



Open
Web Advocacy

OWA - SMS Proposed Decision - Response

VERSION 1.0

Open Web Advocacy
contactus@open-web-advocacy.org

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2. Introduction

We strongly support the proposed designation of Apple as having Strategic Market Status (SMS).

This classification is both proportionate and justified, given the dominant position Apple holds within the mobile ecosystem. We are particularly pleased to see that browsers and web apps feature prominently in the CMA's initial SMS investigation. These are critical areas where competition is being stifled, and addressing these issues will be key to unlocking innovation and consumer choice.

We broadly agree with all of the CMA's provisional conclusions.

At present, mobile app stores face little to no genuine competition. The Web, which should be a viable alternative, is actively restricted from competing on equal terms. This is in stark contrast to desktop computing, [where the majority of user activity takes place within a browser](#), largely due to the absence of a gatekeeper tax and browsers having access to the necessary APIs on desktop, which they are denied on mobile.

This restriction is not due to technical limitations but is a direct consequence of anti-competitive practices, as identified in both the [Mobile Ecosystems Study](#) and the [Browsers and Cloud Gaming Market Investigation](#). After four years of examination, this investigation presents the CMA with a crucial opportunity to finally address and resolve these issues.

In the [Mobile Ecosystems Interim Report](#), the CMA first highlighted the competition harms caused by restrictions on browser engines and web apps. This was reinforced during the [launch of the Market Investigation Reference](#), where Andrea Coscelli, then Chief Executive of the CMA, stated:

*"We all rely on browsers to use the internet on our phones, and **the engines that make them work have a huge bearing on what we can see and do**. Right now, **choice in this space is severely limited** and that has real impacts – **preventing innovation and reducing competition from web apps**. We need to give innovative tech firms, many of which are ambitious start-ups, a fair chance to compete."*

[Andrea Coscelli - Chief Executive of the UK's Competition and Markets Authority](#)

(emphasis added)

The CMA then [successfully defended its ability to pursue this work in the London's Court of Appeal](#) after Apple sought to block it on technical grounds. Ultimately, the MIR [deferred](#)

[implementation of its recommendations to the DMCC on the basis that it would be faster and lower risk.](#)

The CMA's proposed interventions are critical to restoring fair competition, allowing browsers to compete on a level playing field and enabling web apps to fairly compete with rival native applications. This presents a pivotal opportunity for the CMA to reshape the mobile software landscape and **re-establish the Web as a strong, open, and truly interoperable alternative, and deliver opportunities for British businesses for decades to come.**

Given the cumulative delays, the strength of evidence already collected, [and Apple's clear non-compliance in the EU on the same issues](#), we are concerned about a timely resolution. **It is vital that the CMA acts with urgency to address these anti-competitive practices.**

However, **we hold great respect for the expertise and commitment of CMA staff and the extensive work they have done on this topic over the last four years.** We remain hopeful that the UK can lead the way in resolving these concerns, providing a clear example to other jurisdictions of effective, timely remedies to allow the Web to compete fairly.

3. Answers to Questions

3.1. Q1: Views on Proposed Descriptions

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

[Proposed decision: SMS investigation into Apple's mobile platform](#)

3.1.1. Mobile Operating System

"(a) Smartphone Operating System, which we describe as the provision of an operating system or equivalent, which acts as an intermediary between hardware and software on a smartphone, enabling software applications and services to run on the smartphone.

(b) Tablet Operating System, which we describe as the provision of an operating system or equivalent, which acts as an intermediary between hardware and software on a tablet, enabling software applications and services to run on the tablet."

[SMS Investigation into Apple's mobile platform - Proposed Decision](#)

iOS, iPadOS, watchOS and visionOS **should be treated as a single digital activity.**

Essentially all of these are subvariants of iOS and are a linked single ecosystem for Apple which creates significant cross-device lock-in. These operating system variants are updated in near lockstep.

Apple has often updated in similar iOS, iPadOS and visionOS both for major releases and minor security updates in close cadence. For example [iOS 18](#), [iPadOS 18](#), [watchOS 11](#) and [visionOS 2](#) were all announced together at WWDC on June 10, 2024, and released publicly on September 16, 2024. The pattern continued in 2025, with Apple unveiling iOS 26, iPadOS 26, watchOS 26 and visionOS 26 and at WWDC on June 9, 2025, as part of [a unified ecosystem rebrand](#).

