

European court ruling redefines 'Googling' people (Update)

May 13 2014, by Toby Sterling

A European court decision [will require Google to sanitize its Internet search results](#) to protect people who can demonstrate the information unfairly tarnishes their reputation.

The landmark ruling empowers the roughly 500 million people living in 28 European Union countries to prevent Google and other search engines from listing embarrassing or illegal episodes from their past. It will also change the role that Google and its rivals play in Europe, transforming them into caretakers of personal reputations.

Some key issues to consider:

—What was the court's ruling?

The European Court of Justice, the closest thing the European Union has to the Supreme Court in the United States, ruled that Google and other search engines must respond to user requests seeking to remove links to personal information. Google and the other search engines, including Yahoo and Microsoft's Bing, won't necessarily have to omit all the links covered in an individual's request, but they will have to make difficult decisions about what should remain within the reach of any Web surfer. The Luxembourg-based court said an individual's right to privacy has to be weighed against the public's interest in accessing information.

— How did this case come about?

The case began with a Spaniard seeking to have outdated information about himself removed from the Internet. His quest became a key test of the so-called "right to be forgotten"—to have unflattering information erased after a period of time. Specifically, in 2010 Mario Costeja asked for the removal of links to a 1998 newspaper notice that his property was due to be auctioned because of an unpaid welfare debt. A Spanish privacy agency agreed to his request, but Google protested, saying it should not have to censor links to information that was legal and publicly available. A top Spanish court asked the European court for an interpretation of how European privacy law applies to search-engine results, and got a broader ruling than it had asked for.

— How does change things in Europe?

The immediate impact will be on 200 cases still pending in the Spanish courts, which will now be guided by the ruling in Europe's highest court. Similar cases in other European countries are likely to be affected, too. Even more European citizens are now expected to challenge results produced alongside their names. Those complaints will create logistical headaches and ethical dilemmas for Google, which processes most of the search requests in Europe. Google said it was disappointed by the ruling and will need time to analyze its implications.

— Will this change the way Google and the other search engines show personal information in the results displayed in the U.S.?

Legal experts doubt it, although the search engines are still trying to figure out how they will draw the lines about what does and doesn't belong in their results. The most likely outcome is that search engines will have different rules for different countries. This isn't unprecedented. For instance, Google censors some information— such as in Germany where there are laws banning it from displaying links to websites promoting Nazi principles—while showing the results in other

countries. The First Amendment makes it unlikely that a U.S. court would ever issue a ruling similar to the one made in Europe.

— Is this a major blow to Google?

Google isn't pleased, but the ruling probably won't make the Mountain View, California, company any less powerful or prosperous. That's because the European ruling doesn't touch the ads that Google shows alongside its search results to generate most of its revenue. The decision isn't likely to prompt people to defect from Google's search engine to find information elsewhere either because all its major rivals also will have to limit the breadth of their results. Investors took Tuesday's news in stride, bidding up Google's Class A stock \$3.11 to close at \$541.54.

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