SMS investigations includes the supply of mobile browsers, browser engines and in-app browsing technology; and
- if such designation(s) are made, it considers imposing appropriate interventions, such as those considered in the provisional decision report.

35. The publication of the final report is expected by 16 March 2025. The mobile SMS investigations into Apple and Google are conducted separately from the mobile browsers MI. The SMS investigations will be able to consider the final report of the inquiry group when this is published.
36. Fourth, the CMA carried out a review of foundation models (FM), publishing an initial report in September 2023 and an update report in April 2024.²⁶ In the update report, we noted our concern that firms which control existing access points such as mobile ecosystems could gain significant influence over how businesses and consumers choose how they use services powered by FMs. We saw this as a key risk to fair, open and effective competition and could lead to reduced choice, reduced quality, lower levels of innovation and higher prices in FM-powered products and services for business customers and consumers.

²⁶ See the [AI Foundation Models: Initial report - GOV.UK](#) published in September 2023 and the [AI Foundation Models technical update report](#) published in April 2024.

Relevant proceedings or activity in other jurisdictions and the UK

37. In addition to the range of previous work by the CMA in this area, investigations by authorities in other jurisdictions suggest that Apple's and Google's positions in relation to mobile ecosystems remain strong and overall that these are strategically important platforms for businesses and the economy.
- a. In the EU, the European Commission has designated Google as having "gatekeeper" status in respect of Android, the Google Play Store and Chrome.²⁷ It has also designated Apple in respect of iOS, iPadOS, the App Store and Safari.^{28,29} In addition, in March 2024, the European Commission found that Apple had abused a dominant position on the market for the distribution of music streaming apps to iOS users through its App Store, by preventing app developers from informing iOS users about alternative and cheaper music subscription services available outside of the app (anti-steering provisions).³⁰ In July 2024, the European Commission accepted commitments offered by Apple to address competition concerns relating to Apple's refusal to grant rivals access to a standard technology used for contactless payments with iPhones in stores (Near Field Communication (NFC)).³¹ In that commitments decision, the Commission preliminarily found that Apple had significant market power in the market for smart mobile devices and a dominant position on the in-store mobile wallet market on iOS.
 - b. A number of other jurisdictions are taking action to impose ex ante rules that affect the supply of mobile ecosystems, including in Japan, where new legislation, the Act on Promotion of Competition for Specified Smartphone Software,³² prohibits anti-steering arrangements and the prevention of alternative app stores, alternative in-app payment systems and alternative browser engines.
 - c. The US Department of Justice has started an action against Apple in the US which alleges that Apple has monopolised smartphone markets through an exclusionary course of conduct and anti-competitive acts including

²⁷ The Android and Chrome designations apply across devices and platforms.

²⁸ The Safari designation applies across platforms.

²⁹ [DMA designated Gatekeepers](#)

³⁰ [Commission fines Apple over EUR1.8 billion over abusive Apple App store rules for music streaming providers](#)

³¹ [Commission accepts commitments by Apple opening access to 'tap and go' technology on iPhones](#)

³² [Press release: Regarding the passage of the Act on Promotion of Competition for Specified Smartphone Software | Japan Fair Trade Commission.](#)

contractual restrictions against app creation, distribution and access to application programming interfaces (API).³³

38. Apple's and Google's mobile ecosystems are also the subject of a number of litigation proceedings in multiple jurisdictions, internationally as well as in the UK.
39. UK regulators are also undertaking work in digital markets that is relevant to our investigations. For example, in July 2024, the Financial Conduct Authority and Payment Systems Regulator published a call for information on digital wallets to better understand the impact on consumers and businesses that the increasing popularity of digital wallets creates. This includes considering whether digital wallets raise any significant competition issues now or in the future.³⁴

Our mobile SMS investigations

40. The two mobile SMS investigations will consider whether Apple and Google should be designated as having SMS in relation to their digital activities in mobile ecosystems. Designating Apple and/or Google with SMS in respect of one or more digital activities would enable us to impose Conduct Requirements (CRs) (requirements to guide the practices of an SMS firm) and to consider subsequent Pro-Competition Interventions (PCIs), subject to the evidence and to meeting the appropriate legal tests.
41. This ITC is accompanied by an SMS Investigation Notice for each of Apple and Google which sets out our description of the digital activities, and our reasonable grounds for considering that Apple and Google could be designated as having SMS in those activities.
42. Specific consultation questions on which responses would be particularly welcome are set out below at the end of each key section for Apple and Google. The CMA welcomes submissions by no later than 12 February 2025.
43. Further details about how parties can respond to this ITC and how the CMA handles information submitted by parties in their responses are set out in Part 4 of this document.

