



## “Leaving [M]oney on the [T]able”

“For recurring subscriptions, we should ask for 40% of the first year only but we need work a few deals to see what is right.”

Subject: Re: Guidelines when talking to content partners  
From: "Eddy Cuz" <[Confidential]>  
Received(Date): Thu, 17 Mar 2011 18:52:32 +0000  
To: "Jai Chulani" <[Confidential]>  
Cc: "Jeff Robbin" <[Confidential]>, "Josh Lippman" <[Confidential]>  
Date: Thu, 17 Mar 2011 18:52:32 +0000

For recurring subscriptions, we should ask for 40% of the first year only but we need to work a few deals to see what is right.

Sent from my iPad

On Mar 17, 2011, at 1:09 PM, Jai Chulani <[Confidential]> wrote:

We've got a couple of things to consider (and I want to clarify a few things).

**In-app/on-device transaction (a new user uses his iTunes account and activates on Apple TV)**

- For one-time transactions like MLB, NBA, we ask for a 30% bounty of that fixed fee

- If it's an on-going subscription (like let's say Hulu), we ask for a 30% going basis. Since it's going through the iTunes store, we should be good

- We are going to need to build in support for customers to enable and the service through Apple TV.

**Referrals (a new user goes to [www.xxx.com/appletv](http://www.xxx.com/appletv) to sign up)**

- For one-time transactions like MLB, NBA, we ask for a 30% bounty

- But for an on-going subscription service like Hulu, what would we want mechanism?

- If we say that the average time a user stays as a subscriber is 2 years, is Hulu's revenue. So we would want about 30% of that which is \$58.

- They'll probably push back saying that they don't know how what the guarantee a customer will stick that long, etc.

- So should we just ask for a 30% bounty of the 1 year subscription fee? After the first year they get to keep it all. (Is 1 year reasonable or do we want more). So in Hulu's case, we ask for \$58. **think we may be leaving money on the table if we just asked for about 30% of the first sub).**

“(I think we may be leaving money on the table if we just asked for about 30% of the first year of sub).”



# “Death to a [S]mall [C]ompany”

Subject: Re: MDM?  
From: [Redacted] Confidential  
Received(Date): Tue, 04 Jun 2019 17:02:31 +0000  
To: "Bill Havlicek" [Redacted] Confidential  
Cc: [Redacted] Confidential, [Redacted] Confidential  
Date: Tue, 04 Jun 2019 17:02:31 +0000

Hi Bill, so just following up. I just read the new 5.5 guidelines for the the MDM use.. WOW!! I cant believe how much money that costed us in the 6 months and Apple "Changed their mind" on the usage?

As a company that got booted from your store, then spent a little over 30k in re-developing the app with your team helping us write the code to make it compliant, to Apple now just saying you can use MDM again.. I mean WOW talk about **death to a small company** like ours trying to make a difference in screen time health for kids. Especially knowing we never went to the media or brought this to any legal and gov attention. I feel like we were just spit out for playing by the rules.

Is there any help with this massive loss that Apple can help us out with?

I am so disappointed in this reversal of decision with really nothing much changing from the developer side as far as the technology goes. From the guidelines we just have to list the reason for using MDM and assuring we are not storing or selling the data... which from the very beginning we complied to these new standards that Apple set, before these rules were even set. we never collected any data other than a Child's name and how many steps they took (which erased off our server every night at midnight)

Please help

- We complied with all this prior to being banned from the store and rebuilding our app with your NEVPN compliancy

- 5.5 Mobile Device Management

Mobile Device Management Apps that offer Mobile Device Management (MDM) services must request this capability from Apple. Such apps may only be offered by commercial enterprises (such as business organizations, educational institutions, or government agencies), and in limited cases, companies using MDM for parental control services. You must make a clear declaration of what user data will be collected and how it will be used on an app screen prior to any user action to purchase or otherwise use the service. MDM apps must not violate local laws. Apps offering MDM services may not sell, use, or disclose to third parties any data for any purpose, and must commit to this in their privacy policy. Apps that do not

“[F]rom the very beginning we complied to these new standards that Apple set, before these rules were even set.”



