

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Saqib Kafeel v. Apple Inc., et al.

Kafeel · No. 26-cv-00330-RFL · Decided January 14, 2026

SUMMARY

The United States District Court for the Northern District of California granted Saqib Kafeel’s application to proceed in forma pauperis and denied his ex parte motion for a temporary restraining order seeking restoration of Apple Books publishing accounts and preservation or return of e-books. The court cited the delay in seeking relief and failure to satisfy notice requirements, directed the parties to submit a status report regarding a potential preliminary-injunction motion and service, and provided guidance for self-represented litigants.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Rita F. Lin
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 14, 2026
DOCKET	26-cv-00330-RFL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an application to proceed in forma pauperis and an ex parte motion for a temporary restraining order seeking restoration of access to his Apple Books publishing accounts and preservation and return of his published e-books.
STANDARD OF REVIEW	A plaintiff seeking preliminary injunctive relief must demonstrate a likelihood of success on the merits, likely irreparable harm absent relief, that the balance of equities favors relief, and that an injunction is in the public interest. An ex parte temporary restraining order additionally requires written certification of efforts to provide notice and reasons notice should not be required.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not stated

TOPICS

- injunctions
- civil procedure
- service of process
- commercial litigation
- intellectual property

PRACTICE AREAS

civil procedure

injunctions

commercial litigation

intellectual property

remedies

QUESTIONS PRESENTED

1. Whether Kafeel satisfied the requirements for preliminary injunctive relief.
2. Whether Kafeel satisfied the notice-certification requirements for an ex parte temporary restraining order under Federal Rule of Civil Procedure 65(b)(1)(B) and Civil Local Rule 65-1(a)(5).
3. Whether Kafeel should be permitted to proceed in forma pauperis.

HOLDINGS

1. The court denied Kafeel's motion for a temporary restraining order because his approximately six-month delay in seeking relief undermined an inference of urgency and irreparable harm, and because he failed to provide the required sworn notice certification or a sufficient explanation for dispensing with notice.
2. The court granted Kafeel's application to proceed in forma pauperis.

KEY QUOTATIONS

“A plaintiff seeking injunctive relief must demonstrate “he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.””

“His almost six-month delay in seeking injunctive relief “implies a lack of urgency and irreparable harm.””

“But his past communications with Apple about his publishing accounts do not establish he provided notice that he was seeking a temporary restraining order.”

FACTUAL BACKGROUND

Kafeel alleged that Apple terminated his Apple Books publishing accounts in approximately July 2025. He sought restoration of account access, prevention of deletion of his published e-books, and return of those e-books through an ex parte temporary restraining order. He cited prior communications with Apple, including internal support contacts and a formal legal notice, but did not submit a sworn certification showing notice that he was seeking a temporary restraining order or explaining why notice could not be provided.

PROCEDURAL HISTORY

Saqib Kafeel filed suit against Apple Inc. and related entities after his Apple Books publishing accounts were terminated. The district court granted his application to proceed in forma pauperis, denied his ex parte motion for a temporary restraining order, directed that a separate screening order would address the sufficiency of his claims, and ordered status reports concerning a possible preliminary-injunction motion and waiver of service.

DISPOSITION

other

CASES CITED

- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Oakland Tribune, Inc. v. Chronicle Publishing Co., 762 F.2d 1374, 1377 (9th Cir. 1985)

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