³³ [U.S. and Plaintiff States v. Apple Inc.](#)

³⁴ [Call for Information: Big tech and digital wallets | FCA](#)

Part 2: Scope of the investigations and the SMS assessment

44. This section sets out the legal framework for our mobile SMS investigations, the proposed scope of these investigations and the key avenues we will be considering in our SMS assessments.

The legal framework

45. Under the Act, we can designate a firm as having SMS in a digital activity if the firm's power and position meet a series of tests, summarised in Box 3.³⁵ We must undertake a formal investigation and reach a final decision within nine months.³⁶

Box 3: Summary of the conditions for designating a firm as having SMS:

- Designation must relate to a digital activity carried out by a firm.
- The digital activity must have a link to the UK.
- The firm's global or UK turnover must be above a specific threshold.
- The firm must have substantial and entrenched market power and a position of strategic significance in the digital activity.

The scope of our investigations and description of the digital activities

46. The section below describes the scope of the investigations, including the description of the digital activities carried out by Apple and Google and the key avenues of investigation we propose to take forward as part of our SMS assessments.
47. Under the Act, we are required to describe the digital activity or activities which we will be considering designating through our investigation. This description could change as a result of evidence gathered during our investigation.
48. The accompanying Investigation Notices³⁷ for Apple and Google mobile SMS investigations set out our description of the digital activities, and our reasonable

³⁵ Our [Digital Markets Competition Regime Guidance](#) describes the tests and investigation in more detail.

³⁶ Subject to possible extensions in specific situations (section 104 of the Act).

³⁷ Available on our [Apple](#) and [Google](#) case pages.

grounds for considering that Apple and Google could be designated as having SMS in those activities.

49. As the accompanying Investigation Notices explain, we are investigating whether Apple and Google should be designated with SMS in relation to three digital activities: (i) mobile operating systems; (ii) native app distribution; and (iii) mobile browsers and browser engines.
50. Our current understanding of how these products and services are offered and consumed (and the interlinkages between these activities³⁸) are described further below. We also discuss whether the digital activities carried out by each of Apple and Google could form the basis of a grouped designation.

Mobile operating systems

51. The mobile operating system is the pre-installed software layer on mobile devices, which acts as an intermediary between hardware and software on the mobile device, and with which all other software on a mobile device must interoperate.
52. Our investigations will consider the two primary mobile operating systems offered by Apple and Google:
 - a. For Apple, iPhones manufactured by Apple run exclusively on Apple's operating system – iOS – and Apple's iPads run exclusively on iPadOS (together referred to as 'iOS').
 - b. For Google, the mobile operating system currently known as Android, which is (i) used on Google's own mobile devices and (ii) licensed by Google to certain third-party original equipment manufacturers (OEMs). Together, devices which are supplied with the Android operating system are referred to in this document as Android devices.
53. As noted above, as providers of the primary mobile operating systems in the UK, Apple and Google can make decisions affecting the type of features on a user's device that apps can access and utilise and, to varying degrees, control which apps are pre-installed on device.
54. Over the next five years, there could be several potential technological developments around how software interacts with the operating system layer. One such area could be AI services where we note that Apple's and Google's mobile operating systems could enable them to control how certain AI services are

³⁸ Digital Markets Competition Regime Guidance, paragraph 2.10.

integrated into the suite of products and services offered on iOS and Android devices.

Native app distribution

55. Second, our investigations will consider ‘native app distribution’ on mobile devices:
- a. A ‘**native app**’ means an app that is written to run on a specific operating system, and as such, interacts directly with elements of the operating system in order to provide features and functionality.
 - b. A ‘**native app distribution platform**’ means a platform for users to discover, download, and have apps automatically updated; and for businesses to access to a large user base to whom they can distribute their apps and associated content.
56. The most common method for distributing apps is through a mobile app store. Our investigations will cover Apple’s and Google’s distribution of apps through their respective app stores.
57. Apple’s App Store is pre-installed on iOS devices and is the only method for users to download native apps on iOS devices. This is a significant gateway for the provision of content and services to UK users – on average [20-30] million users in the UK downloaded at least one app from the App Store in a given month in 2021.³⁹
58. Further, businesses develop native iOS apps which can only be distributed through Apple’s App Store. In order to do so, app developers need access to the APIs within iOS and must adhere to the terms contained in a number of agreements and guidelines which are unilaterally interpreted and enforced through Apple’s app review process.
59. Google’s Play Store is pre-installed and placed prominently on almost all Android devices. This is a significant gateway for the provision of content and services to UK users – on average between [1.5-2.5] million users a day downloaded at least one native app through the Play Store during a sample period in 2022.⁴⁰ While other app stores are available, the Play Store accounted for 90-100% of downloads on Android devices since at least 2017 until 2022.⁴¹

