

NEWS RELEASE

July 10, 2008

Privacy Commissioner Ann Cavoukian urges Google to appeal YouTube ruling

Ontario Information and Privacy Commissioner Ann Cavoukian is urging Google to appeal the recent ruling of U.S. District Court Judge Louis Stanton, requiring the disclosure of YouTube users' information to Viacom. YouTube, a popular website, is owned by Google.

In a letter to Sergey Brin, Google's President of Technology, the Commissioner emphasized her deep concerns about the privacy implications of the ruling, which she was asked to outline earlier this week on Canada AM.

Commissioner Cavoukian said "I was astounded to learn that Google had been ordered to disclose certain YouTube information, which includes users' login IDs and IP addresses, for use in Viacom's copyright infringement lawsuit against YouTube." The Commissioner felt that Judge Stanton had "failed to consider that user login IDs and video viewing habits can reveal a great deal of sensitive personal information."

In response to suggestions that the data be "anonymized" before its release to Viacom's legal counsel, the Commissioner noted that it is possible to re-identify individuals by linking their data with publicly available personal information, such as that found in telephone directories. "Simply stripping certain data fields from a database is not sufficient to safeguard the privacy of individuals" warned the Commissioner.

Despite the Judge's associated protection order which attempts to limit the authorized uses of YouTube users' information by Viacom, this does not eliminate the Commissioner's concerns. Companies simply cannot guarantee that information, once obtained, will not be subject to unauthorized use or disclosure. "Witness the example of identity theft" she noted. "The majority of instances of identity theft result from insider abuse."

"While I have sympathy for the rights of intellectual property holders, businesses should not rely on the surveillance of consumers to protect their copyright interests. It is not acceptable to allow copyright enforcement to come at the expense of users' privacy."

The full text of the letter to Google may be found on the Commissioner's website at www.ipc.on.ca in the What's New section.

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