

German court orders changes to Google search hints (Update)

May 14 2013, by Frank Jordans

Google Inc. must respect requests to remove autocomplete entries from its search bar in Germany if they are defamatory, a German court ruled Tuesday.

The Federal Court of Justice upheld a complaint from an unidentified company selling nutritional supplements and its founder, identified only as "R.S." The plaintiffs claimed that when their names were entered on Google's German-language website, it suggested links to Scientology and fraud.

The search suggestions constituted a form of defamation because they wrongly implied "a factual link between the plaintiff and the terms 'Scientology' and/or 'fraud,' which have negative connotations," the court said. The German branch of the Church of Scientology has long been under observation by domestic intelligence services amid worries—which Scientology strongly rejects—that its work conflicts with Germany's constitution.

Google expressed surprise and disappointment at the decision, noting that the autocomplete function merely reflects what other users have searched for.

The company noted that the court hadn't ordered Google to turn off the autocomplete function or to vet all results in advance. Instead, Google has to ensure that defamatory results are checked, and if necessary removed, as soon as they have been brought to its attention, the court

said.

If Google disagrees with a claim that an entry is defamatory, it could have to settle the matter in court.

The verdict overturns a decision by a regional court in the western city of Cologne, which had dismissed the complaint last year. The regional court will now have to reexamine the case and determine if Google failed to meet its duty of care and is liable for damages and legal costs.

The verdict also has implications for Google in the high-profile case of Germany's former first lady, Bettina Wulff, who is suing the company because its autocomplete function suggested searches that included the terms "escort" and "red light past." That case is still pending.

© 2013 The Associated Press. All rights reserved.

Citation: German court orders changes to Google search hints (Update) (2013, May 14) retrieved 13 May 2024 from <https://phys.org/news/2013-05-german-court-google-hints.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.