³⁹ MEMS Appendix L, paragraph 44.

⁴⁰ MEMS Appendix L, paragraph 102.

⁴¹ MEMS Appendix L, paragraph 96.

60. Further, businesses develop native apps for Android devices which are distributed through app stores, including the Play Store. In addition, many apps on Android rely on the presence of APIs within 'Google Play Services' in order to function effectively. As such, the presence of the Play Store is currently necessary to deliver the proper functioning of, and updates associated with, many native Android apps on Google's platform.⁴²
61. In addition, in order to list on the Play Store, app developers must adhere to the terms contained in a number of agreements and guidelines which are unilaterally interpreted and enforced by Google.

Mobile browsers and browser engines

62. Third, our investigations will consider the provision of **mobile browsers** and **browser engines**. Alongside downloading apps from mobile app stores (see above), mobile browsers are the most important way for users of mobile devices to access content and services over the internet – either through traditional 'web pages', or 'web apps' which are a form of app that is accessible through a browser and can be downloaded to a user's home screen.⁴³
63. A '**mobile browser**' translates website code into content that is shown on the device screen to users. Mobile browsers have user-facing functionality such as favourite webpages and browsing history, and store users' data such as passwords and payment details. A default search engine is set as part of the browser.
64. A '**mobile browser engine**' is the underlying technology which browser applications on mobile devices use to transform web page source code into content which users can see and engage with. Browser engines are crucial for determining browser performance and functionalities.
65. Our investigations will consider in particular:
 - a. Apple's Safari browser, which is pre-installed on all iOS devices⁴⁴ and as of March 2024, had a share of 88% of usage on iOS devices⁴⁵; and its WebKit

⁴² MEMS Appendix M, paragraph 36.

⁴³ Web apps are accessible via web browsers like a regular webpage and therefore do not need to be coded to operate on a particular operating system, as a native app would. Web apps can have more functions compared to traditional webpages, including interactive features and can be operated offline.

⁴⁴ A survey report commissioned for the mobile browsers MI found that only 16% of UK mobile device users had downloaded a different mobile browser from the one which came pre-installed on their phone.

⁴⁵ [Cloudflare Radar](#), accessed 10 January 2025.

browser engine, which all browsers operating on iOS devices are required to use.

- b. Google's Chrome browser which is pre-installed on almost all Android devices⁴⁶ and had a share of supply of 77% on Android devices in 2023; and its Blink browser engine, which had a share of supply of 95% of browsers operating on Android devices⁴⁷. In 2021, Chrome had a 74% UK share of supply on Android devices, and Blink had a 95% share of supply.⁴⁸
66. Web content can also be accessed through native apps, in '**in-app browsers**'. In-app browsers are used in apps such as Snapchat, Facebook, search widgets in Google search and email clients such as Gmail. In-app browsing appears to account for a substantial proportion of all browsing on mobile devices.⁴⁹
 67. Our investigations will consider how in-app browsing technology is provided on iOS and Android devices.

Potential grouping of digital activities

68. It is possible that the digital activities carried out by each of Apple and Google could form the basis of a grouped designation.⁵⁰ This is where individual digital activities are grouped together and treated as a single digital activity for the purposes of the SMS assessment. This can occur where these activities have substantially the same or similar purpose or can be carried out in combination to fulfil a specific purpose.
69. The provision of a mobile operating system, native app distribution and a mobile browser and browser engine could be considered as a single digital activity of a 'mobile ecosystem'. During the investigations we will assess and decide which of these two approaches to possible designation (individual or grouped) may be more appropriate.

