



FEDERAL TRADE  
COMMISSION

# Repair Restrictions and their Impact on Consumers

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\*The views expressed in this presentation are my own and not necessarily those of the Commission or any individual Commissioner.

# Why Repair Matters

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- This issue touches everyone
- Harm to competition and to consumers
- The burden of repair restrictions may fall more heavily on communities of color and lower-income communities
- Repair restrictions have diluted the effectiveness of the anti-tying provision and steered consumers into manufacturers' repair networks or to replace products before the end of their useful lives

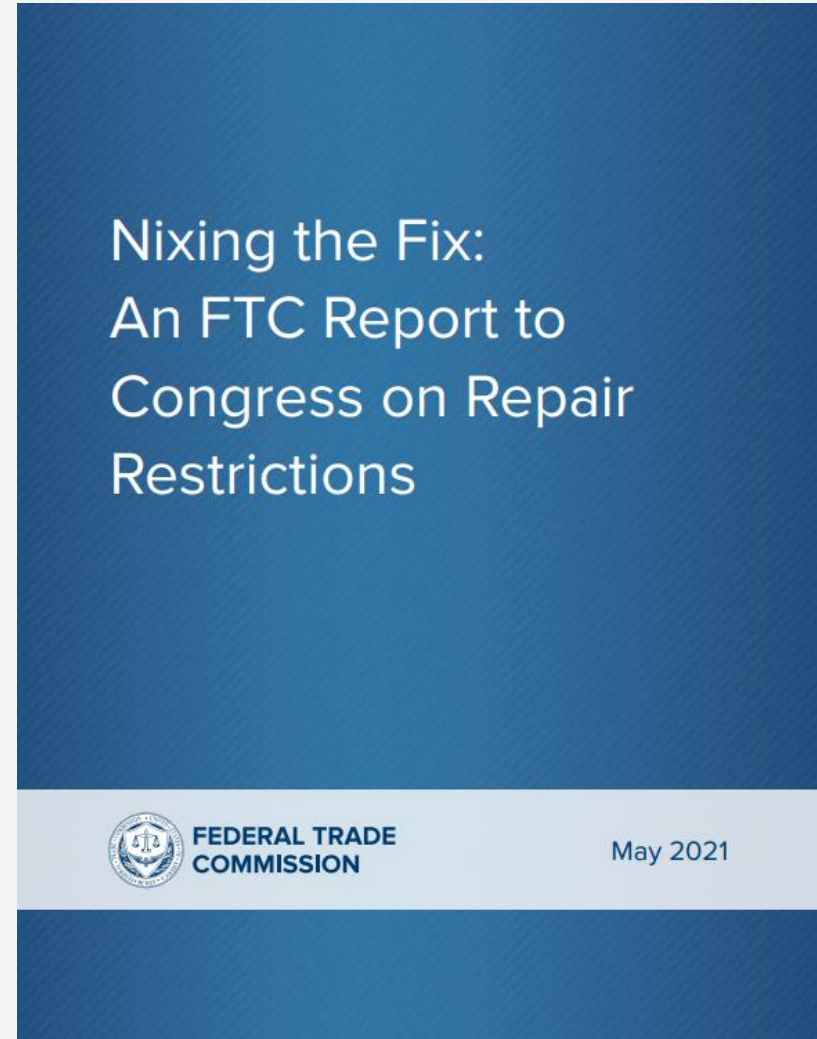
# Nixing the Fix

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# FTC & The Right to Repair – Nixing the Fix

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- March 2019 – Request for Comments and Empirical Research
- July 2019 – Nixing the Fix Workshop
- May 2021 – Report to Congress by Unanimous Commission



- Identified types of repair restrictions
  - Product designs that complicate or prevent repair
  - Unavailability of parts and repair information
  - Designs that make independent repairs less safe
  - Policies or statements that steer consumers to manufacturer repair networks
  - Application of patent rights and enforcement of trademarks
  - Disparagement of non-OEM parts and independent repair
  - Software locks and firmware updates
  - End User License Agreements

- Evaluated Manufacturers' Justifications for Repair Restrictions
  - Protection of intellectual property
  - Safety
  - Cybersecurity
  - Liability and reputational harm
  - Design choices and consumer demand drive the repairability of devices
  - Quality of service

- Examined Right to Repair Advocates' Arguments Against Repair Restrictions
  - Timing of repairs
  - Cost of repairs
  - Environmental harm
  - Small business and employment



- Commission's Conclusions
  - repair restrictions have diluted the effectiveness of the anti-tying provision and steered consumers into manufacturers' repair networks or to replace products before the end of their useful lives
  - the burden of repair restrictions may fall more heavily on communities of color and lower-income communities
  - there is scant evidence to support manufacturers' justifications for repair restrictions
  - opening access to repair parts, documentation and tools is well supported by the record