BLOG
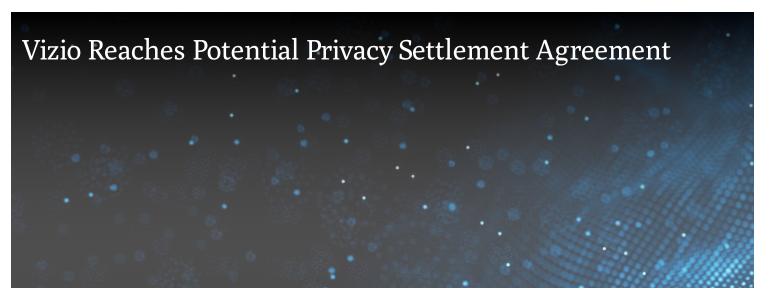
Vizio Reaches Potential Privacy Settlement Agreement

NOVEMBER 9, 2018

Recently, Vizio reached a potential settlement agreement in a consolidated multidistrict litigation class action relating to allegations that the television and electronic device manufacturer secretly recorded and sold its customers' information. The preliminary agreement would settle the plaintiffs' allegations that, in 2014, Vizio rolled out a "Smart Interactivity" feature which surreptitiously collected consumer information without their knowledge or consent. Vizio allegedly collected over 100 billion data points through this tracking tool, which the company then monetized by selling the information to third parties.

The proposed settlement agreement requires Vizio to pay $17 million into a settlement account, with up to 33 percent of the fund going to the plaintiffs' attorneys. This settlement comes on top of a February 2017 $2.2 million settlement between Vizio and the FTC and the New Jersey Attorney General for the same alleged conduct. In addition to the monetary settlement, the FTC settlement also required Vizio to remediate its privacy practices, including prominently disclosing, and obtaining affirmative express consent for, its data collection and sharing practices.

TIP: This litigation, as well as the prior settlement with the FTC, demonstrates the importance of thoroughly and accurately describing your privacy practices in public disclosures. Failing to disclose privacy practices, or failing to comply with your own privacy disclosures, is increasingly leading to civil and regulatory liability.

1 Min Read

———

Authors

Steven Grimes

Eric Shinabarger

———

Related Locations

Chicago

Related Topics

| Consumer Privacy | Tracking and Monitoring | Data Breach |

Related Capabilities

| Privacy & Data Security |

Related Regions

| North America |

Related Professionals

Steven Grimes

Eric Shinabarger

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.