Avenues of investigation relating to the SMS tests

70. We will investigate whether Apple and Google have substantial and entrenched market power in the digital activities set out above, in particular by considering the extent of key competitive constraints they face such as:

⁴⁶ MEMS Final Report, paragraph 5.94 and figure 5.4.

⁴⁷ Mobile browsers MI [Provisional Decision Report](#), paragraphs 3.139.

⁴⁸ MEMS Final Report, paragraph 5.31.

⁴⁹ MEMS Final Report, paragraph 5.82.

⁵⁰ Under section 3(3) of the Act.

- a. the extent of barriers to entry and expansion in relation to the provision of mobile operating systems;
 - b. the extent of competitive constraints between Apple’s and Google’s operating systems, for example through users switching between iOS and Android devices;
 - c. the extent of competitive constraints facing Apple’s App Store; and its browser Safari and browser engine WebKit from third parties; and
 - d. the extent of competitive constraints facing Google’s Play Store; and its browser Chrome and browser engine Blink from third parties.
71. As part of our assessments as to whether Apple and Google have substantial and entrenched market power, we must carry out a forward-looking assessment of at least five years. As part of this we will seek to understand:
- a. changes to Apple’s and Google’s respective business models that have been, or are being, made in response to regulatory and legal developments; and
 - b. technological developments which could change the way that mobile devices are used and how mobile ecosystems deliver content and services to users, such as: (i) how AI assistants may integrate with mobile operating systems; and (ii) the way that various connected devices are being developed to interoperate with mobile devices and the importance of connected devices to the overall use of mobile devices.
72. We will also assess whether each of Apple and Google has a position of strategic significance in respect of the digital activities set out above.⁵¹
73. We are planning to use a range of approaches to gathering evidence including: considering responses to this ITC; formal requests for information; consumer research;⁵² and data analysis including assessments of Apple’s and Google’s profitability.

⁵¹ A firm has a position of strategic significance in respect of a digital activity where one or more of the conditions set out in section 6 of the Act are met. These are: (a) the undertaking has achieved a position of significant size or scale in respect of the digital activity; (b) a significant number of other undertakings use the digital activity as carried out by the undertaking in carrying on their business; (c) the undertaking’s position in respect of the digital activity would allow it to extend its market power to a range of other activities; and (d) the undertaking’s position in respect of the digital activity allows it to determine or substantially influence the ways in which other undertakings conduct themselves, in respect of the digital activity or otherwise.

⁵² We intend to commission a survey of UK smartphone consumers as part of this investigation. An invitation to comment on the proposed survey methodology and draft questionnaire will be published on 24 January 2024. Comments should be submitted by 28 January 2024.

74. In addition to taking account of responses to this ITC, we are keen to engage with stakeholders throughout the investigations – in particular through targeted requests for information and/or through calls and meetings. We are also required to consult publicly on a proposed decision on whether to designate Apple or Google with SMS, before we make the final decision. We will also consult with other relevant regulators as required under the Act.

Box 4: Questions on the scope of the investigations and SMS assessments:

Q1: Do you have any views on the scope of our investigations and descriptions of Apple’s and Google’s mobile ecosystem digital activities?

Q2: Do you have any submissions or evidence related to the avenues of investigation set out in paragraph 70-72? Are there other issues we should take into account, and if so why?

Part 3: Potential interventions

75. If the CMA designates a firm with SMS, we will then have two key tools to address potential issues regarding the conduct of SMS firms: Conduct Requirements and Pro-Competition Interventions.
- a. Through Conduct Requirements, we will be able to guide the behaviour of SMS firms, tackling conduct that could undermine fair competition, or exploit people and businesses.
 - b. Through Pro-Competition Interventions, we will be able to address specific competition problems arising from a firm's market power in a particular digital activity.
76. Box 5 sets out further information about these tools:

Box 5: Types of interventions under the Digital Markets competition regime

- **Conduct Requirements (CRs)** – CRs are intended to guide the practices of an SMS firm in ways that address not only existing issues in relation to the designated activity, but also protect against the risk that the firm seeks to take advantage of its strong position to exploit consumers or businesses or undermine fair competition. The CMA does not have to find evidence of historical or ongoing harm in order to impose a CR but could instead seek to prevent the emergence of harm in the future. The development of CRs, including information gathering and consultation, can run in parallel with and/or follow an SMS investigation.
- **Pro-Competition Interventions (PCIs)** – PCIs can be imposed, following a separate PCI investigation (of up to nine months), to remedy, mitigate or prevent an Adverse Effect on Competition (**AEC**) relating to a designated activity. A PCI investigation can only be launched once a firm is designated as having SMS.

