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LAW CHAMBERS

COMPETITION, DATA PROTECTION & PRIVACY SNIPPETS

6th Ed.

Quarterly Update September 2026

INDIA

Regulatory

Rajya Sabha Committee report on CCI Regulations / Competition-law enforcement

- The Rajya Sabha Committee on Subordinate Legislation, in its 257th Report examined the Commitment, Settlement, Determination of Turnover, and Determination of Monetary Penalty regulations and guidelines.

- The Committee noted that the Commitment and Settlement mechanisms were intended to enable quick market correction and reduce prolonged litigation.

- The Committee made several recommendations including: (a) periodical review of competition law regulations with stakeholder consultation; (b) comparison with global best practices (especially with reference to challenges in the digital era); (c) strengthening advocacy and outreach initiatives of the CCI; and (d) CCI to continue using Suo Motu powers when necessary, especially in light of the Chairperson's remarks that there may be conflict in the CCI adjudicating when it had established the case.

- The Committee also expressed concern over contraventions being internalised as "cost of doing business" and recommended treating repeat violations as aggravating factors but also highlighted the importance of transparency in penalty calculation methods in CCI's orders

Lok Sabha Standing Committee on Finance Tables 37th Report on Competition Framework and Digital Economy

- The Parliamentary Standing Committee on Finance presented its 37th Action Taken Report on 10 August 2026, examining the Ministry of Corporate Affairs' (MCA) responses regarding the Competition Commission of India (CCI) and the draft Digital Competition Bill (DCB).

- The Committee noted that traditional ex-post enforcement is too slow and urged the MCA to hasten the finalisation of the Digital Competition Bill (DCB), ensuring it includes cloud services and virtual assistants, with oversight entrusted to the CCI's Digital Markets Division (DMD). The DMD was operationalised in September 2024, with a restructuring and funding proposal under consideration to add additional posts.

- The Committee recommended that the MCA issue a "Strategic Steer" directing the CCI's priorities toward protecting MSMEs and startups in digital markets. The Committee also called for an e-commerce code of conduct administered by the CCI to ensure platform neutrality, algorithmic transparency, and non-discriminatory data access, alongside clear guidelines defining illegal deep discounting and predatory pricing.

- Regarding moving away from the fixed DVT threshold, while the MCA argued that lowering thresholds could hurt MSMEs by raising compliance burden, the Committee recommended that the flat Rs. 2,000 crore DVT (effective Sept 2024) is not adequate against digital-market harms like data silos and algorithmic self-preferencing, and recommended MCA/CCI move to a risk-based model with sector-specific DVT reviews, especially for high-innovation, high-data-concentration markets.

- While the MCA supported the mandatory 25% pre-deposit rule for appeals to deter frivolous litigation, the Committee recommended a tiered pre-deposit framework (e.g. 10% deposit for MSMEs) to ensure access to justice.

CCI amends Commitment Regulations, 2024

- The Competition Commission of India has amended the Competition Commission of India (Commitment) Regulations, 2024, to extend timelines and clarify the procedure for processing commitment applications.

- The time available for the CCI to scrutinise a commitment application for completeness has been increased from 45 to 60 days, while the period for the CCI to consider a complete application has been extended from 7 to 15 days.

- Where an application contains defects or deficiencies, it will be returned to the applicant for rectification and refiling within 10 working days. The fee paid with the original application will be adjusted against the fee payable on refiling, failing which the application will be treated as invalid.

- The period for completion of commitment proceedings has been increased from 130 to 180 days. Time taken by the applicant or any other party to furnish information, clarification or responses will be excluded while computing this period. If the proceedings are not concluded within the stipulated period after such exclusion, the Section 26 inquiry will resume.

Supreme Court asks NCLAT to expedite appeal against CCI's rejection of antitrust complaint against AVEVA

- The Supreme Court directed the NCLAT to expeditiously hear an appeal against the CCI's dismissal of a complaint alleging anti-competitive conduct by AVEVA Group Ltd.

- The complaint alleged that AVEVA engaged in market foreclosure, vertical restraints and abuse of dominance in relation to industrial automation software, including MES, SCADA and Historian software.

- The CCI had delineated the relevant market as the "market for MES, SCADA and Historian industrial automation software in India", but found that AVEVA was not dominant in that market. The Commission noted the presence of several significant competitors, including Siemens, Rockwell, SAP, Oracle, Honeywell, Emerson and ABB. It also found evidence of tying arrangements was insufficient. The CCI accordingly found no prima facie contravention and closed the matter under Section 26(2).

- The Informant subsequently sought an early hearing of the statutory appeal before the NCLAT. However, on 27 May 2026, the NCLAT did not consider the request for expeditious hearing and merely listed the appeal for 3 August 2026. The Informant thereafter approached the Supreme Court. On 28 July 2026, the Supreme Court declined to prescribe a timeline for disposal but requested the NCLAT to expedite the hearing of the appeal, taking into consideration the appellant's plea for an early hearing.

CCI invites public comments on IndiGo's commitment proposal

- CCI invited comments on the commitment application submitted by InterGlobe Aviation Ltd. (IndiGo) in Case No. 44/2025, concerning the airline's operational disruptions in December 2025.

- CCI had, by using its Suo Moto powers, found a prima facie case and that flight cancellations and withholding of services restricted consumer access and choice, which were in contravention of Sections 4(2)(a)(i) and 4(2)(b)(i).

- IndiGo proposed measures for crisis management and handling large-scale disruptions, including improved operational planning and network adjustments.

- The proposal also includes alternative travel arrangements, refunds, passenger assistance and a dedicated grievance redressal mechanism.

EUROPE

Regulatory

European Commission adopts EU Guidelines on 'exclusionary abuse of dominance'

- The European Commission (EC) has adopted new Guidelines on the application of Article 102 of the Treaty on the Functioning of the European Union (TFEU) to abusive exclusionary practices, by dominant undertakings.
- The adoption concludes a three-year consultation process with stakeholders and replaces the 2008 Enforcement Priorities Guidance.
- The Guidelines set out how the EC interprets and intends to apply Article 102 TFEU, basis EU Courts' case law, to provide legal certainty, clarify frameworks for specific types of conduct (e.g., predatory pricing, exclusive dealing, refusal to supply), and outline how companies can demonstrate defences.
- The new rules address digital ecosystems, aftermarkets, and data-driven advantages, while stating that the EC will continue pursuing exploitative abuses separately

EC fines Google 890 million euros for breaches of the DMA

- The European Commission (EC) issued two non-compliance decisions against Google under the Digital Markets Act (DMA), imposing total fines of 890 million euros.
- The EC found that Google breached DMA obligations by self-preferencing its own services (such as shopping, hotels, and transport) in ranking on Google Search over third-party alternatives (460 million euros fine).
- The EC also found that Google imposed anti-steering restrictions on app developers on Google Play by prohibiting them from freely directing consumers to alternative, cheaper purchase channels (430 million euros fine).
- Google has been ordered to cease the non-compliant conduct and implement measures ensuring equal treatment on Google Search and removing steering restrictions within 60 days.

