Juif or not Juif?

Do you own an iPhone or an iPad? I don't, and so was not aware of the fact that, if I had, I could have bought an App(lication) called "Jew or not Jew?" for less than 2 Euros.

Well, could have only, because after some French Jewish and anti-racism organizations complained in September that the App violated French law, Apple announced that it would stop making it available in France. One month later, it announced its willingness to extend its decision to the entire European Union.

There have been reports, however, that Apple would have made the App available again, in France, a few weeks later.

The New iChoice of Law Rule

Deciding to withdraw the App from the entire EU because French law might have been violated would certainly be a novel approach to choice of law.

To the question 'which law governs whether an online Application can be sold anywhere in Europe?', Apple seems to answer: French law. Or have Apple's lawyers identified an issue with European law?

An iRemedy as well?

Although most French organizations were satisfied with the decision of Apple to stop making available the App, *Le Monde* reports that one, the *Ligue internationale contre le racisme et l'antisémitisme* (Licra), has decided that it was not enough and that Apple should do more: destroy from afar all applications sold before September. Licra claims that Steve Jobs (that's right, Steve Jobs himself. He was such a visionary that he was also able to predict how the law of remedies would evolve) made statements in 2008 demonstrating that this would be perfectly possible from a technical point of view.

The case was heard today by a Paris court. *Le Monde* reports that Apple's lawyers relied on French law and argued, inter alia, that such a remedy would violate the property rights of buyers of the App.

The court will deliver its judgment on November 17.

And now the World?

But that is not all! Four French organizations have filed a new suit in France against Apple Inc. and are seeking an order that Apple make the App unavailable in the rest of the world.

Hearing on November 24th.

Stay (i)tuned.