For those remedies that the CMA considers should be taken forward as CRs, the CMA will follow a three-step process:

- **Identifying the aim of the CR** – the CMA will identify what the CR is intended to achieve. CRs must be for the purposes of one or more of the CR objectives set out in the legislation (fair dealing; open choices; and trust and transparency).
- **Effectiveness** – the CMA will consider which CRs within the permitted types set out in the legislation would be effective in achieving the CMA's aim.
- **Proportionality** – the CMA will consider whether the potential CR(s) would be proportionate.

As part of this analysis, the CMA will have regard to the benefits for consumers it considers would likely result from the CR. These benefits may be direct, or they may be indirect, for example where a CR has benefits for business users, which may then result in benefits for consumers in the form of lower prices, higher quality goods and services and/or a greater range of products.

More detail on CRs and PCIs can be found in Chapters 3 and 4 of our guidance on the digital markets competition regime.

77. The CMA is able to impose CRs alongside any SMS designation. We consider it important and appropriate to start considering potential interventions in parallel with our work on whether to designate Apple and/or Google from the outset of the mobile SMS investigation, whilst recognising that any decisions on such interventions will be dependent on the designation decisions. This will allow for a broad discussion of potential interventions and approaches with stakeholders, and for any interventions to be put in place to address any concerns swiftly post any designation.
78. The CMA's previous work outlined at paragraphs 30-26, in particular MEMS and the mobile browsers MI, have provided us with much past evidence of potential issues to explore. In addition, we will also explore potential concerns that could arise in the future, as mobile ecosystems evolve and develop, for example around the access that new and innovative products and services may need to Apple's and Google's mobile ecosystems. We welcome views on what potential, future innovations might be and what interventions it may be appropriate for us to undertake in order to seek to promote/facilitate such innovations.
79. Below we set out examples of potential interventions we could impose in relation to Apple and Google, if we were to designate them as having SMS in one or more of the digital activities described in Part 2 above. The potential interventions that are described below can be characterised as addressing the following potential concerns:
 - a. **Weak competition in the digital activity where the conditions for SMS are found:** which could be addressed through interventions that seek to promote competition, ensuring that the core digital activity is open to new entrants.
 - b. **An SMS firm extending market power from the designated activity into an adjacent activity:** which could be addressed through interventions that

are designed to enable existing and new entrants to compete fairly with the products and services offered by an SMS firm.

- c. **Use of market power in the designated activity in anti-competitive or exploitative ways:** which could be addressed through interventions to manage the effects of these.
80. We will explore the potential interventions set out below through the analysis we conduct as part of the mobile SMS investigations.
 81. Our analysis of potential interventions will be informed by responses to this ITC, as well as requests for information the CMA will send directly to key parties. The CMA will also meet with key stakeholders to hear their views and will talk to relevant regulators on issues of shared focus.
 82. The CMA will consider the appropriateness of potential interventions in light of this evidence, having regard to its prioritisation principles. This assessment will include considering the most appropriate form of potential interventions (whether as CRs or PCIs) and the timing for introducing them. The inclusion of a potential intervention in this ITC does not indicate any conclusion by the CMA that it would meet the legal requirements for CRs or PCIs.

Potential interventions in mobile operating systems

83. We will explore the potential harms that may arise from Apple's and Google's provision of mobile operating systems and consider whether interventions are appropriate including:
 - a. **Weak competition in mobile operating systems.** As noted in paragraph 6 above, UK consumers are faced with a binary choice between two mobile ecosystems – either Apple's or Google's – and each firm controls the main gateways in their respective ecosystems through which users access content online. Any substantial and entrenched market power in relation to mobile operating systems could lead to potential harms in the form of less innovation by Apple and/or Google in operating systems, and less choice or higher prices for users of mobile devices. We will explore whether interventions could be appropriate to encourage greater user switching between iOS and Android devices that would help to introduce some of this competitive pressure between the two ecosystems. This could for example include measures to prevent Apple and Google from unreasonably restricting the ability of users to transfer their data and apps across devices; and/or

measures requiring access to be given to necessary APIs to enable users to migrate their apps and data between iOS and Android devices more easily.

