

Judge gives Trump admin. Friday deadline to delay or defend TikTok ban

Enlarge / A stand of TikTok (Douyin) at The First International Artificial Products Expo Hangzhou on October 18, 2019, in Hangzhou, China.

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A federal judge today gave the Trump administration until Friday to either defend its planned ban of short-form-video app TikTok in court or hold off on it, adding one more wrinkle to the seemingly endless on-again, off-again saga.

If the government doesn't voluntarily postpone the planned TikTok ban by 2:30pm EDT on Friday, then it will have to show up for a hearing on Sunday morning, where he will rule on TikTok's request for an injunction on the ban, Judge Carl Nichols of the US District Court for DC said today.

Nichols said that the ban, if it takes effect, could prevent potentially hundreds of thousands of new users per day from signing up for TikTok. "I don't think [a ban] merely preserves the status quo," he said, according to The Wall Street Journal.

President Donald Trump signed an executive order banning TikTok and another China-based app, WeChat, on August 6. The executive orders declared the apps to be a "national

emergency,” but they did not specify what would be banned or how. TikTok filed suit against the administration within a week, arguing the proposed ban was both unconstitutional and politically driven.

TikTok filed its request for an injunction on the ban (PDF) on September 18, the day the administration finally made clear what a ban would actually involve. That injunction is what Nichols will rule on this Sunday, unless the administration agrees to postpone the ban.

The administration’s ban on TikTok was initially scheduled to go into effect at 11:59pm on Sunday, September 20. On Saturday evening, the Department of Commerce extended that deadline by one week to Sunday, September 27, after President Trump gave his conditional “blessing” to a deal between TikTok and Oracle.

The fate of that transaction, however, is anything but certain. Not only do Oracle and TikTok parent company ByteDance not seem to agree on what the terms of the deal actually *are*, but approval does not seem to be forthcoming from Chinese authorities.

An editorial in the state-run China Daily yesterday described the White House’s efforts to force a transaction as a “dirty and underhanded trick.”

“What the United States has done to TikTok is almost the same as a gangster forcing an unreasonable and unfair business deal on a legitimate company,” the government-sponsored paper wrote. “China has no reason to give the green light to such a deal, which is dirty and unfair and based on bullying and extortion. If the US gets its way, it will continue to do the same with other foreign companies. Giving in to the unreasonable demands of the US would mean the doom of the Chinese company ByteDance.”

It is unclear what the fate of TikTok will be inside the

United States if the Chinese government does *not* approve the transaction. The president is also threatening to revoke his approval of the deal if he does not find it sufficiently spins off control of TikTok and its assets to US owners.

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