

Google Street View:
CNIL's decision of March, 17th 2011 & Bird & Bird

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Google Street View: CNIL's decision

Chronology of the case

- 2007 Integration of the service “Google Street View” to “Google Maps” and the beginning of the use of vehicles called “Google cars”
- 07/
2008 Introduction of “Google cars” into France and declaration of this service to the CNIL
- 02/
2009 Integration of the service “Google Latitude” (a mobile application aiming to share your geographical position with your contacts, and vice versa to track the location of your friends on Google Maps) to “Google Maps Mobile” – no declaration to the CNIL
- 2009/
2010 Inspection carried out by the CNIL: “Google cars” collected and recorded not only photographs but also data transmitted by individuals’ wireless Wi-Fi networks without their knowledge (request to communicate the codes used by “Google cars” and the hard disk with collected data sent to US)

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Chronology of the case

May
2010

Notification of the CNIL to Google : to cease all data collection without people knowing and to provide a copy of all the data collected within France

17/03
2011

The CNIL's decision : insufficiency of answers given by Google following the formal notice → a penalty of 100.000 € and no publication of the decision in the media (only on the CNIL's website and on the Website Légifrance)

21/03
2011

Publication of the interview of Yann Padova, secretary-general of the CNIL in various newspapers and on the CNIL's website together with the a press release from CNIL (in French and in English) published on the first page of the CNIL's website with a link to the judgement itself

Google Street View: CNIL's decision of March, 17th 2011 : Comments

- The CNIL notified Google about its obligation to make a declaration for “Google Latitude” → Google refused on the ground that as the collection of the data in question is done by the processing means localised outside the French territory, the French law is not applicable.
- The CNIL has been the first authority in the world to analyse the data related to content communicated by Google.

Google Street View: CNIL's decision from 17th March 2011 : Comments

- The CNIL considered that there has been no bad faith in Google's behaviour.
- The CNIL's fine of 100k € is not the maximal fine that could have been pronounced.
- However, it is the highest fine ever pronounced by this Regulator.
- The CNIL sanction committee does not decide the publication of the decision in media but its secretary-general does not respect it.

Thank you & Bird & Bird

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