- b. **Leveraging of market power into adjacent activities.** We will explore the extent to which Apple and Google could use their control of mobile operating systems to extend their market power into other activities. As noted above, Apple and Google may make decisions affecting the type of features on a user's device that apps can access and utilise and, to varying degrees, control which apps are pre-installed on device. Potential measures could include:
 - i. Requirements for Apple and Google not to restrict interoperability as required by third-party products and services (such as rival browsers, digital wallets and connected devices) to function effectively and compete with Apple's and Google's own products and services.⁵³
 - ii. A requirement for Apple to make changes to rules or policies where necessary if its current rules or policies prohibit certain third-party services from operating on iOS devices (such as rival wallets).
 - iii. Requirements for Apple and Google to make changes to choice architecture in factory settings or subsequent device settings; in order to enable users of mobile devices to make active and informed choices about the product or services they use and/or set as a 'default' service.
84. These types of potential interventions may encourage third-party software developers to create new types of apps, or alternatives to Apple's and Google's first-party products and services. They may also benefit users through greater transparency and choice around pre-installed apps on the device and how to change default settings, both of which may be predetermined when a device is first used.

Potential interventions in native app distribution

85. We will explore the potential harms that may arise in relation to Apple's and Google's provision of native app distribution and consider whether interventions are appropriate including:
- a. **Weak competition in native app distribution.** As noted in paragraph 23(b) above, Apple and Google are the providers of the two main app stores on

⁵³ For Google this would aim to ensure that that APIs currently 'housed' within Google Play Services can be accessed irrespective of how an app is installed onto an Android device (see paragraph 60 above)

mobile devices in the UK and effectively control the terms of access between consumers and developers of native apps. If there is weak competition in native app distribution, this may mean that Apple or Google are able to 'set the rules of the game' regarding the distribution of native apps within their ecosystem, deciding which apps are allowed in their store, what functionality these apps can have, how they are ranked and discovered, and the commission that will be taken from app developers' revenues. This may also lead to concerns that consumers have limited choice, benefit from fewer innovations in relation to what apps they can access and how, and ultimately face higher prices. Potential measures that may be appropriate to promote competition in relation to native app distribution could include:

- i. A requirement for Apple to allow alternative app stores to operate on iOS.
- ii. A requirement that prevents Google from making revenue share payments in return for certain additional requirements in relation to the Play Store, e.g. setting the Play Store as the default app store and not preloading alternative app stores on devices.
- iii. Requirements to address the challenges faced by alternative app stores in attracting a sufficient user base. These could include that Apple and Google list alternative app stores within the App Store and Play Store; allow access to their catalogue of apps to third-party app stores; do not deter users from accessing alternative app distribution models in a way that unduly self-preferences their own services; and/or do not impose terms and conditions on apps and app stores which restrict their ability to compete effectively in app distribution.
- iv. A requirement that Apple must allow users to directly download native apps to their devices (referred to as 'sideloading') (for example from a link within an email), where apps are able to demonstrate appropriate security safeguards. For Google, which already permits sideloading subject to certain warning messages being presented to users, a potential requirement could seek to address the format of such warning messages, either generally or where apps are able to demonstrate appropriate security safeguards.
- v. Requirements that Apple and Google permit the advertising of alternative app distribution methods on websites and/or within apps listed on the App Store and the Play Store.

- b. **Leveraging of market power into adjacent activities.** We will explore the extent to which Apple and Google are able to leverage market power from native app distribution into the supply of apps and adjacent activities, which may impact competition and consumer outcomes across those activities. For example, in the UK both Apple and Google currently require apps offering in-app payments to use only their own payment method for purchases of digital content; and do not permit app developers to inform users of ways of paying for content outside of the app, which may be cheaper⁵⁴. Apple and Google may gain access to information about developers' apps through their app review processes; and may be incentivised⁵⁵ to use this information to benefit their own 'first-party' apps.⁵⁶ We will consider whether interventions are appropriate to prevent the leveraging of market power, for example:
- i. Requirements for Apple and Google to permit app developers to use alternative payment methods for in-app content; including within the app or by linking to a separate website.
 - ii. Requirements for Apple and Google to ensure they have systems in place to prevent the use of app developers' non-public information for the purpose of their own first-party app development.
- c. **Exploitative practices:** We will consider the extent to which Apple and Google are able to use their power and position in native app distribution to exploit app developers. Many app developers have raised concerns about the current level of commission (up to 30%) that is payable to Apple and Google in respect of in-app purchases of digital content. Where these commissions are passed on to consumers this may result in them paying higher prices for in-app content. App developers have also complained to the CMA in the past that there is a lack of transparency and/or arbitrary application of the guidelines is applied to apps seeking to list on the Apple App Store and Google Play Store.⁵⁷ The CMA will consider whether measures could be appropriate to guard against exploitative terms and practices in connection with native app distribution, such as:

⁵⁴ MEMS Final Report, paragraph 4.176.

