

6 March 2026

[Confidential]: Response to CMA's mobile platform call for evidence

1. [Confidential].
2. [Confidential] appreciates the opportunity to respond to the CMA's [call for evidence on the proposed commitments](#) in relation to Google and Apple's mobile platforms. [Confidential].
3. [Confidential].
4. As the CMA will be aware, [Confidential].¹ We therefore call on the CMA to give further and proper consideration to [Confidential's] long standing call for CMA action in this area. [Confidential].²
5. In summary, [Confidential]'s principal concern relates to the "use of data" commitments. First, there should be an obligation on Apple and Google to provide third-party developers with access to data generated through users' interactions with their products and services on the platforms [Confidential]. Secondly, the commitments preventing Apple and Google from using data obtained through the app review process or operation of their app store to compete downstream should be broadened to cover all data collected through the operation of their mobile platforms, [Confidential].

Use of data

[Confidential]'s access to data

6. While the use of data commitments provides some protection against Apple and Google using [confidential's] data for the development of its own first party apps, in particular requiring that non-public data submitted in the context of the app review process (in respect of Apple) or, more broadly, via the operation of the Play Store (for Google) is not used in the development of first-party apps, the current commitment does not include a requirement for Apple and Google to provide third-party developers with access to data generated by users' interactions with their products or services on the platform.³
7. The lack of data access remains a fundamental obstacle for [Confidential], a significant proportion of which are accessed via Apple and Google's mobile platforms [Confidential]. [Confidential] cannot access - even in aggregate - [Confidential].
8. Apple and Google also withhold [Confidential].
9. [Confidential].

¹ [Confidential].

² [Confidential].

³ Google's Proposed Commitments, para 50-52, available [here](#); Apple's Proposed Commitments, page 10, available [here](#).

10. Similar structural imbalances arise for many third-party app developers whose services are accessed via Apple's and Google's mobile platforms. The CMA should therefore amend the proposed commitments to require that third party app developers are granted access to data generated through users' interactions with their products and/ or services, including where those interactions occur [Confidential] apps or app stores. Without reciprocal access to usage data, effective competition in downstream app markets is significantly harmed.

Apple and Google's use of [Confidential]'s data

11. We are concerned the scope of the Apple commitments, which prevent use of third party app developers' data for competing in app development, is too narrow. [Apple's commitments](#), as set out in paragraph 1 of the "use of data" commitment, are limited to requiring that Apple does not use third-party data submitted as part of App Review for product development. We are therefore concerned that Apple can continue to use data from other parts of the operation of its mobile platform, for example data collected through [Confidential] its in-app payment system, to compete with [Confidential].
12. [Google's commitments](#) are wider, given they apply to "*non-public data Google has access to from Play's operation as an app store.*" However, this doesn't extend to data collected elsewhere on Google's mobile platform, for example [Confidential]. Again, this should be broadened.
13. The commitments should be broadened to cover any data collected through Apple or Google's mobile platform, [Confidential]: it is an artificial distinction for a commitment to require that they cannot use information received in an app review process or the operation of their app store, but can obtain and use confidential information obtained elsewhere through the operation of their mobile platform.