[SE] Supreme Court rules iPhones are subject to copyright levy

IRIS 2017-1:1/32

Helene Hillerström Miksche
Com advokatbyrå, Stockholm

In a dispute between the rights holder association Copyswede and operator Telia (also an importer of mobile phones) the Swedish Supreme Court has determined whether iPhones should be subject to a copyright levy according to the Copyright Act. The Act prescribes that technical devices that are “especially designated” for private copying are levied. The Supreme Court established that a technical device that to a high extent is suitable for private copying, and that in practice can also be expected to be used for such private copying, to an extent which is not extraneous/unessential, should be considered especially designated for private copying. To estimate whether or not a device is suitable for private copying or not the Court considered features such as technical capacity and ease of use. The Court came to the conclusion that iPhones are especially designated for private copying according to the Act. The judgment only concerned the principal scope of the criteria in the law, not the level of the levy to be paid.

Högsta domstolen, Mål T 2760-15, 10/06/2016

http://www.hogstadomstolen.se/Domstolar/hogstadomstolen/Avgoranden/2016/2016-06-10%20T%202760-15%20Dom.pdf

Mål T 2760-15, Supreme Court in Stockholm, 10 June 2016

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026