EC issues binding DMA guidance to Google on AI interoperability and search data sharing

- The European Commission issued two sets of binding decisions under the Digital Markets Act (DMA), setting out obligations for Google regarding Android AI interoperability and Google Search data sharing.
- The first decision requires Google to ensure that Artificial Intelligence (AI) assistants (competing with Google Gemini) have equal, non-discriminatory access to core Android OS features. This includes allowing voice activation and enabling rival AI assistants to execute actions inside apps on users' behalf.
- The second decision specifies how Google must share search data with third-party search engines and AI chatbots with search functions.
- This ensures clear data protection/cybersecurity safeguards and a transparent pricing formula for data access to level the playing field for emerging competitors.

UNITED STATES OF AMERICA

Regulatory

FTC extends public comment period on proposed personalized pricing policy statement

- The Federal Trade Commission (FTC) extended the public comment period by seven days on its proposed enforcement policy statement regarding personalized pricing.
- The proposed policy statement addresses practices where businesses use consumers' personal data to dynamically alter pricing based on the maximum amount an individual is perceived as willing to spend.
- The FTC seeks to clarify that failing to clearly disclose the use of personalized pricing, as well as the underlying criteria and categories of data used, may constitute deceptive or unfair acts or practices under federal law

FTC and 5 US States secure settlement with Deere & Company advancing farmers' right to repair

- The Federal Trade Commission (FTC), alongside five U.S. states, reached a proposed settlement in an antitrust lawsuit against farm equipment manufacturer Deere & Company, resolving allegations that Deere unlawfully restricted farmers and independent technicians from repairing John Deere farm equipment.
- Under the order, Deere is required to provide farmers and independent repair providers with equipment repair resources, including diagnostic tools, technical manuals, software capabilities, and electronic fault code tools, on fair and reasonable terms equivalent to those provided to authorized dealers, for the next 10 years.
- Deere must also instruct its authorized dealers to support access without retaliation, make future repair tools available to the public within specified timelines, and submit to reporting and monitoring oversight by the FTC and state authorities.

INDIA

Court Room Updates

Supreme Court upholds NCLAT Order setting aside INR 301.6 crore penalty on Grasim Industries, Civil Appeal No. 7192 of 2026, dated 31.07.2026

The Competition Commission of India (CCI) had previously imposed a penalty of INR 301.61 crore on Grasim Industries Limited for alleged abuse of dominance in the market for the supply of Viscose Staple Fibre (VSF) to spinners in India. Grasim challenged the CCI’s order before the National Company Law Appellate Tribunal (NCLAT), which set aside the penalty on grounds of procedural non-compliance with natural justice principles, leading the CCI to appeal to the Supreme Court.

Key Contentions	Latest Status
Whether the CCI could issue adverse findings and directions that differed from the findings of the Director General (DG) without providing the investigated enterprise prior notice and an opportunity to respond to such disagreements. The underlying matter concerned allegations that Grasim charged discriminatory prices for VSF and imposed supplementary obligations, including requiring buyers to furnish consumption details.	The Supreme Court dismissed the CCI's appeal and affirmed the NCLAT's ruling setting aside the INR 301.61 crore penalty. The Court held that principles of natural justice require the CCI to give notice and a fair hearing whenever it proposes to depart from the DG's investigation findings or introduce new grounds of liability. The Supreme Court remanded the matter back to the CCI to conduct a fresh hearing with proper procedural safeguards, without expressing any opinion on the merits of the abuse of dominance allegations.

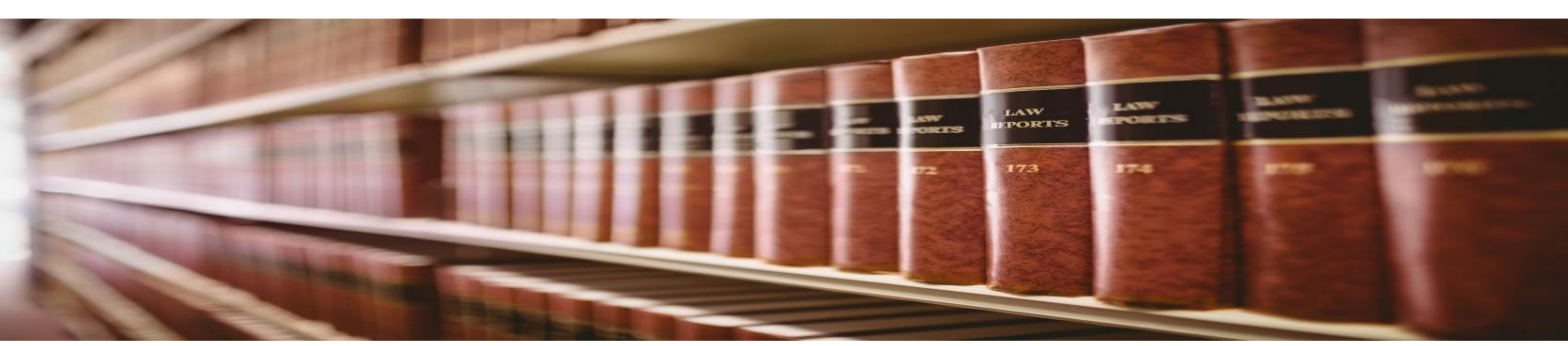
CCI penalises HP India and its resellers for bid-rigging in GeM tenders, Suo Moto Case Nos. 07 & 08 of 2020, dated 13.07.2026

The Competition Commission of India (CCI) passed final orders finding HP India Sales Private Limited (HP India) and 21 of its Tier-2 resellers guilty of bid-rigging and collusive bidding in Government e-Marketplace (GeM) tenders in Delhi-NCR.

The cases originated from lesser penalty (leniency) applications filed by HP India regarding Personal Systems Products (laptops, desktops, workstations) and Printer Supplies Products (ink and toner cartridges).

The CCI found that HP India oversaw a hub-and-spoke cartel by manipulating Manufacturer's Authorisation Forms (MAFs), dictating bid prices, allocating Most Valuable Customer (MVC) accounts, and facilitating cover/support bids through WhatsApp groups to preserve commercial arrangements.

The CCI clarified that protection over the identity of the lesser penalty applicant is not perpetual and is available only during the period of inquiry. The identity an applicant is disclosed in the final order to ensure transparency and uphold due process / rights of other implicated parties, and to explain the factual legal basis of conclusions reached, and fines imposed, reduced or waived.



Key Issues	Decision
Whether HP India and its resellers engaged in anti-competitive agreements and bid-rigging under Section 3(3)(d) read with Section 3(1) of the Competition Act, 2002. Whether vertical OEM-reseller relationships can be scrutinised under Section 3(3) when both participate as horizontal competitors in public procurement tenders. Whether a leniency applicant acting as an orchestrator/facilitator is entitled to a 100% penalty waiver.	The CCI held HP India and its resellers liable for bid-rigging and collusive bidding under Section 3(3)(d) read with Section 3(1) of the Act. The CCI clarified that when an OEM and its resellers both participate as bidders in public tenders, they act as horizontal competitors subject to Section 3(3). The CCI issued cease-and-desist orders against all contravening entities and directed them to conduct competition compliance training programs. Rejecting HP India's request for a 100% penalty reduction due to its central role, the CCI granted a reduced penalty of INR 11.98 crore in the Supplies case and INR 126.87 crore in the Personal Systems case after granting leniency discounts. Monetary penalties were also imposed on individual company officials found vicariously liable under Section 48.

CCI directs Trustees' Association of India and three Debenture Trustees to cease anti-competitive fee-fixing conduct, Case No. 29 of 2021, dated 02.09.2026

The Competition Commission of India (CCI) issued a final order following an information filed by Muthoot Finance Limited against the Trustees' Association of India (TAI) and major debenture trustee companies.