⁵⁵ This may occur through the review process which Apple and Google undertake for apps that wish to list on the App Store and Play Store.

⁵⁶ The CMA notes that such concerns were raised by a number of developers in MEMS but were denied by Apple. We noted we had not heard similar concerns from developers regarding Google's use of sensitive information to develop new products or to give its existing products a competitive advantage. Notwithstanding, in principle the same potential issues arise given Google's similar access to sensitive commercial information and the apparent lack of contractual restrictions on its use of this information. MEMS Final Report, p212-3.

⁵⁷ MEMS Final Report, p194.

- i. Requirements for Apple and Google to implement fair and transparent app review processes and to offer fair, reasonable and non-discriminatory access to their app stores.
- ii. A requirement to remove any guidelines which arbitrarily ban certain types of apps from mobile app stores.
- iii. A requirement for Apple and Google to provide greater visibility over the operation of search and ranking algorithms to app developers on their app stores; and a connected requirement to provide fair warning (and explanation) of planned changes to the operation of algorithms, where these are likely to have a material effect on users.

86. These types of potential interventions may encourage greater choice and innovation in relation to the apps that users of mobile devices in the UK have access to. Creating alternative forms of app distribution and payment may also create a downward pressure on prices for in-app purchases of digital content.

Potential interventions in mobile browsers and browser engines

87. We will explore the potential harms that may arise in relation to Apple's and Google's provision of mobile browsers and browser engines and consider whether interventions are appropriate including:

a. **Weak competition in mobile browsers.** We will consider the final outcome of the mobile browsers MI; which has so far provisionally found a number of market features which reinforce Apple's and Google's strong position in relation to mobile browsers and limited competition from third parties. Potential measures that may be appropriate to address these concerns could include:

- i. A requirement for Apple to provide equivalent access to functionality for browsers using alternative browser engines.
- ii. A requirement mandating Apple to provide equivalent WebKit access for all WebKit-based browsers on iOS.
- iii. A requirement for Apple in respect of in-app browsing to provide interoperability with bundled engines for in-app browsing and allow sufficient cross-app functionality to enable third-party browsers to provide in-app browsing in native apps.

- iv. A requirement for Apple not to enter into agreements with Google where it receives search advertising revenues connected to the use of Chrome on iOS.
 - v. A requirement for Apple and Google to make changes to choice architecture for browsers.
 - vi. A requirement that prevents Google from making payments to OEMs and its licensing of its first-party apps and proprietary APIs conditional upon the prominent display and specific default-settings for Google Chrome on Android devices.
 - vii. A number of the above requirements would need to be complemented by ensuring Apple: (i) permits browser apps to use alternative browser engines; and (ii) enables browser vendors using alternative browser engines to install and manage progressive web apps.
88. These types of potential interventions could lead to greater competition for developing browser features related to performance, privacy and/or security which support user needs. They could also encourage greater use of web apps as an alternative to native apps accessed through a mobile app store, which could lead to lower development costs and lower barriers to entry and expansion for app developers and greater accessibility of apps by users.

Remedies imposed or considered in other jurisdictions and by other UK regulators

89. Should the CMA consider any such interventions are appropriate, we will have regard to practical considerations and experiences of assessing, imposing and implementing remedies in relation to mobile ecosystems in other jurisdictions and by other UK regulators or courts. Key examples that we will examine closely include:
- a. **The EU's Digital Markets Act (DMA):** In the EU, the DMA imposes a number of obligations which have parallels with the potential interventions discussed above. In response to the DMA both Apple and Google have made various changes, although these changes have not generally been implemented in the UK. The Commission has since opened a number of non-

compliance investigations against Apple and Google regarding some of the obligations under the DMA.⁵⁸

- b. **Other international action:** The CMA also notes legislative changes that concern mobile ecosystems, such as in Japan.⁵⁹ The US Department of Justice’s case against Apple concerning high performance smartphones is ongoing.⁶⁰
- c. **Other UK regulators:** Other UK regulators are active in the area of mobiles ecosystems. For example, last year, the FCA and PSR launched a joint call for information on digital wallets.⁶¹

Box 6: Questions on issues to explore and potential interventions related to Apple’s and Google’s mobile ecosystems:

Q4: Which potential interventions should the CMA focus on in mobile ecosystems? Please identify any concerns relating to Apple’s or Google’s mobile ecosystems, together with evidence of the scale and/or likelihood of the harms to your business; or to consumers.

