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STRUCTURAL LOCK-IN MEASUREMENT · B = CAPTURE / ESCAPE

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Information provided on the MSCA compliance reports of the designated operators

A pre-registered structural measurement of the designated operators' specified software before and after full enforcement of the Mobile Software Competition Act, using the Black Hole Index.

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Reports addressed: compliance reports of Apple Inc. and iTunes K.K., and of Google LLC, published by the Commission on 17 February and 27 July 2026

Channel: the Commission's standing information-provision form for the Mobile Software Competition Act, as invited by the release of 27 July 2026

Declaration: I have no commercial relationship with, and receive no funding from, any designated operator or app business. All evidence used is public and hashed. This document is non-confidential and may be published in full.

Observables addressed: Articles 7(i), 8(i)–(iv); null and perspective entries for Articles 5, 6, 7(ii), 9, 10, 11, 12 and 13

公正取引委員会 御中

スマートフォンにおいて利用される特定ソフトウェアに係る競争の促進に関する法律に基づき公表された遵守報告書（2026年2月17日および7月27日公表）に関し、独立研究者として情報を提供いたします。本情報提供は、いずれかの事業者が同法を遵守しているか否かについての見解を述べるものではありません（その判断は貴委員会の権限に属します）。提供するのは、同法の全面施行（2025年12月18日）前後における、指定事業者の特定ソフトウェアに対するアプリ事業者の構造的依存の測定記録であり、測定の枠組み（対象、参照事業者、証拠規則）は証拠収集の前に確定・凍結し、SHA-256で固定しています。以下、英語にて記述いたします。

1. Introduction and standing

1.1. I provide this information in response to the Commission's release of 27 July 2026 publishing the designated operators' compliance reports under Article 14 of the Mobile Software Competition Act (MSCA), which invites information and opinions on their content through the standing information-provision form. I am an independent researcher and the author of the Black Hole Index (BHI), an open measurement instrument for structural lock-in on digital platforms, published at blackholeindex.com under CC-BY 4.0.

1.2. Nothing in this document is a view on whether any designated operator complies with the Act; that determination is the Commission's. What follows is a measurement record: which pre-registered observables changed for a stipulated Japan-based app business between the state before full enforcement (18 December 2025) and the state observed in August 2026, on the operators' own published policy.

1.3. I have no affiliation with, and receive no funding from, any designated operator or any app business. Every document relied on is public; every quotation from an operator's published page is byte-verified against a retained capture; every source is hashed; the measurement frame was frozen and its SHA-256 pinned before the evidence was gathered, and frame and ledger were then hash-fixed publicly and independently timestamped on 29 August 2026 (§3).

2. Summary of the record

2.1. Of six observables pre-registered against Articles 7 and 8, the operators' published policies at the August 2026 slice make available to the stipulated app business: alternative distribution on the Apple object under stated conditions; alternative payment processing on the Apple object with the operator's in-app purchase presented alongside; and off-platform prices, links and serving on both objects (Apple through out-of-app offers; Google through the external payments programme, side by side with Play billing).

2.2. Two assumptions about the pre-enforcement state, written into the register before any evidence was read, did not hold on the operators' archived policy text: alternative billing alongside Play billing was already available to non-gaming apps in Japan, and neither operator conditioned distribution on displaying its own sign-in method. The predictions resting on them are graded void on the reading of record, not confirmed; where a frame term admits two readings, the ledger prints both.

2.3. The browser-engine route on the Apple object is open to dedicated browser apps and to "browser engine stewards"; a consumer application embedding a third party's engine is in neither class, so on the reading of record the observable did not change and the prediction for it (P3c, Apple object) is graded failed; on the falsifier's literal wording it holds — both are printed.

3. Method: the frame, frozen before the evidence

3.1. **Objects.** The designated operators' specified software, read as two objects: Apple (iOS, App Store, Safari; Apple Inc. and iTunes K.K. as one) and Google (Android OS, Google Play, Chrome, Google Search). Article 9 does not apply to the Apple object by statute, on the designation record of 26 March 2025.

3.2. **Perspective and Reference App Business.** The Japan-based app business — a stipulated company of about fifty staff with one consumer application on both platforms, earning from in-app purchases of digital content and subscriptions, distributed before enforcement through the operator's store and payment system only, with one browser-based companion. Every anchor is applied to this business, so a third party can reproduce the scoring target.

3.3. **Slices.** S-pre: the state immediately before 18 December 2025, from dated archive copies of the operators' policies (web.archive.org, 28 October to 30 November 2025, stamps recorded). S-post: the operators' current published pages as observed on 29 August 2026. The reports' statements are as of 31 March 2026 and are claims.

