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## Supreme Court Leaves in Place Ruling Requiring Websites and Apps To Comply With ADA

The United States Supreme Court has declined to take up an appeal by Domino's Pizza of a Ninth Circuit [decision](#) holding that the Americans with Disabilities Act requires Domino's to ensure its website and mobile app are accessible to people with disabilities. As is customary, the Court did not comment on the case in its Oct. 7, 2019, order denying Domino's Petition for Certiorari in *Domino's Pizza, LLC v. Robles*.

### Key Takeaways

- As interpreted by the Ninth Circuit, Title III of the ADA covers both mobile applications and websites that facilitate access to the goods or services of a physical location.
- The lack of federal regulations setting digital accessibility standards does not eliminate the statutory obligation to provide accessible websites and apps.
- Businesses covered by the ADA should assess their digital accessibility obligations and make sure apps and websites are accessible to everyone, including people with disabilities.

### *Domino's v. Robles*

- Guillermo Robles sued Domino's Pizza in 2016, alleging that its website and mobile app were not accessible to blind and vision-impaired individuals, in violation of Title III of the Americans

with Disabilities Act and California's Unruh Civil Rights Act. The district court dismissed the case in 2017, finding that while the ADA applied to Domino's website and mobile app, the lawsuit violated Domino's due process rights because the Department of Justice has yet to issue regulations setting accessibility standards for websites or mobile apps.

- The Ninth Circuit reversed the lower court's decision in January 2019, holding that the DOJ's failure to promulgate regulations addressing digital accessibility did not obviate the obligation of Domino's to comply with the law. The court stated that Domino's had been on notice of its ADA obligations since at least 1996, when the DOJ articulated its position that websites were covered under the statute. Specifically, the court found that Domino's online offerings must effectively communicate with its disabled customers and facilitate "full and equal enjoyment" of Domino's goods and services.
- Now that the Supreme Court has decided not to hear the case, it will be up to the district court to determine whether Domino's website and app provide blind and vision-impaired individuals with effective communication and equal access to its physical pizza franchises, unless the parties reach a settlement.

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## What's Next?

Businesses covered by the ADA should assess their digital accessibility obligations and make sure apps and websites are accessible to everyone, including people with disabilities.

## Related Professionals

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