Muthoot Finance alleged that after proposing a private placement of non-convertible debentures (NCDs) worth INR 982 crore, the debenture trustees collectively revised and enforced a minimum fee structure, inflating initial and annual trusteeship fees.

Based on meeting minutes and email records, the CCI held that TAI and the trustee entities fixed benchmark prices and dictated that both member and non-member trustees refrain from offering services below the prescribed threshold, thereby restricting independent price discovery and controlling service supply.

Key Issues	Decision
Whether the collective fixing of a benchmark/minimum fee structure by TAI and debenture trustees constitutes price-fixing and cartelisation under Section 3(3)(a) of the Competition Act. Whether directing member and non-member debenture trustees not to charge below the benchmark fee amounts to limiting and controlling the market for trusteeship services under Section 3(3)(b) read with Section 3(1).	The CCI held TAI, IDBI Trusteeship Services Limited, Axis Trustee Services Limited, and SBI CAP Trustee Company Limited guilty of cartelisation and restricting the supply of trusteeship services under Sections 3(3)(a) and 3(3)(b) read with Section 3(1) of the Act. The Commission issued cease-and-desist orders against TAI, the three debenture trustee firms, and their designated key officials held vicariously liable under Section 48. Taking into consideration mitigating factors (such as not having earned income during period of contravention and prices lower than Benchmark Pricing) and regulatory background nuances, the CCI refrained from imposing monetary penalties on the opposite parties or their individuals.

Delhi High Court affirms CCI order allowing Builders' Association of India to join grey cement cartel probe, LPA 8/2024, dated 08.09.2026

UltraTech Cement Limited challenged an order passed by the Competition Commission of India (CCI) in Suo Moto Case No. 02/2019, which allowed the Builders' Association of India (BAI) to be impleaded as a party under Regulation 25(1) of the CCI (General) Regulations, 2009.

UltraTech contended that the impleadment order was unreasoned, passed without providing an opportunity of hearing, and amounted to an impermissible review of a previous order that had rejected BAI's impleadment during the investigation stage.

The Delhi High Court dismissed UltraTech's appeal, holding that BAI, as an association representing major consumers of cement, had a substantial interest in the outcome. The Court held that proceedings under the Competition Act are in the nature of rights in rem to serve public interest, and impleadment serves to aid the Commission's inquiry rather than determine any rights.

Key Issues	Decision
Whether the CCI's order permitting the impleadment of an industry association (BAI) under Regulation 25(1) of the General Regulations, 2009, post-submission of the Director General's investigation report was procedurally defective or violated principles of natural justice. Whether allowing a consumer/trade association to participate and inspect non-confidential records constitutes an impermissible review of an earlier interlocutory or causes prejudice to investigated parties.	The Delhi High Court (Division Bench) dismissed UltraTech's appeal and upheld the Single Judge and CCI orders. The Court held that BAI, representing the largest consumer segment of grey cement, possessed substantial interest in the outcome, justifying its participation in the public interest under Regulation 25(1). The Court clarified that antitrust proceedings are in rem aimed at protecting market competition and public interest, meaning traditional dominus litis principles do not apply. Confidentiality concerns were fully safeguarded as BAI committed not to seek access to confidential records, a undertaking noted by the Supreme Court in related proceedings

EUROPE

Court Room Updates

EU General Court rejects Apple's challenges to European Commission DMA designation decisions, T 1079/23, T 1080/23 and T 214/24, dated 08.07.2026

The EU General Court (GC) dismissed three joint actions brought by Apple against European Commission decisions under the Digital Markets Act (DMA).

The General Court upheld the Commission's designation of Apple as a gatekeeper under Article 3 DMA and confirmed the classification of its five app stores (for iOS, iPadOS, watchOS, macOS, and tvOS) as a single Core Platform Service (CPS).

The Court found the App Store definition technology-neutral and determined that operating across distinct operating systems does not alter the fundamental common purpose of facilitating software application transactions.

Key Contentions	Decision
Whether the European Commission erred in treating Apple's five distinct app stores across its operating systems as a single Core Platform Service (CPS) under the DMA. Whether Apple could challenge the legality of Article 6(7) DMA obligations via a plea of illegality against its gatekeeper designation decision. Whether the inclusion of iMessage in recitals and the decision to close a market investigation into iMessage created binding legal effects open to annulment	The GC dismissed Apple's case on the single App Store CPS classification, ruling that software app stores fulfill a single common transaction purpose regardless of the device or operating system. The Court rejected the plea of illegality against Article 6(7) DMA as inadmissible, holding that designation decisions determine gatekeeper status under Article 3 but do not constitute implementing measures for specific conduct obligations under Articles 5-7. The GC held challenges regarding iMessage inadmissible, finding that market investigation closure decisions carry no binding legal effects or direct legal changes for Apple.

UNITED KINGDOM

Court Room Updates

UK Court of Appeal Upholds CMA's Hydrocortisone Excessive Pricing Findings, Case No. CA-2025-000630; CA-2025-000642; CA-2025-000644, dated 28.07.2026

The Court of Appeal dismissed the appeals brought by Auden Mckenzie, Actavis UK (Allergan), and Intas against the Competition Appeal Tribunal's (CAT) judgment, which had upheld the Competition and Markets Authority's (CMA) findings of abusive excessive and unfair pricing in relation to hydrocortisone tablets.

The case involved allegations that the pharmaceutical companies exploited their dominant market position to charge unfair and excessive prices for 10mg and 20mg hydrocortisone tablets supplied to the NHS over a ten-year period between 2008 and 2018.

The Court of Appeal held that the grounds of appeal advanced by the pharmaceutical companies failed to displace the findings of the lower tribunal, confirming the validity of the CMA's regulatory intervention and the framework for assessing excessive pricing under competition law.

Key Issues	Decision
Whether the CAT erred in law when applying the United Brands legal test to determine whether the prices charged for hydrocortisone tablets were excessive and unfair. Whether the CMA was required to consider hypothetical benchmark prices or alternate economic value arguments raised by the appellants. Whether the failure of public sector health buyers (NHS) to formally object to or challenge price increases at the time of supply precluded a subsequent finding of abusive pricing under Chapter II of the Competition Act 1998.	The Court of Appeal dismissed all grounds of appeal and upheld the CAT's judgment in favour of the CMA. The Court held that none of the grounds advanced could displace the CAT's detailed factual and economic conclusions regarding the excessive and unfair nature of the prices charged. The Court held that an infringement of competition law can still be established even if a public sector buyer accepted and paid the prices without immediate challenge, confirming the enforceability of penalties imposed by the regulator (subject to minor adjustments).

UK Court of Appeal dismisses Microsoft appeals in ValueLicensing second-hand software dispute, JJH Enterprises Ltd v Microsoft Corp & Ors, Case No. 1570/5/7/22 (T) / [2026] EWCA Civ 872, dated 07.07.2026

The Court of Appeal of England and Wales dismissed two appeals brought by Microsoft Corporation against interlocutory rulings of the Competition Appeal Tribunal (CAT).

The underlying claim was brought by ValueLicensing, a broker reselling pre-owned Microsoft perpetual software licenses. ValueLicensing alleged that Microsoft abused its dominant position and entered into restrictive agreements under Articles 101/102 TFEU and Chapter I/II of the Competition Act 1998 by deploying contractual restrictions and incentivising enterprise customers to transition to subscription-based models, harming the secondary market for perpetual licenses.

