

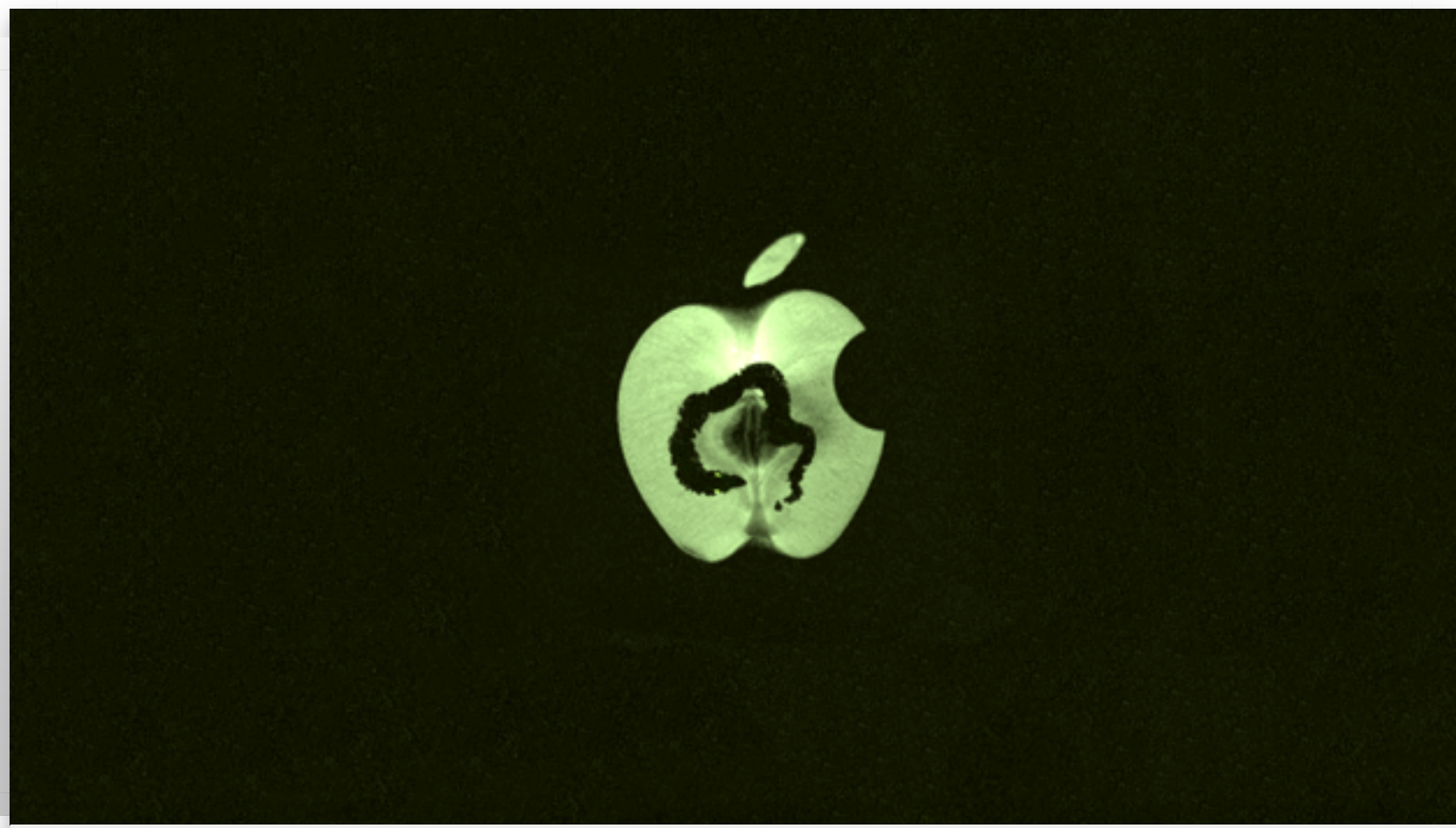
We are intervening in the Apple vs.EC litigation. Become a proud supporter of the FSFE and [join us in defending software freedom from monopoly control!](#)

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Apple vs EU Commission: the FSFE intervenes to safeguard Free Software

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The Free Software Foundation Europe is intervening in litigation brought by Apple against the European Commission before the Court of Justice of the European Union. Apple is seeking to avoid DMA obligations related to its App Store and the interoperability of its operating system. The FSFE aims to protect Free Software against monopolistic corporate control.



Cutting out the rot in Apple, [the FSFE intervenes to safeguard Software Freedom](#). CC-BY-SA 4.0 by Rahak for the FSFE

UPDATED ON 12 DECEMBER 2024

The Court of Justice of the European Union (CJEU) has officially allowed [the FSFE to intervene in the litigation brought by Apple against the European Commission](#) to avoid being designated as a ‘gatekeeper’ under [the Digital Markets Act \(DMA\)](#). The company has put forward an aggressive policy against Software Freedom and interoperability, seeking to deter the enforcement of the DMA – a law dedicated to increase fairness and contestability in digital markets by regulating the economic behaviour of very large tech corporations.

“Becoming an intervener in this case is crucial as the FSFE is representing the civil society perspective, which enriches the judicial proceedings. This allows the court to make fully informed decisions”, says Dr. Martin Husovec, the lawyer representing FSFE in the court.

The FSFE’s intervention aims to uphold the application of the DMA to Apple, [leveraging the voice of the Free Software community](#) against the company’s unfair practices. Free Software projects are [disproportionately affected](#) by the company’s monopolistic practices. Apple’s fee policies, strict vendor lock-in, prohibition on side-loading, and restriction on alternative app stores result in insurmountable barriers against Software Freedom.

“Standing against a corporate giant like Apple, which has billions of euros to hinder Software Freedom, reflects the FSFE’s commitment to preserving open and competitive digital environments. The FSFE’s intervention is fundamental for [Device Neutrality](#), ensuring that users and developers are not locked into proprietary systems and can freely choose and use the software they want. The court’s acceptance of the FSFE’s application underlines the importance of Free Software and interoperability not only for digital markets, but also for user freedoms, open internet and digital democracy”, states Lucas Lasota, FSFE’s Legal Programme Manager.

In accepting the FSFE into the proceedings, [the court stated](#) that “*the case is likely to have a significant impact on [...] the supply of Free Software, free exchange of information and equal chances in accessing software*”. Besides, the court recognized that, in case Commissions’ designation decision would be annulled, [...] “*such a result would have an impact on the ability of the developers of applications or Free Software to interconnect their applications free of charge with Apple’s operating system iOS, which, in turn, would affect [the] FSFE’s ability to further and distribute such software to as wide a public as possible*”.

The next step for the FSFE is to submit its arguments by mid-September. Further updates will be posted on [fsfe.org](#).

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Free Software Foundation Europe is a charity that empowers users to control technology.

Software is deeply involved in all aspects of our lives. It is important that this technology empowers rather than restricts us. Free Software gives everybody the rights to use, study, share, and improve software. These rights help support other fundamental rights like freedom of speech, freedom of press, and privacy.

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