

# AT&T claims ownership of customer data

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AT&T has been charged with violating the privacy of its customers by handing over data to the National Security Agency, a charge that it has hitherto denied.

Now, though, the U.S. telecom giant is revising its policy on client information and is arguing that as the provider of the telecommunications services, it actually owns the information it collects. What's more, the carrier has claimed that it has the right to share that information with government authorities should the need arise.

"While your account information may be personal to you, these records constitute business records that are owned by AT&T ... as such, AT&T

may disclose such records to protect its legitimate business interests, safeguard others or respond to legal process," the company said in a statement released Wednesday. Furthermore, the new policy requires customers agree to its latest privacy policy before signing up for its services. The revised policy is expected to be in place Friday. It did, however, emphasize that it had no plans to share such information with private companies that would want the data for marketing purposes or with other profit-oriented groups.

Previously, the company's position on whether or not such information belonged to it or to its customers was unclear, as it merely stated that AT&T would share information to "respond to subpoenas, court orders, or other legal process, to the extent required and/or permitted by law." The policy was last revised in September 2004.

The shift in privacy policy may, however, further anger individuals and advocacy groups that have already taken action against the company. Meanwhile, AT&T's actions and the public response to its latest decision will be closely watched by rival carriers including Verizon and BellSouth, which have similarly been accused of handing over information on personal calls made by their customers in response to the NSA's request to cooperate in the fight against terrorism. The government agency was reportedly able to get the data even without any official warrant that would have forced the carriers to cooperate.

The Electronic Frontier Foundation, after all, filed a class-action lawsuit against AT&T earlier this year, accusing it of helping the NSA wiretap and data-mine users' phone lines. On Friday, however, a federal judge in San Francisco will hear oral arguments on the U.S. government's motion to dismiss the lawsuit as the government contends that even if the NSA program is illegal, the lawsuit should not go forward because it might expose state secrets.

The timing of the latest policy revision thus appears to have coincided with the ongoing dispute, but the company said that it had been planning such changes over the past six months, since it merged with SBC Communications last November.

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