



Date: 06-Jan-2016

Ref. No.: RT1/LMR/1516/0008

SUB: Net Neutrality

Dear Sir / Madam.

Robosoft Technologies is a mobility solutions partner helping companies craft mobile & digital experiences in a connected world. We work with leading global & Indian corporate houses and several startups across Consumer Mobility Enterprise Mobility and Games & Entertainment segments. At Robosoft, we have built over 1400 mobile apps across platforms, many of which are consumer favourites downloaded and used by millions. We work with NDTV, PayTM, Viacom 18, ESPN, Sony, ICICI to name a few. Over 200 of our apps have been featured in the 'New & Noteworthy' section of the Apple App Store.

We have also incubated and developed two independent group product companies, viz., Global Delight and 99Games who have their own IPs in the mobile apps domain. Many of the apps and games conceived, developed and marketed by us have gone on to become popular globally – a true manifestation of the 'Make in India, made for the world' approach. One of our homegrown products from Udupi, is a mobile game on the iOS platform called Star Chef. It has gone on to cross over \$5mn revenues in a year from highly competitive global markets. We believe such a success would not have been possible if the end consumers had a 'restricted' access to web and app content.

At Robosoft, we partner closely with businesses for whom a mobile app is often at the centre of their core business offering – a news app, a bank, a financial wallet, an e-commerce company, a television channel, a healthcare company are all examples. A mobile app is a critical component of the end user experience for such businesses. The end consumer of such mobile apps needs to have unfettered choice in accessing these apps.

We would urge you to protect Net Neutrality, and not allow telecom operators to manipulate how consumers consume content on the Internet by instituting anti-neutrality practices. We strongly believe in the principle of Net Neutrality and urge you to ensure that the efforts of some oligopolistic telecom operators and large Internet companies do not jeopardize our larger overriding priorities of innovation and freedom of expression, to ransom. A structure must put into place to ensure that providers of Internet access (telecom operators and ISPs) are not in a position to pick which site or service on the Internet win: that choice must be of the consumer's alone.

Without net neutrality, developers like us would be unable to thrive either as mobile design & engineering partners to businesses or as entrepreneurs building mobile products for the global market place.

Page 1 of 4

Robosoft Technologies Pvt. Ltd.

Our submission:

At the start of our submission, we'd like to reiterate the core principles involved in the definition of Net Neutrality:

"Net neutrality requires that the Internet be maintained as an open platform, on which network providers treat all content, applications and services equally, without discrimination".

To elaborate:

1. All sites and apps must be equally accessible:

ISPs and telecom operators should not block certain apps and sites, just because they don't pay them a revenue share. No gateways to the Internet should be allowed, and no preferential listing of certain sites, whether via commercial arrangements or not.

2. All sites must be accessible at the same speed (at an ISP level):

This means no speeding up of certain sites because of business deals. More importantly, it means no slowing down some sites.

3. The cost of access must be the same for all sites (per Kb/Mb or as per data plan):

This means no "Zero Rating", or differential rating for different sites, apps or services. In countries like India, Net Neutrality is more about cost of Internet access than speed of Internet access, because we don't have fast and slow lanes: all lanes are slow.

At the core of this debate is the issue of how we let one business (a telecom operator) regulate the consumer's ability to access another (app or website), given that the availability of providing Internet access (spectrum) is not unlimited. A genuine free market requires restrictions on the ability of large predatory companies, whether multinational or otherwise, to create monopolies.

Herewith our answers on the specific questions raised by TRAI:

Question 1: Should the TSPs be allowed to have differential pricing for data usage for accessing different websites, applications or platforms?

No, Telecom Service Providers (TSPs) should not be allowed to have differential pricing for data usage for accessing different websites, applications or platforms.

