

Google agrees to settle \$5 bn lawsuit over 'incognito' mode

December 29 2023



A lawsuit against Google claims the company's practices infringed on users' privacy by 'intentionally' deceiving them.

Google has agreed to settle a consumer privacy lawsuit seeking at least \$5 billion in damages over allegations it tracked the data of users who

thought they were browsing the internet privately.

The object of the lawsuit was the "incognito" mode on Google's Chrome browser that the plaintiffs said gave users a false sense that what they were surfing online was not being tracked by the Silicon Valley tech firm.

But internal Google emails brought forward in the lawsuit demonstrated that users using incognito mode were being followed by the search and advertising behemoth for measuring web traffic and selling ads.

In a court filing, the judge confirmed that lawyers for Google reached a preliminary agreement to settle the class action lawsuit—originally filed in 2020—which claimed that "millions of individuals" had likely been affected.

Lawyers for the plaintiffs were seeking at least \$5,000 for each user it said had been tracked by the firm's Google Analytics or Ad Manager services even when in the private browsing mode and not logged into their Google account.

This would have amounted to at least \$5 billion, though the settlement amount will likely not reach that figure, and no amount was given for the preliminary settlement between the parties.

Google and lawyers for the consumers did not respond to an AFP request for comment.

The settlement came just weeks after Google was refused a request that the case be decided by a judge. A jury trial was set to begin next year.

The lawsuit, filed in a California court, claimed Google's practices had infringed on users' privacy by "intentionally" deceiving them with the

incognito option.

The original complaint alleged that Google and its employees had been given the "power to learn intimate details about individuals' lives, interests, and internet usage."

"Google has made itself an unaccountable trove of information so detailed and expansive that George Orwell could never have dreamed it," it added.

A formal settlement is expected for court approval by February 24, 2024.

Class action lawsuits have become the main venue to challenge big tech companies on data privacy matters in the United States, which lacks a comprehensive law on the handling of personal data.

In August, Google paid \$23 million to settle a long-running case over giving third-parties access to user search data.

In 2022, Facebook parent company Meta settled a similar case, agreeing to pay \$725 million over the handling of user data.

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Citation: Google agrees to settle \$5 bn lawsuit over 'incognito' mode (2023, December 29) retrieved 10 May 2024 from <https://techxplore.com/news/2023-12-google-bn-consumer-privacy-lawsuit.html>

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