Microsoft contended that the CAT lacked jurisdiction to decide copyright issues and that ValueLicensing's resale activities constituted copyright infringement because perpetual volume software licenses could not be lawfully sub-divided or exhausted

Key Issues	Decision
Whether the Competition Appeal Tribunal (CAT) has jurisdiction under Section 47A of the Competition Act 1998 to adjudicate copyright defence issues when necessary to resolve a competition law damages claim. Whether software packages (such as Microsoft Office and Windows) containing non-program works (fonts, clip art, graphical user interfaces) fall under the Software Directive's exhaustion rules on first sale. Whether perpetual software licenses can be sub-divided and resold in smaller quantities, and whether anti-assignment or non-resale terms can override the legal doctrine of exhaustion.	The Court held that the CAT possesses statutory jurisdiction under Section 47A to determine non-competition issues, including copyright, whenever essential to resolve an underlying competition law claim. The Court held that complex software products must be evaluated as a single composite object based on their core economic function. Since Windows and Office are fundamentally computer programs, the Software Directive applies and copyright in both program and ancillary non-program works is exhausted upon first sale. The Court confirmed that perpetual licenses may be sub-divided and resold, as contractual provisions cannot override the operation of copyright exhaustion as a matter of law.

UNITED STATES OF AMERICA

Court Room Updates

Jury convicts Sioux Erosion Control Inc., executive, and employee for roles in USD 100 million price-fixing conspiracy, 5:24-cr-00314, dated 19.08.2026

A federal jury in Oklahoma convicted Sioux Erosion Control Inc. (Sioux), its part-owner and Vice President, and an employee for participating in a long-running antitrust conspiracy.

The scheme targeted more than USD 100 million in publicly funded transportation construction and repair projects across Oklahoma between September 2017 and April 2023.

In total, seven defendants, including four individuals who previously pleaded guilty, were convicted under the joint investigation led by the Justice Department's Antitrust Division, the Procurement Collusion Strike Force, the FBI, and the Department of Transportation.

Key Issues	Decision
Whether Sioux Erosion Control Inc., and its members, conspired with competitors to fix prices, allocate contracts, and rig bids for erosion control products and services on highway construction projects in violation of Section 1 of the Sherman Act.	The federal jury found Sioux, Vice President and the employee guilty of participating in a price-fixing conspiracy. The corporate entity faces statutory maximum criminal fines of up to USD 100 million (or twice the gross financial gain/loss), while the individuals face maximum penalties of up to 10 years in prison and USD 1 million in criminal fines.

Justice Department Reaches Proposed Consent Decree with Pinnacle to Resolve Rent Price-Fixing and Algorithmic Coordination Claims, September 4, 2026

The U.S. Department of Justice's (DOJ) Antitrust Division filed a proposed consent decree in the U.S. District Court for the Middle District of North Carolina to resolve federal antitrust claims against Pinnacle Property Management Services LLC (Pinnacle).

The enforcement action alleged that Pinnacle and rival landlords engaged in an unlawful scheme under Section 1 of the Sherman Act by sharing non-public, competitively sensitive pricing data to generate rental recommendations through RealPage's revenue management software and colluding on pricing and strategies.

Key Issues	Decision
Whether Pinnacle participated in an illegal horizontal price-fixing scheme and algorithmic coordination by sharing non-public, competitively sensitive leasing data and aligning rental rates through RealPage's software. Whether algorithmic pricing tools that pool non-public competitor data to recommend rental prices constitute an unreasonable restraint of trade under Section 1 of the Sherman Act.	Pinnacle is prohibited from using pricing algorithms that rely on competitors' private, competitively sensitive data or include anticompetitive price-alignment rules. Pinnacle must cease exchanging sensitive pricing and data with competitors through any channel and is banned from attending RealPage-hosted landlord meetings. The decree requires Pinnacle to establish an internal compliance framework, accept a court-appointed monitor if using an uncertified third-party pricing tool, and fully cooperate with the Justice Department's ongoing litigation against remaining non-settling co-defendants.

INDIA

Regulatory

The Unique Identification Authority of India (UIDAI) launches Aadhaar Face Authentication Software Development Kit and Sandbox

- At the Global Fintech Fest 2026 held in Mumbai, the UIDAI launched the Aadhaar Face Authentication Software Development Kit and a companion Face Authentication Sandbox on 09.09.2026. The SDK allows Aadhaar-based face authentication to be embedded directly within native Android and iOS applications, removing the earlier requirement of routing the authentication journey through a separate background application. Banks, insurers, brokerages and fintech platforms will be able to integrate the authentication experience directly into their own apps, which UIDAI has indicated is intended to support RBI-mandated multi-factor authentication requirements in the BFSI sector.

- The Sandbox environment allows requesting entities to test and calibrate their integration with the face authentication technology before deployment, and follows UIDAI's earlier rollout, in February 2026, of an AI-enabled biometric deduplication and document-verification platform aimed at strengthening safeguards across the Aadhaar ecosystem.

Data Protection Board of India (DPB) remains unstaffed despite continuing appointment process

- Although the DPB was established under Section 18 of the Digital Personal Data Protection Act, 2023 with effect from the notification of the DPDP Rules, 2025 on 13.11.2025, the Board remains without an appointed Chairperson or Members. The Ministry of Electronics and Information Technology (MeitY) issued a communication on 06.05.2026, inviting nominations from all Union Ministries, State and Union Territory Governments, and MeitY's attached and subordinate offices, for the posts of Chairperson and four Members, followed by a further notification on the appointment process on 06.05.2026. As of the most recent public reporting in August 2026, the search-cum-selection committees remain at the stage of soliciting names, and no appointments have been finalised.

RBI consolidates cybersecurity, technology risk, resilience and assurance framework across regulated entities

- On 31.07.2026, the RBI repealed 628 existing circulars and replaced them with 64 consolidated Directions, including seven parallel cybersecurity, technology risk, resilience and assurance framework Directions issued separately for commercial banks, small finance banks, payments banks, urban co-operative banks, non-banking financial companies (NBFCs) and credit information companies, all of which took effect immediately on issuance.

- The Directions consolidate board-level governance requirements (including a mandatory IT Strategy Committee and Information Security Committee), require appointment of a Chief Information Security Officer who does not report to the Head of IT, mandate vulnerability assessments every six months and penetration testing every twelve months for critical and customer-facing systems, and require reporting of cyber incidents on the RBI's DAKSH platform within six hours of detection. The Directions also prescribe outsourcing, business continuity, and information-systems-audit requirements, and are expected to shape the RBI's approach to NBFC cybersecurity regulation going forward, given the RBI's consistent pattern of extending bank-level requirements to NBFCs within 12 to 18 months.

UIDAI continues migration to new Aadhaar application with selective data-sharing features

- UIDAI's transition of users from the long-running mAadhaar application to the redesigned "Aadhaar

App” has continued through the recent months, with over 21 million downloads reported to date. Unlike mAadhaar, which displayed full Aadhaar details during authentication, the new application allows users to share only the specific information required for a given transaction and introduces secure QR-based sharing together with face-authentication and QR-verification options intended to reduce misuse of Aadhaar data at points of physical verification such as hotels, hospitals and government offices.

