

Disappointing judgment on Samsung's update policy

8 March 2016

The District Court of Amsterdam has dismissed the demands of the Consumentenbond (Dutch Consumers' Association) relating to Samsung's update policy, because of the lack of any urgent interest. The Consumentenbond finds it disappointing that the merits of its demands were therefore left in limbo.

The Consumentenbond summonsed Samsung before the judge because of its defective policy on updates for Android smartphones. According to the Consumentenbond, Samsung was guilty of unfair commercial practice because of the lack of any clear information about updates for their devices. Furthermore, Samsung is not fulfilling the reasonable expectations that consumers might have of a smartphone, because of the lack of actual updates.

Bart Combée, director of the Consumentenbond, said 'Of course we're disappointed about the ruling, but we feel that the point of principle – that consumers are entitled to updates and entitled to be properly informed about them – still stands. The Consumentenbond is considering its next steps.'

Marieke Neervoort (counsel for the Consumentenbond, from the law firm SOLV), commented 'The judge didn't dare award claims in provisional relief proceedings that would have such a major impact on Samsung, even though telling consumers how long they'll keep getting updates from Samsung after their purchase is really neither complex nor costly.'

'Update!' campaign

In July 2015, the Consumentenbond launched the "'Update!" campaign, to encourage manufacturers of Android smartphones into making software updates available and providing their consumers with clear information about them. Software updates are crucial to keep smartphones safe and to protect consumers against cyber criminals and the loss of their personal data.

There are now around 21,000 consumers supporting the Consumentenbond's campaign.

For further information: www.consumentenbond.nl/updaten

For further reading:

[Consumentenbond takes Samsung to court \(18 January 2016\)](#)