# Facebook Felt Threatened by Apple's Gatekeeper Power

| MINUTES OF A MEETING<br>OF THE BOARD OF DIRECTORS OF<br>FACEBOOK, INC. |   |
|--|---|
| DATE:  | February 14, 2014   |
| TIME:  | 5:15 p.m., Pacific Time   |
| PLACE:   | Via Teleconference  |
| DIRECTORS PRESENT:   | Erskine Bowles<br>Susan Desmond-Hellmann<br>Donald E. Graham<br>Reed Hastings<br>Sheryl Sandberg<br>Mark Zuckerberg |
| DIRECTORS ABSENT:  | Marc Andreessen<br>Peter Thiel  |
| OTHERS PRESENT:  | Colin Stretch   |

“[H]igh concentration of the mobile operating system market . . . poses a significant strategic threat to the Company’s business.”

2. **Project Cobalt**

Mr. Zuckerberg provided the Board with an update regarding the current status of discussions regarding Project Cobalt, the potential acquisition of a company (“Target”), including potential valuation, timing and process.

Mr. Zuckerberg then left the meeting.

Ms. Sandberg reviewed the potential transaction structure with the Board, including the potential tax implications for the Company and Target, and reviewed the potential mix of stock versus cash consideration to be paid in the transaction. Questions were asked and discussion ensued.

██████████ then provided an update regarding the business of Target, including a discussion of monthly active users, user engagement and users by region. ██████████ also discussed potential valuation metrics, such as price per user. Questions were asked and discussion ensued.

Mr. Hastings then joined the meeting.

Mr. Stretch then discussed the strategic rationale for the proposed transaction, including Target’s strong user base and high growth rate in phone-contacts-based, small group communication, an area that the Company has not historically been focused on, but which complements the Company’s traditional friends-based sharing model. Ms. Sandberg indicated that the proposed transaction would also provide significant benefit to the Company by improving the Company’s strategic position in relation to mobile operating systems. Ms. Sandberg emphasized that the high concentration of the mobile operating system market – with two providers serving the vast majority of smartphone users around the world – poses a significant strategic threat to the Company’s business, and also observed that adding an additional, popular, complementary mobile application to Facebook’s suite of offerings would make it more difficult for operating system providers to exclude the Company’s mobile applications from mobile platforms. Finally, Mr. Stretch noted that if the transaction were to be

“[A]dding an additional, popular, complementary mobile application . . . would make it more difficult for operating system providers to exclude the Company’s mobile applications from mobile platforms.”



# "When children's health is at stake, Apple should do the right thing."

Subject: Fwd: A Mom's Plea Re: Apple Crackdown on Parental Control Apps  
From: "Tim Cook" <[Confidential]>  
Received(Date): Wed, 05 Jun 2019 19:01:44 +0000  
To: "Phil Schiller" <[Confidential]>  
Date: Wed, 05 Jun 2019 19:01:44 +0000

Begin forwarded message:

From: [Confidential]  
Subject: A Mom's Plea Re: Apple Crackdown on Parental Control Apps  
Date: June 5, 2019 at 11:38:40 AM PDT  
To: [Confidential]

Dear Mr. Cook,

As the mom of two teenage daughters, I am deeply disturbed by the practices of technology companies firmly aimed at keeping people, including kids, hooked on apps and devices. As I'm sure you're aware, multiple credible research studies have shown the detrimental effects of too much screen time on children and teenagers.

Several months ago, I attended a private panel in Los Angeles hosted by Common Sense Media, featuring Tris an Harris from the Center for Humane Technology and tech journalist Kara Swisher, which detailed some of these disturbing practices. It was encouraging to see high-level executives from YouTube, among other media and technology companies in attendance and participating in conversations around how to ensure responsible, consumer-first practices in these industries.

I, therefore, was shocked to read the recent NY Times piece, <https://www.nytimes.com/2019/04/27/technology/apple-screen-time-tracker.html?searchResultPosition=1>, detailing Apple's recent removal of parent controls apps from its App Store. I learned about, and subsequently subscribed to [Confidential] one of the removed apps, based on an earlier NY Times article, which provided suggestions on effective tools for parents to monitor and control their children's screen time.