- UIDAI has also extended its free online Aadhaar document-update facility through the myAadhaar portal to 14.06.2027, and separately waived charges for updating an email address through the Aadhaar mobile application until 31.12.2026, alongside plans to scale up daily authentication capacity from roughly 100 million to 250-300 million transactions to meet rising demand from over 600 requesting entities.

The Securities and Exchange Board of India (SEBI) issues AI vulnerability detection advisory under its Cybersecurity and Cyber Resilience Framework

- On 05.05.2026, the SEBI issued an advisory (circular HO/13/19/12(1)2026-ITD-1_CIMGI/10873/2026) addressing the use of AI-based tools for vulnerability detection, to be read alongside its existing Cybersecurity and Cyber Resilience Framework (CSCRF) for SEBI-regulated entities. The advisory adds a set of directives requiring regulated entities to evaluate AI-augmented vulnerability-assessment tooling, incorporate AI-driven attacker scenarios into risk registers, and ensure that IT governance committees formally consider the advisory as part of the entity’s audit evidence for the next CSCRF cycle.

The Insurance Regulatory and Development Authority of India (IRDAI) overhauls Information and Cyber Security Guidelines, aligning with the DPDP Act

- The IRDAI, by circular dated 06.04.2026, notified Version 2.0 of its Information and Cyber Security Guidelines, replacing the 2023 framework and applying to insurers, foreign reinsurance branches, and intermediaries including brokers, corporate agents, web aggregators and third-party administrators. The revised guidelines increase the frequency of Information Security Risk Management Committee meetings from twice yearly to quarterly, mandate vulnerability assessment and penetration testing every six months, and introduce early cryptographic-asset inventory requirements as a step toward post-quantum readiness.

- The guidelines expressly recognize the overlay of the DPDP Act on the insurance sector’s existing data-handling obligations, requiring regulated entities to build governance, visibility and accountability structures for personal data in addition to their sector-specific cybersecurity duties, and remain a live compliance reference point for insurers through the current financial year.

The Telecom Regulatory Authority of India’s (TRAI) Draft Third Amendment to the Telecom Commercial Communications Preference Regulations remains under consideration

- TRAI continues to examine stakeholder feedback on its Draft Telecom Commercial Communications Customer Preference (Third Amendment) Regulations, 2026, first released for consultation on 13.03.2026, with the comment and counter-comment windows subsequently extended until April 2026. The draft proposes mandatory AI/ML-based detection systems for unsolicited commercial communications, a regulatory sandbox for anti-spam solutions, and revised definitions of “explicit consent” and “relationship” for the purpose of inferred consent on Distributed Ledger Technology-based consent platforms. As of the reporting period, the amendment has not been notified in final form.

MeitY's Draft Second Amendment to the IT Rules remains pending

- MeitY's Draft Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026, released for public consultation on 30.03.2026, remains unnotified. The draft proposes a new Rule 3(4) making intermediary compliance with MeitY-issued clarifications, advisories, directions, standard operating procedures, codes of practice and guidelines part of the due-diligence obligation under Section 79 of the IT Act, with non-compliance threatening loss of safe-harbour protection, and separately proposes that data-retention obligations under the IT Rules operate without prejudice to requirements under other applicable laws. The consultation period, originally closing 14.04.2026, was extended following representations from industry bodies and civil society groups, including the Internet Freedom Foundation and Human Rights Watch, who have both called for the draft's withdrawal on constitutional grounds. No final notification has been issued as of the reporting period.

EUROPE

Regulatory

GDPR / ePrivacy Reform ("Data Omnibus") remains stalled, core cookie-consent provisions dropped

- Unlike its AI counterpart, the GDPR, ePrivacy, Data Act and NIS2 strand of the Digital Omnibus package have not reached political agreement. Successive Council Presidency compromise texts have progressively deleted the Commission's most significant proposed changes, including new GDPR Articles 88a-88c, which would have introduced one-click cookie accept/reject buttons, a six-month bar on re-prompting users who refuse consent, and standardised browser-level preference signals to reduce "cookie fatigue". Germany's Federal Commissioner for Data Protection and Freedom of Information (BfDI) published recommendations on 13 August 2026 criticising the deletions, citing a nationwide survey in which 83% of respondents considered cross-site preference persistence important, and urged co-legislators to revisit the issue in further negotiations on the Digital Omnibus. The European Parliament's own consolidated position, along with an impact study on the GDPR, ePrivacy and platform-to-business strands, was not expected before October 2026, meaning final adoption of this half of the package remains distant.

EDPB formally asks European Commission to reassess EU–US data privacy framework after Trump v. Slaughter

- On 29.06.2026, the US Supreme Court ruled in Trump v. Slaughter that the President may remove Federal Trade Commission (FTC) Commissioners at will, overturning decades of precedent (Humphrey's Executor) that had insulated independent US agencies from direct presidential control. Because the EU-US Data Privacy Framework's adequacy decision rests substantially on the FTC's independence as an enforcement body, the EDPB wrote to the European Commission on 31.06.2026 formally asking it to "closely assess" how the ruling affects the FTC's ability to uphold DPF commitments, noting that effective independent supervisory authority in the third country is a key element of any adequacy assessment. The DPF remains legally in force and binding for now, pending any decision by the Commission to withdraw it or by the CJEU to annul it, but several national data protection authorities including Denmark's Datatilsynet, which issued a statement on 01.06.2026 have urged controllers relying on Standard Contractual Clauses to revisit their Transfer Impact Assessments in light of the ruling.

EDPB adopts guidelines on anonymisation and web scraping for Generative AI

- On 08.07.2026, the European Data Protection Board adopted two significant sets of guidelines.

Guidelines 02/2026 on anonymisation clarify the notion of anonymous data under the GDPR and set out a practical framework for organisations to assess whether a given anonymisation technique is genuinely effective, an area that had previously lacked clear regulatory benchmarks. Draft Guidelines 03/2026 address web scraping in the context of generative AI, clarifying the available legal bases for scraping publicly available data to train AI models and the safeguards controllers must put in place; these remain open for public consultation until 30 October 2026. The EDPB simultaneously adopted the final version of its Guidelines 02/2025 on the processing of personal data through blockchain technologies, giving organisations using blockchain-based systems a settled compliance reference point.

UNITED KINGDOM

Regulatory

Further Data (Use and Access) Act 2025 provisions come into force, including the new automated decision-making regime

- On 19 June 2026, a further tranche of the Data (Use and Access) Act 2025 (DUAA) came into force under the Data (Use and Access) Act 2025 (Commencement No. 6 and Transitional and Saving Provisions) Regulations 2026 (SI 2026/82), following the main February 2026 commencement of Part 5. The provisions taking effect on this date included Section 80 and Schedule 6 (the reformed rules on solely automated decision-making, replacing UK GDPR Article 22 with a narrower regime focused specifically on special category data), Section 101 (the ICO's new power to issue penalty notices under PECR and eIDAS on the same footing as under the UK GDPR), Section 103 and Schedule 10 (a new statutory duty on controllers to have a complaints-handling process for data subjects, with the ICO empowered to require evidence of compliance), and Section 115 and Schedule 13 (an expanded suite of ICO investigatory powers, including compulsory interview powers and technical-report requirements).