3.4. **Evidence tiers.** Operator claims never score alone; observation (the operator's own documentation and policies) beats claim; statute and the Commission's records are the highest tier. Price terms enter no structural parameter and are recorded in an annex.

3.5. **Pre-registration.** The obligation register (observable, parameter and direction per obligation; assumptions A1–A7; predictions and falsifiers) was frozen on 26 August 2026 with its SHA-256 pinned; the ledger grading it was frozen on 29 August 2026; both are fixed in public snapshot S3 (blackholeindex.com/research-snapshots.txt) and RFC 3161-timestamped. The register was not amended during evidence.

4. What the record shows, per observable

4.1. The pre-registered observables and their pre/post state, read from published policy; "open" means available to the stipulated app business on the operator's published terms, non-price conditions named.

OBSERVABLE (PROVISION)	APPLE OBJECT	GOOGLE OBJECT
O1 Alternative store for the app (Art. 7(i))	Closed → open, gated: notarization; operator authorisation of the marketplace; no Apple in-app purchase on that channel	Open → open (third-party stores and sideloading pre-date the Act)
O2 Non-operator payment for in-app purchases (Art. 8(i))	Closed → open, conditioned: Apple in-app purchase presented alongside, at least as prominently	Open at S-pre on the reading of record (the stipulated app read as non-gaming; user choice billing, in-app, alongside Play billing) → open
O3 Off-platform prices and links displayable (Art. 8(ii)(a))	Barred → permitted (out-of-app offers; product page may not mention them)	Barred → permitted (external payments programme, side by side with Play billing)
O4 Serving the app's users off-platform (Art. 8(ii)(b))	Leading barred → permitted after an offer or link; the multiplatform-access parity condition (items also offered as in-app purchases) stands	Leading barred → permitted (destination on the developer's website)
O5 Embedding a non-operator browser engine (Art. 8(iii))	Closed → open to dedicated browser apps and engine stewards only; closed for the stipulated app	Open → open
O6 Condition to display the operator's sign-in (Art. 8(iv))	None at either slice on the policy text	None at either slice

4.2. Articles 5, 6, 7(ii), 9, 10, 11, 12 and 13 carried pre-registered null or perspective entries; none was falsified. The Cabinet Order under Article 12(i)(b) names browsers and search-input software only, reaching no category the stipulated app business is in.

5. Parameter-level results, per object and slice

5.1. Parameters are scored holistically per object on the published 0–10 anchors; no movement is attributed to a provision. Closeness, human fallback and momentum are not determinable from published documentation, so no composite score is computed.

PARAMETER	APPLE S-PRE	APPLE S-POST	GOOGLE S-PRE	GOOGLE S-POST
Substitutability (s)	3	4	5	5
Portability (x)	3	5	3	5
Network (n)	7	7	7	7
Data, memory, action (d, m, a)	5 / 5 / 5	5 / 5 / 5	5 / 5 / 5	5 / 5 / 5
Process (p), stipulated	10	10	10	10
Organisational depth (o), stipulated	5	5	5	5

Alternative readings printed in the ledger: x S-post 4 (both); Apple s S-post 5 or S-pre 4; Google s S-pre 4.

5.2. Object-level predictions: the Apple object's substitutability increased (holds); portability increased for both objects (holds on the reading of record; void on the literal reading of the serving assumption, x

moving 3 to 5 either way); no movement in data capture or process (holds); Apple's substitutability gain being at least Google's is void on the reading of record — its assumption about Google's pre-enforcement billing terms did not hold — and holds on the alternative reading; a network-effect decrease is void for both objects because neither operator's text carried the assumed sign-in condition.

6. Methodology status and limitations

6.1. All scores are by a single evaluator; inter-rater reliability is not yet established, and this evaluator has scored both platforms in BHI's quarterly releases (a declared anchoring exposure; not inputs here). Reach and adoption of any opened route are not documented first-party and are not used; the operators' figures are claims.

6.2. The measurement reads published policy, not behaviour: whether a marketplace would list the stipulated app, whether an existing subscriber can be moved off the operator's payment system, and which login services satisfy Apple's guideline 4.8 in practice are open questions, not scored.

6.3. Whether any limb of any Article is satisfied by the routes described is the Commission's determination; this record states what the published terms say and what changed in them.

7. Availability

7.1. The frozen boundary, register and ledger, with every quotation, capture hash and grading rule, are available to the Commission on request; their digests are public. I remain available to answer questions on the method.

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References

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スマートフォンにおいて利用される特定ソフトウェアに係る競争の促進に関する法律（令和六年法律第五十八号）および同法施行令（令和六年政令第三百七十六号）, e-Gov 法令検索.