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October 08, 2019

U.S. Supreme Court Rejects Domino's Petition Seeking Clarity on Web Accessibility Under the ADA

On October 7, 2019, the U.S. Supreme Court [denied a petition](#) filed by Domino's Pizza asking the Court to decide whether Title III of the Americans with Disabilities Act (ADA) applies to websites and mobile apps. As we've [previously discussed](#), the U.S. Court of Appeals for the Ninth Circuit issued a decision in January of this year holding that companies whose online activities share a nexus with physical places of public accommodation may be held liable under Title III for failing to make their websites and apps accessible to persons with disabilities, and that the absence of formal web accessibility regulations implemented by the Department of Justice does not raise due process concerns. The Supreme Court's denial of Domino's appeal means that the Ninth Circuit decision stands. The case is to be remanded to the U.S. District Court for the Central District of California, which will have to decide in the first instance whether Domino's website and app satisfies the ADA. The Supreme Court's decision leaves unresolved a long-standing circuit split concerning the applicability of the ADA to the internet, and will no doubt attract further web accessibility suits by disability rights advocates and private plaintiffs.

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