

# Accessibility Use Cases: Gains & Losses



**Target:**  
**\$6M in damages.**



In 2006, the National Federation of the Blind (NFB) filed a **class-action lawsuit** against Target Corporation, alleging that Target's website was **inaccessible to blind users**, thereby violating *the Americans with Disabilities Act (ADA)* and *California state laws*. The lawsuit highlighted issues such as the lack of alternative text for images, which impeded screen reader navigation.

In August 2008, Target settled the lawsuit by agreeing to:

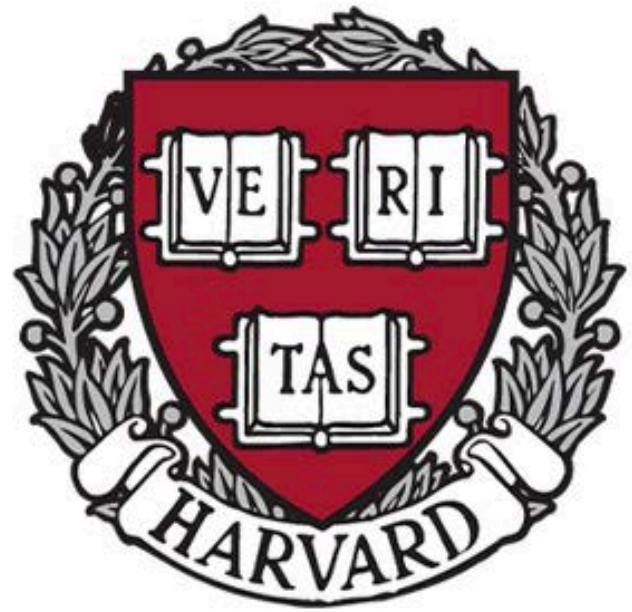
- **pay \$6 million in damages** to the affected class members;
- **make its website fully accessible** by February 2009;
- **implement accessibility guidelines** and **conduct regular compliance monitoring** in collaboration with the NFB.



# Harvard and MIT: \$1.2 million in settlement fees.



Massachusetts  
Institute of  
Technology



In 2015, the National Association of the Deaf (NAD) sued Harvard and MIT for **failing to provide accurate closed captions in online courses**, violating *the Americans with Disabilities Act (ADA)* and *Section 504 of the Rehabilitation Act*. This lack of accessibility excluded deaf and hard-of-hearing individuals from benefiting equally from the educational materials offered.

In 2020, both universities settled, agreeing to:

- **caption all public online content**, and
- **pay \$1.2M in legal fees**, covering legal costs and compensation for affected individuals.

# Nike:

## Settlement Amount Undisclosed.



In 2017, Nike faced a lawsuit filed by **Maria Mendizabal**, a legally blind individual, alleging that Nike's websites, **Nike.com** and **Converse.com**, were not accessible to **visually impaired users**. The lawsuit claimed violations of *the Americans with Disabilities Act (ADA)*.

While **the exact settlement details were not publicly disclosed**, the case underscored the importance of **web accessibility in the retail sector**, emphasizing the need for companies to ensure their digital platforms are usable by all individuals, including those with disabilities.

June 2023, Nike faced **another class-action lawsuit** alleging that **its website remained inaccessible** to blind and visually impaired users.

# Domino's: \$4,000 & a legal precedent.



In 2016, **Guillermo Robles**, a blind man, sued Domino's Pizza, claiming its **website and app were inaccessible** to **screen readers**, violating *the ADA*, as it prevented him from ordering food online, just as sighted customers could.

In June 2022, **after six years of litigation**, Domino's Pizza, LLC and Guillermo Robles reached a settlement.

- The Ninth Circuit ruled the ADA applies to digital services of businesses with physical locations and awarded **\$4,000 in damages**.
- Despite low damages, **this case set a legal precedent, spurring litigation** and reinforcing the need the need for ***Web Content Accessibility Guidelines (WCAG)*** compliance in digital accessibility.

**Netflix:**  
**\$795,000 in damages.**

# NETFLIX

In 2011, the **National Association of the Deaf (NAD)** filed a lawsuit against Netflix, alleging that the company violated ***the Americans with Disabilities Act (ADA)*** by not providing closed captioning for most of its "Watch Instantly" streaming content. The lawsuit emphasized **the necessity for accessible media** for individuals who are deaf or hard of hearing.

In 2012, Netflix settled the lawsuit by agreeing to:

- **caption all of its streaming content** by 2014;
- As part of the settlement, Netflix agreed to pay **\$755,000 in legal fees** and **\$40,000 to the NAD** for monitoring compliance.

# accessiBe: \$1M for false claims.



In January 2025, the Federal Trade Commission (FTC) fined AccessiBe Inc. \$1 million for **deceptive advertising practices**. AccessiBe, a company offering AI-powered web accessibility solutions, **falsely claimed its overlay tool could make websites fully compliant** with accessibility guidelines such as *the ADA* and *WCAG*.

- **Misleading Marketing Claims:** AccessiBe advertised that its AI tool ensured full compliance;
- **Failure to Address Core Accessibility Needs:** The overlay tool did not make permanent code changes, leaving many accessibility barriers unresolved;
- **Escalating Legal Risks for Clients:** Businesses that used AccessiBe's tool were still sued for accessibility violations.



## Anticipated Increase in Accessibility Lawsuits:

As of 2024, there has been a significant rise in web accessibility lawsuits in the U.S., with **over 4,000 cases filed in the first half of the year alone.**

**This trend is expected to extend to the EU**, especially after the European Accessibility Act (EEA) compliance deadline **in 2025**, as regulators are likely to take action against non-compliant companies.



With a growing ally community and advanced HCI technology, Evenness is bridging the web accessibility gap to create health-centric digital experiences for all.  
**Join us on our mission!**