One can also note the similarity between [iOS releases](#) and [iPadOS releases](#) whose versions were:

iOS 18

Version	Release Date
18.0	September 16, 2024
18.0.1	October 3, 2024
18.1	October 28, 2024
18.1.1	November 19, 2024
18.2	December 11, 2024
18.2.1	January 6, 2025
18.3	January 27, 2025
18.3.1	February 10, 2025
18.3.2	March 11, 2025
18.4	March 31, 2025
18.4.1	April 16, 2025
18.5	May 12, 2025
18.6	July 29, 2025
18.6.1	August 14, 2025

iPadOS 18

Version	Release Date
18.0	September 16, 2024
18.0.1	October 3, 2024
18.1	October 28, 2024
18.1.1	November 19, 2024
18.2	December 11, 2024
18.2.1	January 6, 2025
18.3	January 27, 2025
18.3.1	February 10, 2025
18.3.2	March 11, 2025
18.4	March 31, 2025
18.4.1	April 16, 2025
18.5	May 12, 2025
18.6	July 29, 2025
18.6.1	August 14, 2025

Similarly you can see [which version of iOS each version of watchOS is built off of](#).

"Part of a Larger Apple Ecosystem Update

visionOS 2.3.1 isn't launching in isolation—it arrives alongside iOS 18.3.1, iPadOS 18.3.1, watchOS 11.3.1, and macOS 15.3.1 Sequoia. This synchronized update pattern reflects Apple's unified software strategy, where different devices receive updates in tandem to maintain **cross-platform functionality** and **security**."

[Ali Mohammadi - SimplyMac](#)

(emphasis added)

Minor and security updates are also synchronized. On March 11, 2025, [Apple rolled out iOS 18.3.2 simultaneously with iPadOS 18.3.2, visionOS 2.3.2](#) and delivered parallel bug fixes and patches. Similarly, [visionOS 2.3.1 was released alongside matching iOS and iPadOS updates](#) in February 2025. These repeated cross-platform release cycles provide strong evidence that in particular iPadOS but also watchOS and visionOS are sub-branches of iOS.

Allowing Apple to separate them might allow Apple to perform anti-competitive behavior in a smaller variant such as iPadOS or watchOS that then could affect the whole of Apple's mobile ecosystem.

Apple should be required to show that these are separate ecosystems that do not mesh together with significant cross-device lock-in.

The argument is particularly strong for iOS and iPadOS but we believe this should be expanded to include the smaller iOS variants watchOS and visionOS.

We would propose the following definition:

"Mobile Operating System: which we describe as the provision of an operating system or equivalent, which acts as an intermediary between hardware and software on a smartphone, tablet, headset, watch or other mobile device category enabling software applications and services to run on the devices."

3.1.2. Native App Distribution

"(c) Native App Distribution, which we describe as the provision of a service which enables the installation, distribution and operation of native apps on mobile devices, which are apps written to run on the Smartphone Operating System and/or the Tablet Operating System."

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One issue here is that the CMA has not included a clear definition for web apps and they are excluded from this definition due to their interoperability between operating systems, which is one of their key advantages.

The CMA should consider a broader super-category of “app distribution” which includes both web apps and native apps as sub-categories. That is, web apps with sufficient operating system support and browser competition can be an effective and viable substitute for native apps. Limiting distribution to Native Apps may restrict the CMA's ability to address web app distribution issues across operating systems, browsers, native applications and application stores.

3.1.3. Browser and Browser Engine

“(d) Mobile Browser and Browser Engine, which we describe as the provision of a mobile browser and mobile browser engine, which comprises:

(i) the provision of a software application that enables users of mobile devices to access and search the internet and interact with web content; and

(ii) the provision of a mobile browser engine, which is the underlying technology which native apps on mobile devices use to transform web page source code into content with which users can engage”

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Given that **web applications** are a key area of concern highlighted by the SMS and the preceding MIR, we propose the following changes to ensure the definition explicitly includes them. We also suggest clarifying that the scope is limited to browser engines as used on **mobile devices**, despite their cross-platform nature:

“(d) Mobile Browser and Browser Engine, which we describe as the provision of a mobile browser and mobile browser engine, which comprises:

(i) the provision of a software application that enables users of mobile devices to access and search the internet and interact with web content, including web applications; and

(ii) the provision of a ~~mobile~~ browser engine for mobile devices, which is the underlying technology which native apps and web applications on mobile devices use to transform web page source code into content with which users can engage”

3.2. Q2: Single Digital Activity

“2. 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, whose purpose is to facilitate interactions between users and providers of digital content and services on Apple's mobile devices in order to allow users to access, view and engage with such content and services on their mobile devices?”

