

AV1's open, royalty-free promise in question as Dolby sues Snapchat over codec

Besides Dolby, InterDigital is also suing over AV1 [PDF] and is accusing some Amazon Fire streaming devices of infringing on its patents by supporting the codec.

Additionally, European Union (EU) antitrust regulators investigated AOMedia's licensing policy in 2022 but closed the investigation in 2023 "for priority reasons," an EU spokesperson told Reuters at the time, noting that "the closure is not a finding of compliance or non-compliance of the conduct in question with EU competition rules."

The results of Dolby's and InterDigital's lawsuits could have lasting implications for AV1 adoption, which lags behind that of HEVC eight years after its release.

"Only because Big Tech says a codec should be royalty-free doesn't mean that it is. ... Given that all codecs use somewhat similar techniques, the risk of an infringement of patents belonging to parties who did not offer royalty-free licenses is substantial," intellectual property activist and commentator Florian Mueller told Ars Technica.

Mueller said that many streaming services have operated without video codec licenses for years as patent holders prioritized collecting royalties on hardware and software products. That has changed in recent years amid the growth of streaming.

"Companies like Amazon and Disney would like to persuade

courts that after many years of no one, or at least no major player, knocking at their doors, they don't have to pay now," Mueller, who runs the online publication IP Fray, said.

Although the debate over whether a codec can be truly royalty-free goes back years, the debate around AV1 is getting more attention than previous discussions. Dolby's lawsuit in particular could have resounding implications on the AV1 standard should a judge decide that Dolby is not obligated to license patented technologies said to be leveraged by AV1.

As Mueller pointed out, HEVC was created with most essential patent holders signing a FRAND licensing pledge, which differs from AV1's creation:

With AV1, it could turn out that there are far more patent holders out there with essential patents but no FRAND licensing obligation. In that case, they could theoretically ask for anything, even extortionate amounts, up to the point where someone would then stop implementing AV1. And the really bad thing here, which I'm sure is not Dolby's objective but it could be someone else's, is that someone could purposely make prohibitive royalty demands for AV1 in order to discourage use of the standard.

Dolby and Snap didn't respond to requests for comment. An AOMedia spokesperson acknowledged receipt of our questions but didn't provide responses ahead of publication.

<https://arstechnica.com/gadgets/2026/03/av1s-open-royalty-free-promise-in-question-as-dolby-sues-snapchat-over-codec/>