

## Report on Supply Chain Compliance Volume 2, Number 19. October 10, 2019

### UK Court of Appeal rules against Google

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A case involving the “Safari Workaround”<sup>[1]</sup> has made its way through the U.K. courts over the past 18 months and has recently been allowed to proceed. The U.K. Court of Appeal ruled that the representative action brought by Richard Lloyd against Google for unlawfully collecting data from iPhone users may proceed, after it was rejected last October.<sup>[2]</sup>

The case involved as many as 5 million claimants and could result in a fine of between GBP 1 to 3 billion. Google has 28 days to appeal the ruling before the Supreme Court. A representative action is not the same as a U.S.-style class action suit, but the ruling will likely lead to an increase of litigation over data protection violations, including security breaches.

“There are likely to be additional significant developments in group actions in data protection cases soon,” wrote analysts with Cordery.<sup>[3]</sup>

**1** [i] John E. Dunn, “Google sued over iPhone ‘Safari Workaround’ data snooping” *Naked Security by Sophos*, Nov. 30, 2017. <http://bit.ly/2mWs6Se>

**2** [ii] “UK Court Rejects Class-Action Claim Against Google For Privacy Breaches,” *Cordery Legal Compliance*, October 18, 2018. <http://bit.ly/2nOGmJT>

**3** [iii] “Client Alert: Doors open for data protection class action as appeal court allows Google claim to proceed,” *Cordery Legal Compliance*, October 2, 2019. <http://bit.ly/2pn4k2B>

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