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We fully support the conclusion that it would be appropriate to treat these activities as a single digital activity:

"4.11 We also explained that each of those three activities (ie the Mobile Operating System, Native App Distribution, and Mobile Browser and Browser Engine), may be a digital activity within the meaning of the Act; and further that they may be treated as a single digital activity (ie 'grouped' together) 'as they can be carried out in combination with each other to fulfil the specific purpose of facilitating interactions between users and providers of digital content and services (as applicable) on mobile devices in order to allow users to access, view and engage with such content and services on their mobile devices'."

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In particular, we support the argument that these digital activities are carried out in combination with each other to fulfil a specific purpose **which is to access, view and engage with content and services on mobile devices.**

*"4.67 As set out above, the Act allows us to group two or more digital activities carried out by a single undertaking as a single digital activity where:
(a) the activities have substantially the same or similar purposes; or
(b) the activities can be carried out in combination with each other to fulfil a specific purpose. [...]"*

4.75 Our provisional view is that the relevant purpose under section 3(3) should remain as described in the ITC: facilitating interactions between users and providers of digital content and services (as applicable) on Apple's mobile devices in order to allow users to access, view and engage with such content and services on their mobile devices."

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We also support all of the arguments in favour of considering Safari to be a single browser in the section *"Describing Apple's Mobile Browser on iOS and iPadOS as part of a single digital activity"*. [Apple's own marketing describes Safari as a single browser across all platforms \(including macOS\)](#) and the code of conduct should not be circumvented through artificial subdivision [as they attempted in the EU](#).

3.3. Q3: Limited Competitive Constraint from Other Rival Mobile Ecosystems

"3. Do you have views on our provisional finding that the competitive constraint on Apple's mobile platform from Google's and other rival mobile ecosystems is limited? This relates specifically to the competitive constraint in attracting end users and content providers."

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We agree with the CMA's assessment that Apple's mobile platform faces only limited competitive pressure from Google and other rival ecosystems. Both Apple and Google benefit from significant user lock-in, and switching between platforms remains difficult and high-friction. Migrating large photo libraries accumulated over many years is cumbersome, and the process of reinstalling and configuring apps adds further complexity. This is especially pronounced in the case of browsers, where most users lack a clear understanding of the relative advantages, and very few would consider switching operating systems solely for an improved browser experience. This means that the competitive constraint that browsers on Android apply to Safari is extremely limited.

This viewpoint is also shared by the DOJ in their complaint against Apple:

"Apple's iPhone platform is protected by several additional barriers to entry and expansion, including strong network and scale effects and high switching costs and frictions. For example, if an iPhone user wants to buy an Android smartphone, they are likely to face significant financial, technological, and behavioral obstacles to switching. The user may need to re-learn how to operate their smartphone using a new interface, transfer large amounts of data (e.g., contacts), purchase new apps, or transfer or buy new subscriptions and accessories. These switching costs and frictions are even higher when software applications, APIs, and other functionality do not help the different devices and operating systems communicate and interoperate. These switching costs and frictions increase the "stickiness" of the iPhone, making users more beholden to the smartphone manufacturer and platform operator."

[DOJ - Apple Complaint](#)

The DOJ also correctly pointed out that developers simply must support both platforms, particularly for social apps that require critical mass:

"Most app developers do not view Android as a substitute for iOS or iOS as a

substitute for Android. The overwhelming majority of users choose a single phone and do not "multi-home" by carrying an Android phone and the iPhone at the same time. Thus, a developer cannot reach iPhone users on Android or Android users on iPhones. Due to the lack of user multi-homing, most developers create native apps for both iOS and Android to reach the greatest number of smartphone users."

[DOJ - Apple Complaint](#)

That said, if interoperability requirements, such as those set out in the Digital Markets Act, were applied to both Apple and Google under their respective SMS codes of conduct, with the explicit aim of reducing friction when switching platforms and increasing interoperability, the degree of substitutability between mobile ecosystems could be meaningfully improved.

In particular, browsers and the interoperable web apps they power would allow users to transition between operating systems while maintaining consistent access to their apps and services. Rather than undermining the case for designation, this reinforces the need to designate both Apple and Google.

