

## VLP Partner Melissa Krasnow Quoted in Law360 Article “FTC's Smart-TV Privacy Settlement Unlikely to See an Encore”

VLP Partner Melissa Krasnow was quoted in the *Law360* article “FTC's Smart-TV Privacy Settlement Unlikely to See an Encore”

The article reported on the recent settlement of a smart-TV maker tracking users' viewing habits without their consent. The case resulted in the Federal Trade Commission (FTC) adopting a broader definition of "sensitive" information and consumer harm.

According to the article, the case was notable in that the commission made its first move toward a broader definition of sensitive information in at least seven years. To date, that definition has included data such as Social Security numbers, financial information, health data and geolocation information.

However, the article noted, its expansion to encompass the unconventional types of personal information being swept up by the growing world of interconnected devices that make up the internet is a concern for acting FTC Chair Maureen Ohlhausen, who was recently elevated to the top post by President Donald Trump. Though Ohlhausen voted with her fellow commissioners to greenlight the settlement, she issued a concurring statement expressing her concerns with the commission's decision to allege for the first time in a complaint that individualized television viewing activity is sensitive information.

Ms. Krasnow commented, "Companies with emerging technologies continue to be the target of FTC and state attorney general enforcement."

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