“Right to Repair” Settlement

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Action: The Federal Trade Commission (FTC) and five states have reached a settlement with farm equipment manufacturer Deere & Company over access to the software and other resources needed to repair its equipment – commonly called the “right-to-repair.”[1] If approved by a court, the settlement would require the company to provide customers and independent repairers with equivalent equipment, including software capabilities, it currently provides to authorized Deere dealers for at least 10 years, which could be extended if Deere violates the terms of the agreement. A separate $99 million private settlement to resolve consolidated private antitrust litigation remains under court review with a final fairness hearing scheduled for October 29, 2026.

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- The question of who should have access to the tools and equipment needed to repair products is a long-running policy debate impacting a broad range of products, including electronics, automobiles, and manufacturing equipment. Supporters of the right-to-repair argue that restricting access to diagnostic software and replacement components increases prices, lengthens downtime, and forces users to buy replacement products. Manufacturers counter that improper repairs can create safety risks, cybersecurity vulnerabilities, privacy problems, and other issues. They also raise concerns about counterfeit parts, unauthorized modifications, product performance, and intellectual property.
- Lawmakers in at least eight states have enacted laws providing some form of broad repair access for certain electronics, appliances, or other digital products. These laws generally require manufacturers to provide owners and independent repair businesses with documentation, parts, tools, and – in some cases – software on fair and reasonable terms, though details vary by state.
- Other states have taken more targeted approaches. For example, Massachusetts and Maine require automobile manufacturers to provide vehicle owners and independent repair shops with access to diagnostic and repair information, including certain vehicle-generated data.
- Legislation regarding right-to-repair has been introduced in Congress but not enacted. For example, the REPAIR Act would require automakers to provide vehicle owners and independent repairers with access to vehicle-generated data, repair information, and tools.[2]
- However, the FTC has also used its existing consumer-protection and competition authorities to challenge repair restrictions. Following a 2021 policy change, the FTC obtained settlements over warranty practices involving Harley-Davidson, Westinghouse outdoor generators, and Weber grills in 2022 and sent warning letters to eight companies in 2024 concerning practices that could improperly condition warranty coverage on the use of branded parts or authorized service.[3]

- **What this means for CEOs:**
  - **Repair-access governance and antitrust exposure**: To prepare for potential litigation, product and equipment manufacturers should assess whether independent providers and owners can perform the functions required to return a product to full operating condition.
  - **Intellectual property**: Product and equipment manufacturers should review the status of intellectual property protection of patents, trademarks, software, and other IP.
  - **Product architecture and compliance readiness**: In addition, firms should ensure that expanding access to its equipment and software does not compromise intellectual property, cybersecurity, safety, privacy, and other protections.
  - **Dealer-network alignment**: Companies should review dealer agreements, training, compensation, customer communications, and escalation procedures for practices that could discourage independent repair.
  - **Evolving Policy Landscape**: State policymaking remains active, including a bill targeting agricultural equipment in Iowa and a New York bill to require repairability scores for certain products. Firms should closely monitor these efforts to ensure compliance.

1. https://www.ftc.gov/news-events/news/press-releases/2026/07/ftc-states-secure-settlement-deere-company-advancing-farmers-right-repair
2. https://www.congress.gov/bill/119th-congress/house-bill/1566/all-info
3. https://www.ftc.gov/news-events/news/press-releases/2021/07/ftc-ramp-law-enforcement-against-illegal-repair-restrictions

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