



**FairSearch to EU: Google's Android A 'Trojan Horse' to Dominate Mobile Markets**  
*Files Complaint to European Commission On Google's Anti-Competitive Mobile Strategy*

BRUSSELS – April 9, 2013 – FairSearch.org has filed a complaint with the European Commission laying out Google's anti-competitive strategy to dominate the mobile marketplace and cement its control over consumer Internet data for online advertising as usage shifts to mobile.

Google's Android is the dominant smartphone operating system, running in 70% of units shipped at the end of 2012, according to [Strategy Analytics](#). Google also dominates mobile search advertising with 96% of the market, according to [eMarketer](#). The complaint says Google uses deceptive conduct to lockout competition in mobile.

"Google is using its Android mobile operating system as a 'Trojan Horse' to deceive partners, monopolize the mobile marketplace, and control consumer data," said Thomas Vinje, Brussels-based counsel to the FairSearch coalition. "We are asking the Commission to move quickly and decisively to protect competition and innovation in this critical market. Failure to act will only embolden Google to repeat its desktop abuses of dominance as consumers increasingly turn to a mobile platform dominated by Google's Android operating system."

FairSearch is an international coalition of 17 specialized search and technology companies whose members include Expedia, Microsoft, Nokia, Oracle, and TripAdvisor.

Google achieved its dominance in the smartphone operating system market by giving Android to device-makers for 'free.' But in reality, Android phone makers who want to include must-have Google apps such as Maps, YouTube or Play are required to pre-load an entire suite of Google mobile services and to give them prominent default placement on the phone, the complaint says. This disadvantages other providers, and puts Google's Android in control of consumer data on a majority of smartphones shipped today.

Google's predatory distribution of Android at below-cost makes it difficult for other providers of operating systems to recoup investments in competing with Google's dominant mobile platform, the complaint says.

The FairSearch complaint comes at a crucial time in the Internet's development, with users increasingly shifting their use from desktop to mobile platforms. Mobile Internet usage is expected to overtake desktop usage as soon as 2014, according to [MindCommerce](#).

The European Commission is already considering how to remedy concerns that Google may be abusing its dominance in desktop search advertising, in particular Google's search bias that favors its own services in search results.

Meanwhile, in April, six European data protection authorities began coordinating efforts to force Google to comply with EU privacy laws they say Google violated by consolidating its privacy policies. Google paid a record fine to the U.S. Federal Trade Commission in August 2012 to settle charges it gave misleading privacy promises to Safari Internet browser users.

“European consumers deserve a rigorous investigation of Google’s mobile practices, and real protections against further abuses by Google,” said Vinje. “Given Google’s track record of ignoring the law, mobile Internet users should be very concerned.”

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**For background:**

In the U.S., click on <http://www.fairsearch.org/>

In Europe, click on <http://www.fairsearcheurope.eu/>

**About FairSearch.org**

FairSearch.org is an international coalition of 17 online search and technology businesses united to promote economic growth, innovation and choice across the Internet ecosystem by fostering and defending competition in online and mobile search. We believe in enforcement of existing laws to prevent anticompetitive behavior that harms consumers.

The FairSearch.org coalition’s members are: adMarketplace; Allegro Group; Buscapé Company; Expedia Inc., and its brands Expedia.com and Hotwire; TheFind; Foundem; the Travel Technology Association; KAYAK, and its brand SideStep; Level...com; Microsoft; Nokia; Oracle; ShopCity.com; TripAdvisor; and Twenga.