

George Mason University Policy Law & Economics Center Program on the Economics of Digital Information Policy, Addressing Harm and Materiality in the Context of Section 5 of the FTC Act

NOVEMBER 12, 2015

Two recent cases have put the issue of privacy harms front and center. During the upcoming term, the Supreme Court will hear arguments in *Spokeo, Inc. vs. Robins*, a case that addresses standing in the context of the Fair Credit Reporting Act. Last spring, the FTC charged retail tracking firm, Nomi Technologies, with a violation of the FTC Act.

Both of these cases raise important issues surrounding privacy enforcement: *When is a privacy harm sufficient to confer standing? Should the FTC rethink materiality in the context of privacy statements? What about so-called "predictive privacy harms" from big data? What do these cases mean for information technology firms?*

Attend for a lively discussion of the pressing policy issues surrounding these important cases, with some of the top experts in the field, including two former directors of the Bureau of Consumer Protection at the FTC. Former FTC Commissioner, Joshua D. Wright, will kick off the morning with a provocative speech on the need for more economic analysis in privacy regulation.

WilmerHale Partner Reed Freeman will provide a "Briefing on Nomi, Spokeo, and Privacy Harms" at this event.

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