The CMA has published the issues statement for consultation. We are writing to highlight forthcoming changes to connectivity service provision that will increase the capability and demand for mobile gaming. The mobile ecosystem and the mobile connectivity market are related markets. It is important to consider the functional effect of competition policy and regulatory remedies across the market boundaries.

Vodafone is presently installing a new 5G network and developing new 5G services. The 5G network enables the transfer of greater volumes of data, faster than today with real time potential and as such will increase the potential for gaming from smart devices and on the move. 5G network slicing is being developed by network operators. This is the segmentation of connectivity into a range of quality / service options to meet the needs to types of applications.

A high quality, low latency "gaming" 5G network slice is a prospective 5G slice proposition which would greatly improve the service quality of gaming on portable devices. Mobile connectivity providers would make the 5G "gaming quality" network slice available, without discrimination, to gaming accessed via Native apps or Web Apps. Connectivity over the gaming slices could be charged for either by a direct commercial arrangement between a gaming company and the slice service provider or by the connectivity provider via end users tariffing. Use of the gaming slice by the gaming company or end users will require authentication messaging and network conveyance messaging between the mobile operator, the consumer and the gaming company. However, device operating system provider has the ability to build restrictions into the operating system which could obstruct the required networking between the connectivity provider and application developer. We would also highlight that other forms of traffic encryption deployed via the OS could also inhibit the functionality of network slicing for customers requesting access via a web app.

The cloud gaming remedies: (d) Enabling sideloading of native apps on iOS, (e) Enabling distribution of web apps through the App Store and (f) Enabling installation of alternative app stores on iOS. The remedies should include additional provisions ensuring the connectivity services required to optimally provide / play the game by either the gaming / cloud gaming company or end user of gaming / cloud gaming services are not restricted or limited by the operating system.