The DOJ also includes discussion of browsers as middleware which could reduce switching costs but are currently being prevented from doing so:

*"At trial, the government successfully established that Microsoft took steps to **undermine the competitive threats posed by "middleware," such as web browsers** like Netscape, after recognizing that if users could use middleware to access a variety of content and services via remote servers, over the internet, they might be less reliant on Windows. [...] **Apple has deployed a similar playbook** for a much broader range of third-party apps and services as well, **many of which present technologies that function as middleware, facilitate switching, reduce the need for expensive hardware, or disintermediate Apple's iPhone by enabling the development of cross-platform technologies.** [...] **Apple has limited the capabilities of third-party iOS web browsers, including by requiring that they use Apple's browser engine, WebKit.**"*

[DOJ - Apple Complaint](#)

(emphasis added)

3.4. Q4: High Barriers to Entry for Mobile Platforms

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

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We agree with the CMA that there is a high barrier to entry for new mobile platforms, largely due to strong indirect network effects. Historically, many attempted entrants have failed because they could not assemble a sufficient library of apps to compete with iOS or Android. A significant shift toward web apps offers a potential solution, as browsers act as middleware that disintermediates the underlying platform.

*"A Strategy Analytics poll of more than 1,600 active mobile developers found that more than 32 percent plan to support Windows Phone in the next year, compared to only 16 percent who said the same thing last year. That's big news, because **Windows Phone faces a severe app gap compared to iOS and Android.** Back in May, Canalys found that the Windows Phone store lacked many of the popular apps available for iOS. And **the app gap has serious consequences.** A Gartner report at the end of the summer said that the **app gap is seriously hurting Windows Phone's chance to gain market share.**"*

[Preston Gralla - Computer World](#)

(emphasis added)

*"So far, for the most part, so good. But BlackBerry (don't call it App) World is the company's Achilles heel. **Apps have the power to make or break the BlackBerry OS, and so far they've been a bit underwhelming.** There are currently a little over 70,000 apps on there, which doesn't sound too bad, and it's certainly much more than you're ever likely to use. But with Apple and Google each offering ten times that number, it does seem a bit lacking."*

[Dave Oliver- Wired](#)

(emphasis added)

For new platforms, this means they need only provide robust browser and web app support, and most web apps will function seamlessly without requiring any additional effort from developers. **Strikingly, web apps can operate on platforms developers do not even know exist**, let alone have formally published apps for, bypassing the need for app store publication. This could dramatically improve the survival prospects of smaller mobile platforms.

However, this vision will only be fully realised if the underlying restrictions on browsers, browser engines, and web app functionality on Apple's mobile platforms are addressed.

3.5. Q5: Competitive Constraint From Alternatives

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

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We agree with the CMA that web apps are not **currently** a viable substitute for native apps downloaded from the App Store. However, with changes **already proposed by both the Mobile Ecosystems Study and the MIR**, we believe that web apps could be an exceptionally strong substitute and competitor to native apps delivered by Apple's app store.

We believe that the most critical interventions involve:

- **Browser Engines**
Allowing third-party browsers to compete on iOS with their own engines.
- **Manage and Install Web Apps**
Browsers should be able to install web apps and manage web apps they have installed using their own engines.
- **Safari Web App Install**
The ability to easily install web apps on Safari via a clear and discoverable mechanism. The provided method should be at least as discoverable and effective as Smart Banners, App Clips and SKOverlay which Apple provides to install native apps from inside Safari.
- **Interoperability - Hardware/Software API Access**
Sufficient hardware/software API access for browsers and web apps to compete with the native ecosystems.
- **OS Integration**
Sufficient integration with mobile operating systems so that web apps can effectively compete with the native ecosystems.
- **Payments**
Equal access to frictionless payment methods including subscriptions both from Apple Pay and Apple Pay competitors.
- **Web Apps in the iOS App Store**
The ability to directly submit web apps to the iOS App Store.

3.6. Q6: Next Five Years

"6. Do you have views on our provisional conclusion that there are no expected or foreseeable developments that are likely (whether individually or in combination) to be sufficient in scope, timeliness and impact to eliminate Apple's substantial market power in the provision of its mobile platform over the next 5 years?"

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We agree with the CMA's conclusion that there are no foreseeable developments likely to eliminate Apple's substantial market power in mobile platforms within the next five years. Apple's position is deeply entrenched, and there is no realistic scenario in which it would lose a significant portion of its mobile hardware market share in that timeframe. High switching costs, strong ecosystem lock-in, and brand loyalty ensure that Apple will retain a large user base, particularly in the high-end premium market.

