Targeted advertising: the Autorité de la concurrence imposes a fine of €150,000,000 on Apple for the implementation of the App Tracking Transparency ("ATT") framework

Published on March 31, 2025

The *Autorité de la concurrence* has fined Apple €150,000,000 for abusing its dominant position in the sector for the distribution of mobile applications on iOS and iPadOS devices between April 2021 and July 2023.

The *Autorité* had previously rejected a request for interim measures in the case, while deciding to pursue the investigation into the merits.

As part of its investigation into the merits of the case, the *Autorité* found that while the objective of the App Tracking Transparency ("ATT") framework is not at its core problematic, how ATT is implemented is neither necessary for nor proportionate with Apple's stated objective of protecting personal data.

The introduction of the framework led to multiple consent pop-ups being displayed, making the use of third-party applications in the iOS environment excessively complex. The *Autorité* also found that the rules governing the interaction between the different pop-up windows displayed undermined the neutrality of the framework, causing definite economic harm to application publishers and advertising service providers. In this respect, the *Autorité* noted that ATT as implemented by Apple penalised smaller publishers in particular since, unlike the main vertically integrated platforms, they depend to a large extent on third-party data collection to finance their business.

PRESS RELEASE OF 31 MARCH 2025

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