# Apple can’t dismiss Cydia’s amended antitrust lawsuit, judge says



Apple’s attempt to dismiss an amended antitrust lawsuit filed by the creator of Cydia, an app store for jailbroken iPhones, has failed (via *Reuters*). California District Judge Yvonne Gonzalez Rogers denied Apple’s motion to dismiss the case on Thursday and is giving the company 21 days to respond to Cydia’s refiled complaint.

Cydia developer Jay Freeman (who also goes by the username Saurik), first filed a lawsuit against Apple in 2020. The complaint alleges Apple “has wrongfully acquired and maintained monopoly power” in iOS app distribution and payments, ultimately “depriving” third-party app stores of “the ability to compete with the App Store.” Cydia emerged before the Apple App Store even existed, and allowed users to find and download third-party apps for jailbroken devices. Freeman shut down the Cydia store in 2018.

*The judge didn’t grant Apple’s motion to dismiss the case this*

*time*
Judge Gonzalez Rogers — the same judge who issued a mixed ruling for the Epic vs. Apple trial — dismissed the case in January, citing Freeman's claims were outside of the four-year statute of limitations for antitrust lawsuits. Gonzalez Rogers still gave Freeman the chance to amend the complaint, which is what he did.

The fresh complaint argues that from 2018 to 2021, Apple implemented "more aggressive" changes in iOS that allegedly prevented Cydia and other alternative app stores from providing "useable" apps for iPhones. Apple once again sought to shut down the refiled complaint on the basis that the allegations occurred outside the statute of limitations, but Gonzalez Rogers denied the motion for dismissal. *The Verge* reached out to Apple with a request for comment but didn't immediately hear back.

In 2020, Epic Games filed a lawsuit against Apple following *Fortnite*'s removal from the App Store — Apple kicked out *Fornite* for offering an alternate payment option, enabling Epic to get around Apple's up to 30 percent commission it takes from in-app purchases. Epic filed a similar lawsuit against Google around the same time, which is set to go to trial in 2023. Earlier this month, Match Group, the company behind Tinder, OkCupid, and Hinge also filed a lawsuit against Google for its payment restrictions on the Play Store.

In addition to app developers, Apple has been the subject of scrutiny from government agencies. While the Netherlands waged a string of fines against the company for barring Dutch dating apps from using their own billing systems, South Korea has passed a law requiring both Apple and Google to let developers incorporate third-party payment processors. The US and EU are working to clamp down on the power of large technology companies as well, with the EU set to enact the Digital Markets Act next year, and the US making progress with the Open App Markets Act designed to promote competition in mobile

computing.

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