UK ICO publishes progress update on Children's Code Strategy

- On 26.08.2026, the ICO published a progress update on its Children's Code strategy, first launched in April 2024 and focused on social media platforms and video-sharing platforms. Since its previous update in December 2025, the ICO reports having launched risk reviews of 14 age-assurance providers, with targeted recommendations and ongoing monitoring to follow, taken enforcement action over alleged unlawful use of children's personal data, and secured commitments from some platforms to strengthen age-assurance measures and improve transparency. The ICO also addressed the UK government's recently announced proposal to bar certain platforms from offering services to children under 16 through amendments to the Online Safety Act, emphasising that data protection obligations under the Children's Code apply irrespective of any minimum-age restriction, and that it will continue engaging with the government and Ofcom on implementation.

UNITED STATES OF AMERICA

Regulatory

California's statewide data-broker deletion mechanism becomes operational

- A major California privacy development occurred on 1 August 2026, when data brokers became subject to the operational requirements of California's Delete Request and Opt-Out Platform (“DROP”).

- Under the California Delete Act, data brokers must access DROP at least once every 45 days and process applicable consumer deletion requests. The mechanism enables a California consumer to submit a single deletion request covering personal information held by multiple registered data brokers.

California AI Transparency Requirements Take Effect

- During the period under review, the California AI Transparency Act became operative, introducing transparency-related requirements for certain providers of generative AI systems and addressing the identification and disclosure of AI-generated content. The legislation forms part of California’s broader strategy of regulating AI through targeted obligations rather than waiting for a comprehensive federal AI framework.

- The new requirements are likely to have practical implications for developers and providers of publicly accessible generative AI systems. Businesses should evaluate whether their AI products fall within the scope of the applicable requirements and, where relevant, incorporate appropriate disclosures and technical measures into product design. The legislation further illustrates the emerging U.S. regulatory trend towards “transparency by design”, under which AI providers are expected to build compliance mechanisms directly into their technology.

Colorado Revises its AI Regulatory Framework

- Colorado has substantially revised its approach to artificial intelligence regulation, replacing the framework that had previously been expected to introduce comprehensive requirements for high-risk AI systems. The revised framework modifies the scope and timing of the obligations applicable to developers and deployers of automated decision-making technologies. Colorado’s Department of Law has also commenced rulemaking to provide greater detail regarding the operation of the revised framework.

- The changes are particularly important for businesses that had commenced compliance preparations based on Colorado’s earlier AI regime. Organisations should reassess existing AI governance programmes against the revised statutory requirements and monitor the forthcoming regulations. The development also highlights the evolving nature of U.S. AI regulation, where businesses may need to continuously reassess compliance requirements as states amend or replace previously enacted AI legislation.

INDIA

Court Room Updates

Venkatesh Nayak v. Union of India, W.P.(C) No. 177/2026

This writ petition was filed before the Supreme Court challenging various provisions of the Digital Personal Data Protection Act, 2023 and the Digital Personal Data Protection Rules, 2025. Among the principal challenges is the amendment to Section 8(1)(j) of the Right to Information Act, 2005 through Section 44(3) of the DPDP Act, which concerns the disclosure of personal information under the RTI framework. The petition raises constitutional issues concerning Articles 14, 19(1)(a) and 21, particularly the balance between the right to information and the right to privacy.

Key Contentions	Latest Status
The amendment to Section 8(1)(j) of the RTI Act is alleged to substantially restrict access to personal information and adversely affect the constitutional right to information under Article 19(1)(a). The petitioners have also challenged various provisions of the DPDP Act and Rules on the ground that they may adversely affect transparency, freedom of speech and expression, privacy and the functioning of the RTI framework.	The matter, along with connected petitions including *The Reporters Collective Trust & Anr. v. Union of India & Ors.*, W.P.(C) No. 211/2026 and *National Campaign for People's Right to Information v. Union of India,* W.P.(C) No. 212/2026, remains pending before the Supreme Court.

Aishe Ghosh v. Union of India & Anr., W.P.(C) No. 9639/2026

This public interest petition was filed before the Delhi High Court by Aishe Ghosh, concerning the alleged use of continuous videography and facial-recognition technology by the Delhi Police during student protests at Jantar Mantar. The petition raises concerns regarding the collection, processing and retention of photographs and facial data of protesters, including individuals who may not be suspected of having committed any offence. The petitioner contended that such surveillance and processing of personal and potentially biometric information, raises concerns under the fundamental right to privacy guaranteed under Article 21 of the Constitution.

Key Contentions	Latest Status
The use of facial-recognition technology and continuous videography of protesters amounts to the collection and processing of personal and potentially biometric data, raising concerns under the fundamental right to privacy recognised in K.S. Puttaswamy v. Union of India. The indiscriminate collection and retention of facial images of individuals who are not accused of any offence raises concerns regarding the necessity, proportionality, purpose limitation and safeguards applicable to surveillance technologies.	The proceedings remain pending before the Delhi High Court and may have significant implications for the deployment of facial-recognition and other AI-enabled surveillance technologies by law-enforcement authorities in India.

Supreme Court directs consideration of safeguards against serious cybercrime and digital harms

On 11.08.2026, the Supreme Court called upon the Union Government to consider the need for an effective mechanism to address serious forms of cybercrime and digital harms. The concerns placed before the Court included threats involving physical violence, unauthorised dissemination of private information and circulation of non-consensual intimate content. The Court's intervention reflects the increasing difficulty of addressing harms that can be committed and amplified through digital platforms.

X Corp. v. Union of India, W.P. No. 7405/2025

The litigation arose before the Karnataka High Cour concerning the Government's Sahyog Portal, which facilitates the processing of governmental requests for removal or blocking of online content. X Corp has challenged the legal basis for requiring intermediaries to participate in the portal and has contended that lawful blocking requests can be processed through the statutory mechanism under Section 69A of the Information Technology Act, 2000 and the intermediary's established legal-request channels. During August 2026, X Corp also disputed the Government's allegation that it had failed to cooperate with lawful content-blocking directions.

Key Contentions	Latest Status
X Corp has challenged the requirement to participate in the Sahyog Portal and contended that the Government must follow the statutory framework governing blocking of online information. The dispute raises broader issues concerning intermediary liability, governmental content-blocking powers, procedural safeguards and freedom of speech and expression in the digital environment.	On 08.09.2026, the Supreme Court issued notice on the Union Government's transfer petition concerning the proceedings before the Gujarat High Court and directed that further proceedings before the Gujarat High Court remain stayed pending further consideration.

ANI Media Pvt. Ltd. v. Open AI OpCo LLC, CS(COMM) 1028/2024

This commercial suit was filed by ANI Media Private Limited against OpenAI in relation to the alleged use and storage of ANI's copyrighted news content for training the large language models underlying ChatGPT. ANI alleged that OpenAI had used its news reports without authorisation and that ChatGPT could generate outputs reproducing or closely resembling ANI's copyrighted content. The Delhi High Court, while considering ANI's application for an interim injunction, examined questions concerning the jurisdiction of Indian courts, copyright infringement arising from AI training, storage of copyrighted works and the applicability of the fair-dealing exception under Section 52 of the Copyright Act, 1957.

