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"As I read the statute, the idea is to get that foreign connection off the table, and a joint venture doesn't seem like it would do that," said Entin.

Nicholas Creel, a business law professor at Georgia College & State University, said so long as foreign nationals from adversary countries own 20% or more of TikTok, or have any significant control over access to its data or algorithm, the app must be banned.



Elon Musk arrives to speak at an indoor presidential Inauguration parade event in Washington on Monday. (AP Photo/Matt Rourke) (ASSOCIATED PRESS)

"The only way to change that is for Congress to pass a new law changing that rule," Creel said.