

WRITTEN QUESTION E-0215/09  
by Urszula Gacek (PPE-DE)  
to the Commission

Subject: iTunes and the internal market

Can the Commission clarify whether Apple and iTunes are acting against the principles of the internal market and European law?

I refer to the fact that only citizens from a selected group of Member States are permitted by Apple to purchase music via iTunes websites. It is, for example, impossible to purchase any iTunes music from Poland. Furthermore, a Polish citizen in Belgium logging onto the Belgian iTunes website via a Belgian IP address is still barred from purchasing music on-line with a Polish credit card.

This is despite the fact that Apple officially sells its hardware (iphones, ipods etc) in Poland, for which iTunes is specifically designed.

By denying Polish customers the right to purchase music for their Apple equipment legally, the company is effectively encouraging the very practice it fights against, i.e. music piracy.

Can the fact that Apple is discriminating against a large number of European citizens be justified in any way?