Key Contentions	Decision
ANI contended that OpenAI's unauthorised copying, storage and use of its copyrighted news reports for training AI models constituted copyright infringement and that the commercial nature of OpenAI's activities could not be protected under the fair-dealing exception. OpenAI contended that the use of copyrighted material for training its AI models constituted research and transformative use and fell within the fair-dealing exception under Section 52(1)(a) of the Copyright Act. The Court also considered whether the alleged use caused demonstrable economic harm to ANI.	The Delhi High Court dismissed ANI's application for an interim injunction, holding, at the interim stage, that ANI had not established a prima facie case warranting restraint against OpenAI's use of the material for AI training. The Court also considered the use of the copyrighted material in the context of research and fair dealing under Section 52 of the Copyright Act.

EUROPE

Court Room Updates

Datenschutzbehörde and Dr. G S v. Bundesministerin für Justiz and D GmbH (18.06.2026)

The CJEU considered the relationship between the remedies available under Articles 77 and 79 of the GDPR. The dispute arose where a data subject had already initiated judicial proceedings concerning the same processing of personal data and subsequently lodged a complaint with the national supervisory authority. The Austrian data protection authority had treated the pending judicial proceedings as a basis for rejecting the complaint.

Key Contentions	Latest Status
The data subject argued that the right to lodge a complaint with a supervisory authority under Article 77 is independent of the right to a judicial remedy under Article 79. The authorities raised concerns that allowing both proceedings to continue could result in contradictory decisions and impose duplicative burdens on controllers.	The CJEU held that Articles 77 and 79 GDPR establish independent and concurrent remedies and that a supervisory authority cannot reject a complaint merely because judicial proceedings concerning the same subject matter are pending. Member States may establish procedural mechanisms to coordinate parallel proceedings, including suspension, but such mechanisms cannot undermine the effectiveness of the rights guaranteed by the GDPR

NTH Haustechnik GmbH v. EM (18.06.2026)

The CJEU examined whether personal data obtained by an employer in potentially unlawful circumstances could subsequently be used as evidence in employment litigation. The case concerned the interaction between the GDPR's requirements concerning lawful processing, storage limitation and processing necessary for the establishment, exercise or defence of legal claims.

Key Contentions	Decision
The employee argued that personal data obtained unlawfully could not subsequently be relied upon as evidence in judicial proceedings. The employer argued that the use of the information was necessary for the establishment and defence of legal claims and therefore had an independent legal basis.	The CJEU held that the GDPR does not automatically require exclusion of evidence merely because the data from which that evidence derives were initially obtained unlawfully. The use of such evidence by a court must nevertheless have an appropriate legal basis and comply with the GDPR, including the requirements of necessity and proportionality. National law may regulate the use of such evidence provided that the applicable rules are clear, foreseeable, pursue a public-interest objective and are proportionate.

ND v. Legal Newsdesk Sweden AB (09.07.2026)

The CJEU considered whether making information concerning criminal convictions publicly available online, for payment, could qualify as processing of personal data for "journalistic purposes" under Article 85 GDPR. The case concerned a Swedish company operating a searchable paid database containing information concerning persons who had been subject to criminal proceedings.

Key Contentions	Decision
The company relied on freedom of expression and the GDPR's journalistic-purpose exemption under Article 85. The data subject argued that the systematic publication of criminal-conviction information for commercial purposes should remain subject to the GDPR's safeguards, including data-subject rights and effective judicial remedies.	The CJEU held that the mere placing online, in return for payment, of decisions concerning criminal convictions does not, in principle, constitute processing for "journalistic purposes". Accordingly, such activity cannot automatically benefit from the derogations available for journalistic processing, and the GDPR's safeguards and remedies remain applicable

UNITED KINGDOM

Court Room Updates

Good Law Project Ltd v. Reform UK Party Ltd. (19.06.2026)

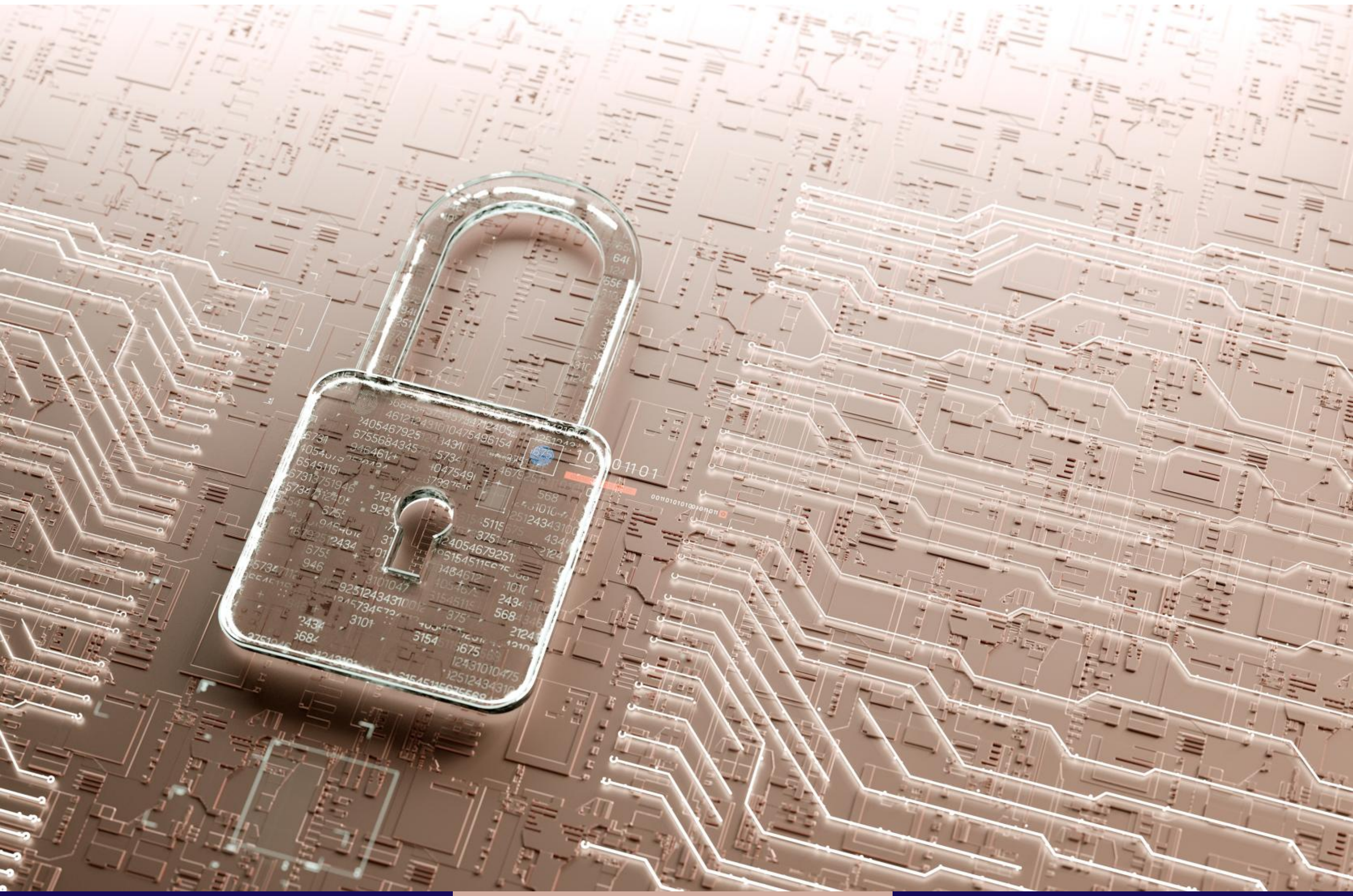
The Good Law Project brought the claim on behalf of 51 individuals who submitted data subject access requests (DSARs) to Reform UK Party Limited in the run-up to the July 2024 general election, alleging that Reform's responses were both late and substantively deficient, causing the individuals non-material damage. Reform applied to strike out the claim and/or for summary judgment, arguing principally that the Good Law Project did not meet the statutory conditions to act as a representative body under Section 187, and that the claim was politically motivated and thus an abuse of process. On 19.06.2026, Mr Justice Murray dismissed Reform's application in full, held that the Good Law Project's standing was a triable issue rather than one to be resolved at the threshold stage, refused Reform permission to appeal, and made a substantial costs order against Reform, including £140,000 payable to the Access to Justice Foundation in respect of the claimant's pro bono representation.

