

Dear Global Policy Makers:

ACT | The App Association is a global trade association for small and medium-sized technology companies. We work to promote a policy environment that rewards and inspires innovation while providing resources that help businesses raise capital, create jobs, and do what they do best - continue to build incredible technology.

Members of the App Association are a diverse group of businesses and enterprises that are leading the software-driven transformation of every industry driving today's global economy. To continue improving the lives of users and creating sought-after jobs to employ the brightest minds, our members rely on policies that enable them to innovate and grow.

Below we have outlined top priorities on behalf of our global membership. We hope to see global leaders move to ensure continued growth in the global app economy as they consider the following policy areas.

Privacy, Security, and Encryption

Privacy, security, and encryption are crucial components to a safer internet and a successful app economy. Our members use privacy by design to protect users' information and they rely on platform-provided tools to do so. Innovators are on the front lines of ensuring data privacy, promoting the responsible use of data for their customers, and securing personal data against unauthorized access.

Between the absence of a national privacy law in the United States, compliance burdens in the European Union's Cyber Resilience Act (CRA) and General Data Protection Regulation (GDPR), and the United Kingdom revising its version of the GDPR and related data privacy laws, leaders across the globe should govern so that small innovators don't face duplicative, and potentially contradictory, regulations when it comes to data privacy and security.

Member Ask: Our members urge global leaders to support strong encryption and consider all aspects of current and pending rules like GDPR, CRA, UK GDPR, as well as harmonize evolving state and federal privacy laws in the United States so that businesses of all sizes can afford the cost of compliance while protecting their customers.

Competition

Competition is the cornerstone of innovation in the global app economy. Small businesses become industry leaders by moving quickly to create life-changing products in a way that captivates consumers. In order to reach customers around the globe with those products, many small-to-medium-sized developers rely on the scale of large platforms to deliver their products securely.

While the European Union's Digital Markets Act (DMA) and the Digital Services Act (DSA) went into force in late 2022, the implementation phase will be critical to ensuring that small businesses can continue to compete. In the United States, competition enforcers are pushing the boundaries of current law, and companies with a global presence are facing conflicting, confusing, and potentially harmful rules, regulations, and enforcement actions.

Member Ask: Policymakers around the world should encourage competition through a restrained enforcement approach that respects the consumer benefits platforms enable while continuing to monitor tech-driven marketplaces to ensure competition remains fair for enterprises of all sizes.

Connected Health

Connected health technology is revolutionizing the practices and tools that are reshaping the way the world experiences healthcare, and our Connected Health Initiative (CHI) continues to help drive this change on a global scale. As we continue to see advances made in digital medicine when it comes to better patient outcomes, leaders driving change in digital medicine are reliant on a modern medical and regulatory infrastructure to innovate safely.

Member Ask: Leaders around the globe should support the inclusion of connected health solutions and remotely gathered data in care settings by supporting regulatory proposals that enhance privacy, security, and interoperability for digital health tools, ensuring their continued growth and, ultimately, improved health outcomes for patients everywhere.

Diversity, Equity, Inclusion, and Workforce Development

Our members want to continue driving change and innovation in the app economy but are fully dependent on the next generation of the workforce to make that happen. Issues around diversity, equity, inclusion, and workforce development transcend borders and impact innovation and achievement, regardless of a company's location or size. The gap in representation and inequities our industry experiences only amplify a worldwide workforce development and computer science education issue that could put the global app economy at a major disadvantage.

Member Ask: Through public-private partnerships, government officials and business leaders should act as a united front to create and promote diverse, equitable, and inclusive computer science education and workforce development programs.

Standard-Essential Patents

Standards play an important role in delivering interoperable products across a global market. The role of patents in standards and standards bodies is critical to that future. Unfortunately, abuse of standard-essential patents (SEPs) poses a significant threat to small businesses and consumers alike. These abuses put the global app economy at risk by enabling unscrupulous licensors to force reliance on fewer suppliers of critical components and weakening supply chains.

Member Ask: To prevent SEPs abusers from undermining the standards system, regulators across the globe should oppose measures that would diminish the strength of fair, reasonable, and non-discriminatory terms and advance policies to discourage anticompetitive conduct involving SEPs.

Policy and innovation are intrinsically linked. Overly broad or burdensome regulation can stall innovation, but it is equally as important for innovators to have good regulatory guardrails to ensure safety for consumers. We look forward to working with global leaders and policymakers on these critical issues.

Sincerely,

Morgan Reed

President, ACT | The App Association