PLAINTIFF
U.S. District Court - NDCAL
4:20-cv-05640-YGR-TSH
Epic Games, Inc. v. Apple Inc.

Ex.No. PX-0827

Date Entered

By

Subject: Re: Google Drive - Rejected from App Store - Planned Launch on web

and Android Tuesday, April 24

From: "Tom Reyburn"

Received(Date): Wed, 25 Apr 2012 20:41:31 +0000

To: "Phillip Shoemaker"

Cc: "Anders Baecklund"

"Anders Baecklund" ,"Richard Chipman"

,"Chris Bledsoe" ,"Matt

Fischer" , "Alex Rofman"

,"Steve McGuigan" ,"Ron

Okamoto" ,"Shaan Pruden"

,"Ted Miller" ,"Horst Govin"

Date: Wed, 25 Apr 2012 20:41:31 +0000

In light of what happened with SkyDrive this week, I'd like to be proactive in getting these developers in line. It's not fair that SkyDrive could be approved without IAP and then add purchasable items to their website the day after their app is reviewed. If the developers currently on the store never submit updates, they will never be in compliance.

Thanks for revisiting this with the ERB again this week.

Tom

On Apr 25, 2012, at 1:08 PM, Phillip Shoemaker wrote:

The guidance from the ERB is to catch them when they resubmit, nothing more. I can discuss this with them on Friday, but we just had this discussion last Friday. Regarding DropBox, there is no issue there, they do support IAP.

On Apr 25, 2012, at 12:54 PM, Tom Reyburn wrote:

Thanks for the additional detail Phillip. We can address this with Microsoft and ask them to submit a new build with IAP for the upgrade items. Can we give all of these developers who are out of compliance a deadline (perhaps May 15?) by which they need to resubmit a build with IAP to be fair to everyone in this category?

Box.net

DropBox (in compliance, with one IAP item out of multiple choices available on <u>dropbox.com</u>)
Google Drive

SkyDrive

SugarSync

YouSentIt

Are there any others we know about that we should be addressing as managed accounts?

Exhibit PX 0827

PX-0827.1 APL-APPSTORE_05248238 Thanks, Tom

On Apr 25, 2012, at 11:56 AM, Tom Reyburn wrote:

It appears that a SkyDrive update was just approved (went live on the store 4/23/12) which should also be included in this category of apps that require IAP for the purchase of additional storage. They currently offer no IAP, yet SkyDrive storage plan subscriptions are sold through the SkyDrive website.

This needs to be fixed. This is not consistent with what we are telling Google about Google Drive.

SkyDrive

<Screen Shot 2012-04-25 at 11.40.31 AM.png>

Screen Shot 2012-04-25 at 11.49.18 AM.png>

Begin forwarded message:

From: Tom Reyburn

Cc: Matt Fischer

Subject: Re: Google Drive - Rejected from App Store - Planned Launch on web

and Android Tuesday, April 24 Date: April 19, 2012 5:45:24 PM PDT

To: Phillip Shoemaker , Anders Baecklund

, Richard Chipman

, Alex Rofman

Steve McGuigan, Ron Okamoto Shaan Pruden, Chris Bledsoe

Miller

Here are two more in the same category that will need to be addressed:

YouSendIt

Screen Shot 2012-04-19 at 5.41.45 PM.png>

Screen Shot 2012-04-19 at 5.41.34 PM.png>

SugarSync

<Screen Shot 2012-04-19 at 5.38.38 PM.png>

<Screen Shot 2012-04-19 at 5.35.45 PM.png>

On Apr 19, 2012, at 4:01 PM, Ted Miller wrote:

Thanks for the heads up.

So, just to be clear, what will the policy be moving forward for these types of cloud storage offerings?

On Apr 19, 2012, at 3:13 PM, Phillip Shoemaker wrote:

Yes, this is correct. Regarding dropbox, there is no guideline that says they must implement all upgrade options also available on their website. Regarding <u>box.net</u>, once they resubmit, they will be handled accordingly, per Eddy.

On Apr 19, 2012, at 2:58 PM, Tom Reyburn wrote:

Heads up that we have rejected the Google Drive app (cloud storage) from the App Store for not offering the purchase of additional storage space through the app as they do through the Google website. The app needs to be using IAP for a service that is allowing users to "upgrade" their storage size. We notified Google of this four weeks ago when the app was originally reviewed. Google appealed the ruling, but their appeal was rejected.

Google plans to launch the new product on the web and for Android mobile devices on Tuesday, April 24.

App Review is currently looking into the treatment of Dropbox and <u>Box.net</u> as other apps in this category which have not fully implemented IAP (Dropbox only offers one of several upgrade options through IAP, and <u>Box.net</u> does not offer any upgrade options through IAP).

Just want to make sure you are all in the loop about why this app will not be launching on the App Store when it goes live next week based on Google's current plans.

Tom