[Confidential] has been an excellent tool and one that offers a great deal of customization and other features that encourage my daughters to learn to moderate their screen time. I am deeply disappointed that you have decided to remove this app and others like it, thereby reducing consumer access to much-needed services to keep children safe and protect their mental health and well-being.

As I listened to this morning's NPR story, <https://www.npr.org/2019/06/05/729892505/feds-look->

"I am deeply disappointed that you have decided to remove this app and others like it, thereby reducing consumer access to much-needed services to keep children safe and protect their mental health and well-being."



# Pushing Users to ScreenTime

Subject: Re: From a young Parent -Ref' Purging rivals' in NYT  
From: 'Philip Schiller' <[Redacted]>  
Received(Date): Mon, 29 Apr 2019 19:20:26 +0000  
To: [Redacted]  
Bcc: 'Philip Schiller' <[Redacted]>  
Date: Mon, 29 Apr 2019 19:20:26 +0000

[Redacted]  
Confidential

Thank you for considering using Apple's products and for your email.

I would like to assure you that the App Store team has acted extremely responsibly in this matter, helping to protect our children from technologies that could be used to violate their privacy and security. After you learn of some of the facts I hope that you agree.

Unfortunately the New York Times article you reference did not share our complete statement, nor explain the risks to children had Apple not acted on their behalf. Apple has long supported providing apps on the App Store, that work like our ScreenTime feature, to help parents manage their children's access to technology and we will continue to encourage development of these apps. There are many great apps for parents on the App Store, like "Moment - Balance Screen Time" by Moment Health and "Verizon Smart Family" by Verizon Wireless.

However, over the last year we became aware that some parental management apps were using a technology called Mobile Device Management or "MDM" and installing an MDM Profile as a method to limit and control use of these devices. MDM is a technology that gives one party access to and control over many devices, it was meant to be used by a company on its own mobile devices as a management tool, where that company has a right to all of the data and use of the devices. The MDM technology is not intended to enable a developer to have access to and control over consumers' data and devices, but the apps we removed from the store did just that. No one, except you, should have unrestricted access to manage your child's device, know their location, track their app use, control their mail accounts, web surfing, camera use, network access, and even remotely erase their devices. Further, security research has shown that there is risk that MDM profiles could be used as a technology for hacker attacks by assisting them in installing apps for malicious purposes on users' devices.

When the App Store team investigated the use of MDM technology by some developers of apps for managing kids devices and learned the risk they create to user privacy and security, we asked these developers to stop using MDM technology in their apps. Protecting user privacy and security is paramount in the Apple ecosystem and we have important App Store guidelines to not allow apps that could pose a threat to consumers privacy and security. **We will continue to provide features, like ScreenTime, designed to help parents manage their children's access to technology** and we will work with

"We will continue to provide features, like ScreenTime, designed to help parents manage their children's access to technology . . ."



# Apple Leverages Control of App Store

Apple decided to pressure Random House to join the iBookstore. As Cue wrote to Apple CEO Tim Cook, “when we get Random House, it will be over for everyone.” Apple had its opportunity in the Fall of 2010, when Random House submitted some e-book apps to Apple’s App Store. Cue advised Random House that Apple was only interested in doing “an overall deal” with Random House. By December, they had begun negotiations, and Random House executed an agency agreement with Apple in mid-January 2011. In an email to Jobs, Cue attributed Random House’s capitulation in part to “the fact that I prevented an app from Random House from going live in the app store this week.”

Q. The Publisher Defendants Require Google to Adopt an Agency Model

The decision by the Publisher Defendants and later by Random House to adopt the agency model of distribution and raise e-book prices effected a change across the entire industry. Once the Publisher Defendants agreed with Apple to move to an agency relationship for the sale of their e-books, they not only demanded that Amazon change their relationship to an agency model, they negotiated agency agreements with their other e-book distributors to eliminate all retail price competition.

One of the companies that was planning to become an e-book distributor was Google, and the Publisher Defendants demanded

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“[W]hen Random House submitted some e-book apps to Apple’s App Store . . . , Cue attributed Random House’s capitulation in part to “the fact that I prevented an app from Random House from going live in the app store this week.”