

Planet Green, Inc. Petitions U.S. Supreme Court to Review Amazon's Section 230 Defense in Cartridge Mislabeling Case

Planet Green asks Supreme Court to review Amazon's Section 230 immunity over alleged role in distribution of falsely advertised printer cartridges

WASHINGTON DC, CA, UNITED STATES, June 30, 2025 /EINPresswire.com/ -- Planet Green Cartridges, Inc., a U.S.-based remanufacturer of printer ink cartridges, has filed a petition for writ of certiorari ([Docket #23-4434](#)), asking the Supreme Court of the United States to review lower court rulings that dismissed its claims against Amazon under Section 230 of the Communications Decency Act.

[According to the petition](#), filed on June 18, 2025, Planet Green alleges that Amazon continued to list and distribute printer cartridges labeled as "remanufactured" even after receiving formal complaints that the products were inaccurately described. The petition contends that these products were newly manufactured replicas of original equipment manufacturer (OEM) cartridges, not professionally remanufactured used OEM products.

The case, which originated in the U.S. District Court for the Central District of California ([Case No. 2:23-cv-06647-JFW-KS](#)), centers on whether Amazon's actions, as alleged, fall outside the protections of Section 230 when the platform is made aware of and continues to list disputed third-party products.

Planet Green asserts that it provided Amazon with detailed documentation over a period of more than a year, identifying 45 brands and sellers allegedly marketing newly made cartridges as remanufactured. The petition states that despite these efforts, the listings remained active and Amazon cited Section 230 immunity in its defense.

"This case tests whether e-commerce platforms like Amazon can invoke Section 230 immunity when they are sued for allegedly facilitating the sale of misrepresented products," said John Ulin, legal counsel for Planet Green at TroyGould. "We believe the statute does not support broad immunity when platforms are knowingly involved in these kinds of sales. We're asking the Supreme Court to clarify the limits of that protection."

The petition presents two main legal questions:

1. Whether Section 230 provides immunity to online platforms that allegedly permit and profit from the sale of third-party products misrepresented in violation of consumer protection laws.
2. Whether platforms are immune from civil claims based on their own conduct, such as recommendation algorithms and advertising practices.

Planet Green argues that the continued availability of the disputed listings and products, after notice, raises questions about the extent to which Section 230 protects platforms that play an active role in the promotion or sale of such products.

“By continuing to host and distribute the misrepresented products after being notified, Amazon has used the statute as a shield while continuing to benefit commercially,” Ulin added.

Planet Green’s filings estimate that annual sales of products labeled as “remanufactured” ink cartridges on Amazon exceed \$3 billion. The petition also references broader national concerns regarding product mislabeling and safety on online marketplaces.

“We went to great lengths to avoid litigation,” said Sean Levi, Founder and CEO of Planet Green. “We had hoped Amazon would take corrective action once we made them aware of the 45 brands and their sellers we named in our lawsuit. It is nearly impossible for any U.S. company to hold all unlawful Amazon sellers accountable who operate outside U.S. jurisdiction.”

Founded in 1999, Planet Green is one of the few remaining U.S.-based printer cartridge remanufacturers. The company attributes the decline of the industry—once valued at \$7 billion—to increased competition from imported products, some of which it claims are marketed in misleading ways.

“Regardless of how the Court rules, we will continue working to raise awareness around anti-competitive challenges facing American manufacturers,” Levi said.

Planet Green’s filings also highlight environmental concerns associated with non-recycled cartridges that are marketed as remanufactured. The company notes that most overseas producers of aftermarket cartridges do not offer recycling or take-back programs, resulting in increased landfill waste in the U.S.

The petition asks the Court to grant a jury trial to evaluate the facts and determine whether Section 230 applies in cases where a platform is alleged to have both knowledge of and commercial interest in disputed product listings.

“In our view, Congress never intended Section 230 to shield large platforms from accountability when they knowingly allow the sale of questionable or misrepresented products,” stated Levi. “If the courts do not address this issue, we believe lawmakers must. Otherwise, U.S. businesses face increasing challenges competing against overseas sellers who may not be subject to the

same legal and regulatory standards.”

About Planet Green

Founded in 1999 and based in Chatsworth, California, Planet Green is a U.S. printer cartridge recycler and remanufacturer. The company remanufactures used OEM cartridges and sells surplus OEM stock as an environmentally sustainable alternative to newly manufactured products. For more information, visit planetgreenrecycle.com.

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