Q5: Are the potential interventions set out above likely to be effective, proportionate and/or have benefits for businesses and consumers?

Q6: What key lessons should the CMA draw from interventions being considered, imposed and/or implemented in relation to mobile ecosystems in other jurisdictions?

⁵⁸ The European Commission has launched non-compliance investigations into Apple and Google’s rules on steering in the App Store and Play Store respectively and Apple’s measures to comply with user choice obligations for Safari ([Commission opens non-compliance investigations against Alphabet, Apple and Meta under the Digital Markets Act](#)). There are also proceedings relating to Apple’s new contractual terms for app developers and app stores including Apple’s new “Core Technology Fee” ([Commission sends preliminary findings to Apple and opens additional non-compliance investigation against Apple under the Digital Markets Act](#)). In relation to operating systems, the European Commission has sent preliminary findings to Apple indicating proposed measures for Apple to ensure interoperability of connected devices with iPhones and to make interoperability by third parties more predictable and transparent, as required by the DMA ([Commission seeks feedback on the measures Apple should take to ensure interoperability under the Digital Markets Act](#)).

⁵⁹ [Regarding the passage of the Act on Promotion of Competition for Specified Smartphone Software | Japan Fair Trade Commission](#)

⁶⁰ U.S. and Plaintiff States v. Apple Inc.

⁶¹ [Call for Information: Big tech and digital wallets | FCA](#)

Part 4: Next steps

How to respond to this ITC and how we will use your response

90. The CMA welcomes evidenced responses on the questions set out in this ITC by 11.59pm on 12 February 2025.⁶² Please send any responses to mobilesms@cma.gov.uk. In your response, please state whether you are responding as an individual or are representing the views of a group or organisation. If the latter, please make clear whom you are representing and their role or interest.
91. In pursuit of our policy of openness and transparency **we will publish non-confidential versions of responses on our webpages for these SMS investigations**. We may also wish to refer to comments received in response to this consultation in future publications.
92. The information that we receive in response to this consultation is subject to Part 9 of the Enterprise Act 2002. In deciding whether to publish or disclose information received, we will have regard to the need for excluding from publication, so far as practicable: any information the disclosure of which we think is contrary to the public interest; information relating to the private affairs of an individual; or commercial information, where we think that disclosure might significantly harm the interests of that individual or business.
93. If your response contains any information that you would not wish to be published, please also provide a non-confidential version for publication which omits that material and which explains why you regard it as confidential.
94. Any personal data that you supply in responding to this consultation will be processed by the CMA, as controller, in line with data protection legislation.⁶³ For more information about how the CMA processes personal data, your rights in relation to that personal data, how to contact us, details of the CMA's Data Protection Officer, and how long the CMA retains personal data, see the CMA's Privacy Notice.⁶⁴

⁶² We particularly welcome submissions that are supported by evidence (both quantitative and qualitative). This could include, for example, data (e.g. relating to user behaviour), third-party research, internal documents setting out commercial strategy or screenshots of webpages.

⁶³ The General Data Protection Regulation 2016 and the Data Protection Act 2018. 'Personal data' is information which relates to a living individual who may be identifiable from it.

⁶⁴ [Personal information charter - Competition and Markets Authority - GOV.UK](#)

95. Please note that information and personal data provided in response to this consultation may be the subject of requests by members of the public under the Freedom of Information Act 2000. In responding to such requests, we will take into consideration representations made by you in support of confidentiality. We will also be mindful of our responsibilities under the data protection legislation referred to above and under the Enterprise Act 2002.

Next stages of the investigation

96. The next stage of the investigations will involve gathering evidence, engaging with stakeholders and considering responses to this ITC. We will then consult on our proposed decision and following responses to that consultation, we will publish our final decision. Further information can be found in our administrative timetables set out on our [Apple](#) and [Google](#) case pages.