Openness is the biggest strength of the internet. The ease with which people can access and share information on the web has been the force behind the internet's growth. Price discrimination will break the internet into multiple smaller parts and will unfairly benefit some applications and services that can be accessed at a cheaper price - or for free. The practice of discriminatory pricing will not only impede the growth of internet but it also goes against the agnostic, common carrier character of the telecom operators, whose role should be to carry information via their infrastructure without discrimination. If telecom operators are allowed to have differential pricing for data usage, it will significantly limit the universe of applications and services that can be accessed by users and strip the internet of diversity.

Price discrimination harms customers. Differential pricing is also likely to result in opaque billing practices among telecom operators, which will eventually lead to unexpected charges.

India's vibrant startup ecosystem is also placed at risk if discriminatory pricing is permitted. The Internet provides a level playing field for all irrespective of whether it is a billion-dollar company or a fledgling startup, allowing the best product to find customers. Allowing differential pricing will lead to a situation where companies that are flushed with money can strike deals with internet service providers to make access to their services cheap or otherwise act in a manner to harm their competitors. This will eventually lead most small startups to shut down.

Question 2: If differential pricing for data usage is permitted, what measures should be adopted to ensure that the principles of non-discrimination, transparency, affordable internet access, competition and market entry and innovation are addressed?

Telecom operators will begin acting as gatekeepers of content if differential pricing is permitted. Once that happens, non-discrimination, transparency, affordable internet access, competition and market cannot be achieved.

There is a big risk of unclear non-discrimination standards among content providers resulting because of differential pricing. It will also increase the probability of litigation. Smaller companies will find it extremely difficult to negotiate deals with telecom companies and will be excluded. Further, there are significant costs and delays involved in assessing behaviour on a case-by-case basis, which provides an environment where larger players have more resources in approaching the regulator or government.

Question 3: Are there alternative methods/technologies/business models, other than differentiated tariff plans, available to achieve the objective of providing free internet access to the consumers? If yes, please suggest/describe these methods/technologies/business models. Also, describe the potential benefits and disadvantages associated with such methods/technologies/business models?

Yes, several alternatives exist other than differentiated tariff plans or zero rated services that are practical to implement and will provide access to the Internet to millions of Indians who cannot afford it due the costs of data. Access to more and improved broadband infrastructure should be the first priority, and should drive the Government's ongoing discussions on the BharatNet/NOFN project and its efforts to create a better environment for access providers to invest and better use infrastructure.

Other models include ideas to "equal rate" content, so that users are empowered to get a limited taste of the full Internet within a data cap, or other models where ads or other support helps facilitate access to the open web.

For example, practices already exist in the app world, where many mobile games and other apps offer a benefit in lieu of watching an ad or allowing for ads to be placed on the app.

Question 4: Is there any other issue that should be considered in the present consultation on differential pricing for data services?

As stated before some TSPs and Facebook have rolled out services and extended them during the midst of the present consultations, backed by large marketing and advertising budgets. Facebook has even used its own platform to push Facebook users to market their

lobbying response to the present consultation with ambiguous phrasing. Some users who are using this form have been misled into believing they are supporting net neutrality. This is different from a person independently going on a website, filling in their name and email address and sending a response.


Furthermore, the Government and the TRAI must act soon on the larger effort of passing a comprehensive and legally enforceable regime for net neutrality in India. This must be a priority, particularly given the important impact it has on Indian startups and technology developers.

In conclusion: Focus should be on improving access without compromising Net Neutrality and increasing competition in Internet access. The government should institute policies that force healthy competition among telecom operators, so that consumer quality of service is forced to go up, and consumer experience of the Internet in terms of speeds of access and latency reduces.

We would urge you to protect Net Neutrality, and not allow telecom operators to manipulate how consumers consume content on the Internet by instituting anti-neutrality practices. There must be:

1. No licensing or registration of Internet companies, whether communications or non-communications based.
2. No manipulation of speed, availability (via packaging of individual sites) or cost of Internet access (via Zero rating or by making some services such as messaging or Internet calling more expensive).

Yours sincerely,



Rohith Bhat
MD & CEO