



lucy plovnick and stacey chuevaeva quoted in *bloomberg law* discussing vppa litigation trends

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Lucy Plovnick and Stacey Chuvaieva were quoted in the article, "NBA Video-Privacy Ruling Defies Class Action Dismissal Trend," published by *Bloomberg Law* on October 21, 2024. The article discusses a recent ruling by the Second Circuit which reinstated a proposed class action under the Video Privacy Protection Act (VPPA). The ruling may lead to more litigation and force companies to reassess how they handle digital tracking practices.

Excerpts from the article...

"Some privacy attorneys say the ruling could expand the scope of the statute to cover not only more consumers, but also more organizations that might not consider themselves to be video providers. 'If goods or services don't have to have any relationship to the provision of the content, it doesn't seem like there is a line,' Plovnick said."

"But no court has yet weighed in on what appropriate consent under the VPPA looks like for digital services, which creates an uncertain path to compliance. One option would be "some sort of a pop-up banner" that would specifically disclose the use of Meta pixel and the potential sharing of users' video viewing history, said Stacey Chuvaieva, associate at Mitchell Silberberg & Knupp."

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cybersecurity and privacy
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