With [iPhone growth plateauing and hardware sales beginning to decline](#), Apple has increasingly turned to services for revenue. While that shift makes strategic sense, Apple has shown a growing tendency to restrict, disadvantage or outright block competing services on its tightly controlled platforms. This behavior boosts services revenue but often comes at the cost of user experience and product quality. This makes the code of conduct requirements to prevent such behaviour particularly critical.

*"As Apple exercised its control of app distribution and app creation, **Apple slowed its own iPhone innovation and extracted more revenue and profit from its existing customers through subscriptions, advertising, and cloud services.** These services increase the cost of switching from the iPhone to another smartphone because many of these services—including its proprietary gaming, cloud storage, and news service—**are exclusive to the Apple ecosystem**, causing significant frictions for iPhone users who try to use alternative services on another smartphone."*

[DOJ - Apple Complaint](#)

(emphasis added)

*"First, since **Apple and Google have a conflict of interest in being both rule setters and also active competitors in many mobile app markets**, they may be able to leverage their market power in a way that favours their own businesses. This could be addressed through a number of measures to **address self-preferencing within the mobile ecosystem**, with particular focus on the ability of third parties to access functionality that Apple and Google use in their own apps and services in a comparable way."*

[CMA - Mobile Ecosystems Final Report](#)

(emphasis added)

3.7. Q7: Substantial and Entrenched Market Power

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

[Proposed decision: SMS investigation into Apple's mobile platform](#)

We agree with the CMA's assessment that the numerous court cases, antitrust investigations, and regulatory proceedings Apple faces in the EU, Japan, the USA, and Brazil do not indicate that Apple will voluntarily address these issues in the UK. On the contrary, they underscore the need for a code of conduct to govern Apple's behaviour for at least the next five years.

We also concur that Apple's exceptionally high profitability is unlikely to decline to a level that would call into question its designation as holding both entrenched market power (SEMP) and a position of strategic significance (POSS) in respect of its mobile platform. There is no evidence to suggest that its financial strength and overall control of its mobile platform within the UK will materially weaken to that degree within this period.

3.8. Q8: Other Views

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

[Proposed decision: SMS investigation into Apple's mobile platform](#)

While we have a wide range of views on the detailed elements of a potential code of conduct for Apple, and on the issues that may need to be addressed, we appreciate that these observations are more suitably shared in response to future requests for information.

We have elaborated on many of them in [our response to the SMS investigation](#). An additional proposal we believe the CMA should introduce, is a general interoperability obligation requiring companies like Apple to make both software and hardware APIs available to third-party apps at the same time they are made available to their own apps.

4. Toward A Brighter Future

OWA believes that the Web's unmatched track record of safely providing frictionless access to information and services has demonstrated that it can enable a more vibrant digital ecosystem. The Web's open, interoperable, standards-based nature creates an inclusive environment that fosters competition, delivering the benefits of technology to users more effectively and reliably than any closed ecosystem.

OWA's goal is to ensure that browser competition is carried out under fair terms, that user choice in browsers matters, and that web applications are provided equal access and rights necessary to safely contest the market for digital services.

The CMA has a critical opportunity to fix key issues that have undermined both browser and Web App competition for over a decade to the benefit of both UK consumers and UK businesses. This will improve interoperability, contestability, and fairness leading to lower priced and higher quality apps, not only for the UK but for the entire world.

OWA believes competition, not walled gardens, leads to the brightest future for consumers, businesses, and the digital ecosystem.

5. Open Web Advocacy

Open Web Advocacy is a not-for-profit organization made up of a loose group of software engineers from all over the world, who work for many different companies and have come together to fight for the future of the open web by providing regulators, legislators and policy makers the intricate technical details that they need to understand the major anti-competitive issues in our industry and potential ways to solve them.

It should be noted that all the authors and reviewers of this document are software engineers and not economists, lawyers or regulatory experts. The aim is to explain the current situation, outline the specific problems, how this affects consumers and suggest potential regulatory remedies.

This is a grassroots effort by software engineers as individuals and not on behalf of their employers or any of the browser vendors.

We are available to regulators, legislators and policy makers for presentations/Q&A and we can provide expert technical analysis on topics in this area.

For those who would like to help or join us in fighting for a free and open future for the Web, please contact us at:

Email contactus@open-web-advocacy.org

Web / Web <https://open-web-advocacy.org>

Mastodon [@owa@mastodon.social](https://mastodon.social/@owa)

Twitter / X [@OpenWebAdvocacy](https://twitter.com/OpenWebAdvocacy)

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