Key Contentions	Decision
Reform's DSAR responses were late and substantively deficient, causing the 51 mandating individuals non-material damage (distress, loss of control over their data); the Good Law Project satisfies the Section 187 conditions (public-interest objectives, non-distribution of assets) to bring the claim as their representative under Article 80 UK GDPR. The Good Law Project's Articles of Association do not satisfy Section 187's conditions for representative standing; the claim was brought for political rather than genuine data-protection purposes and amounts to an abuse of process; the claim should be struck out or summary judgment entered for Reform.	Reform's strike-out/summary judgment application was dismissed on 19.06.2026; the Good Law Project's standing and the underlying GDPR breach allegations will now proceed to trial. Reform was refused permission to appeal and ordered to pay costs, including a large pro bono costs order. No trial date has yet been reported.

Meta Platforms Inc v. Dr Liza Lovdahl Gormsen (29.07.2026)

This is an interlocutory appeal within the long-running opt-out collective proceedings brought by Dr Liza Lovdahl Gormsen in the Competition Appeal Tribunal (CAT) on behalf of over 46 million UK Facebook users, valued at approximately £3 billion. The underlying claim alleges that Meta abused its dominant position under Section 18 of the Competition Act 1998 by making access to Facebook conditional on users surrendering data generated by their activity away from the platform (“off-Facebook data”), without payment, effectively charging an unfairly high price for its services or paying an unfairly low price for the data. Meta sought to have the remedy of “user damages” excluded from the case entirely, arguing that in the counterfactual scenario it would never have made monetary payments to users for their data, since no comparable platform does so, and that no conventional pecuniary loss therefore flowed from the alleged abuse. On 29.07.2026, the Court of Appeal dismissed Meta’s appeal, holding that the user-damages remedy remains available to the claimant class and is a matter to be tested at trial rather than excluded as a matter of law.

Key Contentions	Decision
Meta abused its dominant position by conditioning Facebook access on surrender of off-Facebook data without payment; had Meta not acted abusively, it would have paid users for that data, giving rise to a "user damages" claim valued at roughly £3 billion for the class. No conventional pecuniary loss flows from the alleged abuse, since Meta would never have paid users for their data in the counterfactual scenario, as no comparable platform does so; the user-damages remedy should be excluded from the case as a matter of law.	The Court of Appeal dismissed Meta’s appeal on 29.07.2026 and confirmed the user-damages remedy remains live. The broader collective proceedings continue before the CAT, with a further case management conference listed for 05.11.2026.



UNITED STATES OF AMERICA

Court Room Updates

Chatrie v. United States (U.S. Supreme Court, 29.06.2026)

The U.S. Supreme Court considered whether law enforcement's use of a geofence warrant to obtain historical location information from Google constituted a search under the Fourth Amendment. The case arose from a bank robbery investigation in which police obtained Google Location History data identifying devices that had been within a specified geographic area during the relevant period. The Court held that accessing such historical cell-phone location information constitutes a Fourth Amendment search, even where the information is obtained from a third-party technology company and covers only a limited period.

Key Violations Found	Decision
Government access to historical cell-phone location information implicates an individual's reasonable expectation of privacy. The fact that the location data is held by a third-party technology company does not remove the constitutional privacy interest. The duration of the information sought, by itself, does not determine whether a search has occurred.	The Supreme Court, by a 6–3 decision, held that police conducted a Fourth Amendment search when they obtained Chatrie's Location History data from Google. The Court left open whether the particular geofence warrant satisfied the Fourth Amendment's requirements of particularity and probable cause and remanded that question for further consideration.

United States v. Benson (U.S. Court of Appeals for the Sixth Circuit, 24.06.2026)

The case concerned the U.S. Government's attempt to obtain an unredacted copy of Michigan's statewide voter registration database, which contained sensitive information including dates of birth, driver's licence numbers and partial Social Security numbers. The Michigan Secretary of State declined to provide the unredacted database, and the Government initiated proceedings seeking its production under Title III of the Civil Rights Act of 1960.

Key Violations Found	Decision
The Government sought access to sensitive personal information contained in the statewide voter database. The Government's request did not satisfy the statutory requirements governing such requests, including the requirement to state the basis and purpose of the request.	The Sixth Circuit affirmed the dismissal of the Government's claim. The Court held that Michigan's internally generated voter database did not constitute a "record" that came into the Secretary of State's possession for purposes of Title III. The Court further held that the Government had failed to comply with the statute's procedural requirements. Accordingly, Michigan was not required to provide the unredacted voter file.

United In re Clearview AI, Inc. Consumer Privacy Litigation / Weissman v. Clearview AI, Inc. (U.S. Court of Appeals for the Seventh Circuit, 13.07.2026)

The case concerned Clearview AI's collection of photographs from publicly available websites and social media platforms and its creation of facial recognition profiles and facial vectors from those photographs. A proposed class-action settlement provided class members with an equity interest in Clearview, with different allocations for certain state subclasses and the nationwide class. The Seventh Circuit reviewed objections to the settlement.

Key Contentions	Latest Status
Objectors argued that the settlement did not adequately represent members of the nationwide class, who would receive substantially less than members of certain state subclasses. They also challenged the absence of injunctive relief and the uncertainty surrounding an equity-based recovery.	The Seventh Circuit vacated the approval of the settlement and remanded the matter. The Court found that the settlement process lacked adequate representation for the nationwide class because none of its representatives specifically endorsed the allocation of benefits. The Court did not, however, find the absence of injunctive relief or the equity-based nature of the settlement inherently defective.

Center for Taxpayer Rights v. Internal Revenue Service (U.S. Court of Appeals for the D.C. Circuit, September 8, 2026)

The case concerned the IRS's disclosure of taxpayer information to Immigration and Customs Enforcement (ICE). The IRS had developed a procedure under which taxpayer addresses could be disclosed in response to ICE requests. More than 47,000 records were disclosed under the procedure. The challenge concerned whether the procedure complied with the statutory safeguards governing the disclosure of confidential taxpayer information under Section 6103 of the Internal Revenue Code.

Key Violations Found	Decision
The Court found that the IRS procedure did not adequately ensure that the statutory requirements for disclosure of taxpayer information under Section 6103 had been satisfied. In particular, requests containing incomplete or unusable addresses did not establish the statutory basis required for disclosure.	The D.C. Circuit affirmed the preliminary injunction against the IRS procedure, holding that the procedure was contrary to Section 6103 and constituted final agency action reviewable under the Administrative Procedure Act.

THANK YOU

For further queries/information please get in touch with us

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