

Privacy Lawsuits Filed Against Google

March 9, 2012 - Google's privacy policy has been in the news a lot lately. That's because the internet behemoth recently changed its privacy policy to allow sharing of information across all of its internet properties. That means that if you sign into a Gmail account, your login information can be used by Google, Picasa, or any of the other websites that are run by Google. But recently there is another privacy issue that the company has caused that has received a lot less press. The company was using some code that disabled the privacy settings in Apple's Safari browser. That code allowed Google to track the internet usage habits of Apple customers without their permission. Now Google is being sued.

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(function() {  
var s = document.createElement('SCRIPT'), s1 = document.getElementsByTagName('SCRIPT')[0];  
s.type = 'text/javascript';  
s.src = 'http://widgets.digg.com/buttons.js';  
s1.parentNode.insertBefore(s, s1);  
})();
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(function() {  
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po.src = 'https://apis.google.com/js/plusone.js';  
var s = document.getElementsByTagName('script')[0]; s.parentNode.insertBefore(po, s);  
})();
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We've stayed largely out of the argument surrounding Google's new privacy policy. The reasons for this are simple. First, if you don't want Google to use your information on all of their sites, you don't need to sign in. Second, for users that choose to sign in, there are some definite benefits associated with the new policy; not the least of which is that your search return results are more specifically tailored to you. The point here is that the choice of having information shared across multiple platforms is ultimately up to the consumer.

The issue with Safari browsers is a completely different story. Google code was disabling the privacy settings in those browsers without the end user's permission. Google was then able to plant "cookies" on the end user's computer. These could be used not only to target advertising but also to track affected consumers' internet browsing habits. Consumers had absolutely no control over the process.

Google claims that they didn't know about the code and that they disabled it as soon as they found out. But this isn't the first instance in which Google has been caught with its hand in the privacy cookie jar. It wasn't too long ago when it was discovered that cars Google was sending around to take pictures of neighborhoods for Google's Street View were also

collecting the information consumers were sending over their wireless home networks. That information included user names and passwords.

It is also worth noting that Google and Apple are not exactly on the friendliest of terms. After all, Google developed the Android platform now used by many smart phones. Before his death, Steve Jobs accused Google of essentially stealing their ideas from Apple and said that he would "destroy" them. That makes the fact that the code in question in these law suits appears to target the users of Apple products.

The most recent law suits were class action cases filed in Washington, DC and in Maryland. Ten similar cases have been filed over the past month in other jurisdictions. Many of the attorneys involved in the cases are now talking to each other so it is likely that some or all of the cases will be consolidated at some point.

In the two most recent cases, Google is accused of violating the Wiretap Act, Computer Fraud and Abuse Act, and Stored Electronic Communications Act; all federal laws.

byJim Malmberg

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