



Privacy Desk

Data Protection and Privacy Newsletter

www.privacydesk.in

A background image showing a business meeting with people in suits sitting around a table, holding pens and looking at documents. The image is dimmed and has a dark blue overlay.

Enforcement Updates

AMERICAN EXPRESS



American Express fined for illegal marketing

The Information Commissioner's Office (ICO), UK announced its decision to fine American Express Services Europe Limited with GBP 90,000 for illegal marketing. ICO noted that American Express was involved in sending four million marketing emails, disguised as servicing emails to its customers even after they had opted out from receiving them, violating the Privacy and Electronic Communications Regulation 2003.

The logo for None of Your Business (NOYB) is displayed in white lowercase letters on a purple rounded square background.

noyb



NOYB issues 500+ cookie complaints

None of Your Business (NOYB), the data privacy activist organization announced that it has sent 560 draft complaints to companies situated in 33 different jurisdictions in the EU for illegal cookie banner. NOYB complaint highlights that 90% of cookie banners did not offer option to withdraw consent, and 81% of the cookie banners, did not have a reject option at the first layer. It further mentions of use of pre-ticked consent fields and use of dark patterns on cookie banners. The companies have one-month grace period to act upon the complaint, after which NOYB would lodge formal complaint with supervisory authorities.

NOYB has developed a system that automatically discovers different types of violations and aims up to 10000 further complaints 2021.



Wawa[®] DATA BREACH

Wawa faces claims by employees for data breach

Wawa, a convenience store and gas station company in US, is facing claims by its employees in relation to a data breach. Class action petition was filed against Wawa Inc. by its current and former employees alleging that Wawa Inc. did not incorporate sufficient technological safeguards and failed to secure personal data of its employees which led to hackers targeting personal data including financial data, of employees, and gain unauthorized access. Wawa Inc. has argued that its employee should not be allowed to file claims separately, as they are duplicative of claims by customers. The matter is now listed for further hearing. Source: WestLaw

A background image showing a business meeting with people in suits, hands clasped, and a laptop. The image is dimmed and has a dark blue overlay.

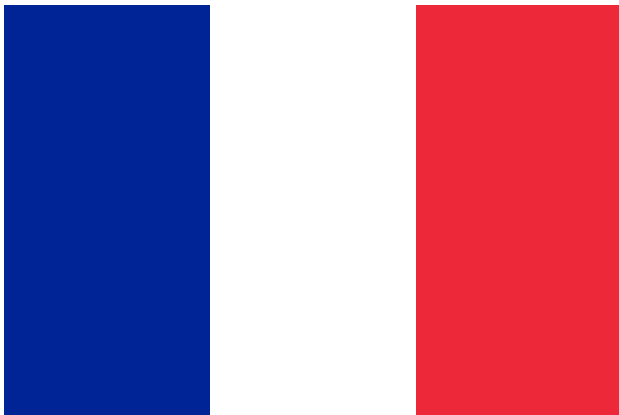
Regulatory updates around the globe



- **German parliament passes the IT Security Act.**
- **President of the Brazilian Republic approved Law to make the crimes of computer crimes via the Internet more serious.**
- **The State Duma, Federal Assembly of Russia announces bill to prohibit compulsory collection of consumer data.**



- **Assembly Bill for enacting the New York Privacy Act recommitted to Consumer Affairs and Protection Committee.**



- **Law relating to the management of the exit from the health crisis published in France, privacy fines enforced.**

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India updates



- **WhatsApp assures that it will not limit features for users who are yet to accept its privacy policy. Will continue this approach till PDP Bill comes into effect – Report’s BGR**
- **COVID-19 data records published by Bengaluru’s Civic Body’s Contractor – Report’s ET**
- **Union Minister for Electronics and IT clarifies that the Joint Parliamentary Committee on Personal Data Protection Bill is yet to finalize the report. – Report’s HT**

A background image of a business meeting with people in suits sitting around a table, with a laptop and papers visible. The image is dimmed and has a dark overlay.

Guidance issued



- **ICO UK publishes draft guidance on Anonymisation, Pseudonymisation and privacy enhancing technologies.**
- **Guidance for the Personal Data Processing Agents and Supervisors released by the Brazilian Data Protection Authority.**
- **MOU to combat unwanted robocalls, unsolicited texts and unlawful communications entered into between Australia (ACMA) and USA (FCC).**

A blurred background image of a business meeting. Several people in professional attire are seated around a table. One person in the center has their hands clasped, holding a pen. A laptop is open in front of them. Other people are also holding pens and looking towards the center. The overall scene is dimly lit and has a professional, collaborative atmosphere.

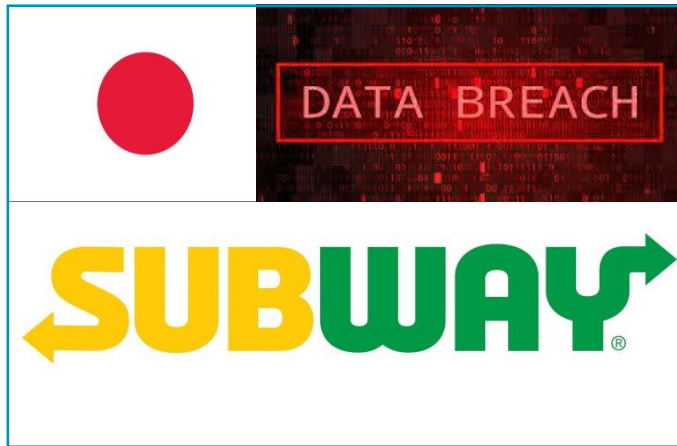
News around the Globe



- **Privacy International files legal complaint against Clearview's AI facial recognition tool across EU.**



- **The Italian Data Protection Authority orders suspension of data processing by Mitiga app over privacy concern.**



- **Subway, Japan notifies breach of data pertaining to 300,000 customers.**



- **TikTok will now collect biometric data such as faceprints and voiceprints of users in US. – Report by TechCrunch**

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