

20 August 2025

**Object: Response to Proposed decision: SMS investigation
into Google's mobile platform**

Dear Sir/Madam,

Please find enclosed a submission from the Consumer Choice Center (CCC) responding to the proposed decision to designate Google's mobile platform as a SMS.

As the UK Country Associate for the Consumer Choice Center, please do not hesitate to contact me at any stage for further information or discussion on consumer interests and rights.

Yours Sincerely,



UK Country Associate





About the Consumer Choice Center:

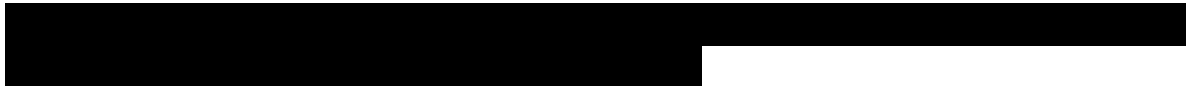
The Consumer Choice Center is a non-profit organisation dedicated to defending the rights of consumers around the world. Our mission is to promote freedom of choice, healthy competition and evidence-based policies that benefit consumers. We work to ensure that consumers have access to a variety of quality products and services and can make informed decisions about their lifestyle and consumption.

As an independent nonprofit organisation, the Consumer Choice Center relies on the support and funding from private donors. As described in our Code of Ethics, we strictly maintain editorial independence and do not give our funders any influence on editorial decisions. Our support comes from corporations, individuals, and foundations. We have a tiered membership model available to members who support us on a yearly basis, equalling silver, gold, and platinum status.

In the past and currently, we have received funding from multiple industries such as energy, fast moving consumer goods, nicotine, alcohol, airlines, agriculture, manufacturing, digital, healthcare, chemicals, banking, cryptocurrencies, and fin-tech.

Find out more at www.consumerchoicecenter.org

About the Author:





Written evidence response to the consultation on the proposed decision to designate Google's mobile platform as a SMS:

Q1. Do you have any views on our proposed descriptions of the relevant digital activities, namely: the mobile operating system, native app distribution, and mobile browser and browser engine?

We agree these are relevant aspects of Google's Android ecosystem. However, they should be considered as components of a broader and highly competitive marketplace. Android is open source, used by multiple manufacturers, and provides consumers with considerable variety in devices, app stores, and browsers. Describing these activities too narrowly risks overstating Google's role.

Q2. Do you have any views on our provisional conclusion that it would be appropriate to treat those activities as a single digital activity, referred to as a mobile platform?

We caution against grouping these activities into a single "mobile platform" definition. Unlike Apple's integrated system, Android functions across a fragmented landscape of manufacturers, app stores, and services. Treating Android as a monolithic platform fails to capture this diversity and the competitive pressures it faces.

Q3. Do you have views on our provisional finding that the competitive constraint on Google's mobile platform from Apple's and other rival mobile ecosystems is limited?

We disagree. Apple's iOS ecosystem exerts a powerful constraint on Android. Many consumers switch between Apple and Android depending on their preferences for features, price, or usability. Apple's premium positioning and brand strength provide a constant competitive check on Android, both in attracting users and developers.

Q4. Do you have views on our provisional finding that there are high barriers to entry and expansion for mobile platforms?

While barriers to entry for entirely new platforms are high, Android's open-source model demonstrates how multiple manufacturers can innovate on top of the system. The existence of numerous device makers (Samsung, Xiaomi, Oppo, etc.) and alternative app stores shows that expansion is possible within this framework. These conditions provide consumers with meaningful competition and choice.



Q5. Do you have views on our provisional finding that the competitive constraint on Google’s mobile platform from alternatives to content distribution within Google’s mobile ecosystem, and alternatives on non-mobile devices, is limited?

We disagree. Within Android, consumers already have access to alternative app distribution channels beyond the Google Play Store, such as Samsung Galaxy Store, Amazon Appstore, and direct downloads (APK sideloading). In addition, non-mobile devices such as laptops, desktops, and smart TVs serve as viable substitutes for accessing digital content, constraining Google’s platform power.

Q6. Do you have views on our provisional conclusion that there are no expected or foreseeable developments that are likely to eliminate Google’s substantial market power over the next 5 years?

We disagree. Rapid technological shifts, such as cloud-based services, AI-driven assistants, and potential new entrants from Asia, may significantly disrupt current market shares. Consumers’ ability to switch between Apple and Android also ensures that no platform can maintain unchallenged dominance.

Q7. Do you have views on our provisional conclusion that Google has substantial and entrenched market power (SEMP) and a position of strategic significance (POSS) in respect of its mobile platform?

We do not agree. Google competes vigorously with Apple’s iOS and with alternative app ecosystems. The variety of Android device manufacturers further dilutes Google’s direct control. While Google is influential, its position is not unassailable nor entrenched in the way suggested.

Q8. Do you have any other views in relation to the assessment/evidence set out in the proposed decision?

- The CMA should acknowledge that Android has enhanced consumer welfare by lowering costs, enabling device diversity, and fostering app innovation. Over-regulating Google risks undermining these benefits and distorting the natural competition between Apple and Android, which already delivers robust consumer choice.
- The CMA also needs to expand on its risk definition and how exactly it is able to monitor/ model for unintended consequences. (Point 2.35 in the roadmap)
- Finally, It is also important to emphasise that the CMA’s interpretation of “substantial and entrenched market power” (SEMP) and “position of strategic significance” (POSS) risks being overstretched. By suggesting that both Apple and Google simultaneously hold entrenched positions in the same market, the CMA dilutes the meaning of entrenchment itself. Entrenched power, by definition, implies dominance



that is not shared. The reality that millions of consumers regularly switch between Apple and Android demonstrates that neither firm has unilateral entrenched market power. This reinforces our position that SMS designation would be inappropriate.

