[EMBARGO UNTIL NOVEMBER 17]



LAWSUIT

A lawsuit against Apple Inc. will take place in France in 2027 over offenses related to planned obsolescence through the obstruction of repairs

Press Kit

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24

Models involved in the complaint

Period covered by the charges

November 17, 2021, through July 23, 2024

Following a complaint filed by the association HOP—Stop Planned Obsolescence—in December 2022, the Paris public prosecutor decided to bring legal action against Apple for an offense related to planned obsolescence by hindering repairs.

The pretrial hearing will take place on February 25, 2027, and closing arguments will be heard in June 2027.

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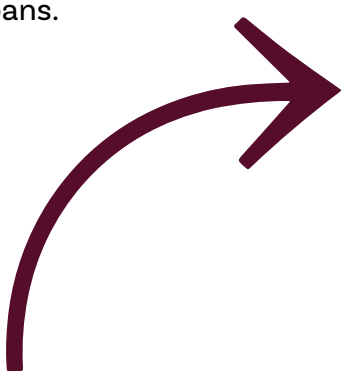
Background

On December 7, 2022, HOP filed a complaint against Apple Inc. to denounce serialization practices, which the association claims constitute a crime related to planned obsolescence.

HOP had previously filed a complaint against the company in 2017 for planned obsolescence following defective software updates. Following an investigation by The Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), under the French Ministry of Economic Affairs and Finance, Apple was required to pay a fine of 25 million euros in 2020 as part of a criminal settlement for deceptive business practices by omission, without going to trial.

This is the first time that the specific offense of obstructing repair and reconditioning has served as the basis for prosecution by the Public Prosecutor's Office, and the second time that allegations of "planned obsolescence" in the broad sense will be brought before the courts. Following a complaint filed by the HOP association, printer manufacturer Epson will appear before the Nanterre Criminal Court on February 25, 2027, specifically to face charges related to planned obsolescence practices.

Through the Apple lawsuit, the HOP association seeks to have specific practices condemned that, in the association's view, hinder the repair and extension of products' lifespans.



HOP also aims to prevent the risk of serialization becoming widespread in other sectors—an industrial practice with negative consequences for the right to repair and to maintain the functionality of refurbished products. We already see a similar mechanism in use with printer cartridges and in the automotive sector. Serialization severely limits the ability to use generic, compatible, or refillable consumables in these industries.

Key dates in the proceeding:

December 7, 2022

HOP files a complaint against Apple

February 25, 2027

Procedural hearing (and Epson's opening arguments)

June 2027

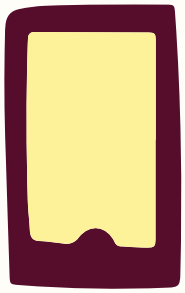
Trial

Key Figures



4 times around the world

That's the distance a smartphone travels before it reaches our hands.
FNE, 2019



More than 3 billion

iPhones have been sold worldwide since 2007.
Source Apple

44 %

of people surveyed said they bought a new iPhone because their old phone was "obsolete".
CIRP, 2024

99 %

Of a smartphone's carbon footprint is generated during its manufacturing.
Ademe

How much does it cost to repair an iPhone screen?

€489 for the latest models
Apple's official Genius Bar website and except Iphone Duo
Average price in France: €161
Source: Ecosystem

200 kg of raw materials are required to produce a smartphone.
Ademe

French people use their smartphones for **an average of 3.2 years, but would like them to last twice as long—6.2 years**.
Occurrence (IFOP Group) for HOP, March 2025

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What is serialization?

As defined by HOP, serialization—when it enables pairing—is a practice prohibited by the French Consumer Code (Article L441-3). It involves linking the serial numbers of a product's components and peripherals—such as an iPhone—primarily via microchips, to detect when one of these components is replaced and to cause malfunctions when a replacement is performed by a technician not authorized by the company. HOP has even detected malfunctions when a device is repaired with an identical, genuine part—when the repair is not authorized by Apple—affecting, for several years, the parts most frequently prone to failure (screens, batteries, cameras, etc.).

Product serialization provides manufacturers with the technical means to limit repair options outside their network, particularly by unauthorized repairers. It also tends to indirectly limit access to affordable repairs.

"Serialization" runs counter to efforts to combat waste.

While Apple has announced that, starting in 2022, it will limit serialization practices on new iPhones and will now allow third parties to validate certain repairs, these improvements remain to be seen over time. For HOP, this development reflects a gradual recognition of the serious challenges posed by serialization for repair and refurbishment outside of authorized channels. Aware of these risks, European and U.S. lawmakers have taken the initiative and established a stronger regulatory framework, for example through the Right to Repair Directive.

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What risks does Apple Inc. face in this lawsuit?

- A criminal record ;
- A fine of up to 5% of its revenue ;
- An order to compensate the affected consumers for their losses
- Additional penalties, such as the public posting or dissemination of the ruling or one or more corrective notices.



Iphone 15, teardown
Source : IFixit

> “The Paris Public Prosecutor’s Office’s decision to proceed to trial sends a strong message to consumers and serves as a warning to those who jeopardize the right to repair. For our smartphones to last a long time, they must be repairable at an affordable price and close to home. A conviction for planned obsolescence based on obstructing repairs would be a historic first in France and around the world.”

Laetitia Vasseur, Executive Director and co-founder of the HOP association, who, as a former parliamentary aide, was instrumental in drafting the offense of planned obsolescence.

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THEIR SPARE PARTS...



...OUR EVIDENCE.

HOP calls on the general public to take action against barriers to repair and planned obsolescence.

Barriers to repair and the exorbitant prices imposed by dominant brands take a heavy toll on our budgets. And the cost doesn't stop there: for every device replaced too soon, natural resources are wasted, energy is consumed, and additional waste is generated.

We no longer want to pay the double price—economic and environmental—of obsolescence.

To fight back and stand united behind HOP ahead of the trial against a multinational corporation that is projected to have 112 billion in profits by 2025, we are calling on you to sign our manifesto, "Their Spare Parts, Our Evidence."

I SIGN

→ **proces-hop.org**

HOP Halte à l'Obsolescence Programmée

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Source iPhone photos : iFixit