

Epic asks judge to enforce the Apple App Store injunction



Epic Games isn't done with Apple. A 2021 ruling forced Apple to allow developers of App Store apps to link to outside payments, and Epic has now filed a motion asking Judge Yvonne Gonzalez Rogers to enforce her original order.

Epic says Apple's updated developer policy that still reserves 27 percent of outside payments (or 12 percent for small developers) for Apple itself is still unjustified. Epic argues these fees are "essentially the same" as those the company charges for using its payments system.

Christian Owens, who founded payments processor Paddle, and Benjamin Simon, the founder behind the Down Dog fitness apps for iOS, agreed in declarations also filed by Epic. Owens called the choice offered by Apple "illusory," while Simon said his company, Yoga Buddhi Co., would still have to charge more for the iOS version than the web version of its subscriptions.

Epic also says that Apple requires developers to use a specific “Plain Button Style,” which Epic says “is not a button at all” and violates the injunction on Apple forbidding developers from steering – that is, pointing customers to alternative payment “buttons, external links, or other calls to action.” It says that Apple disallowing multi-platform apps like *Minecraft* from pointing to outside payments violates the judge’s order as well.

Epic spokesperson Natalie Muñoz told *The Verge* in an email that Apple’s new policies prohibit “the kind of steering Down Dog used in its Android apps” – on Android, Down Dog is able to point its users to its website for cheaper subscriptions.

The judge’s original injunction didn’t specifically mention steering, so Epic’s request seems to hinge on how she interprets her own order and whether steering is implicitly included. Some close observers, at least, think Epic has a good legal argument. Daniel McCuaig, an attorney who used to be part of the Department of Justice’s antitrust division, told *The Verge* in January that Apple’s outside payment terms were untenable and that it was “unlikely” that the court “ultimately blesses” the 27 percent fee.

<https://www.theverge.com/2024/3/13/24099734/epic-v-apple-app-store-outside-payments-motion-enforce-injunction>