

TBA BULLETIN

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The TBA Bulletin is a weekly summary of the most important legal news from India and around the world.

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ANTITRUST

- In the wake of antitrust claims against Facebook, the US Federal Trade Commission is urging US Federal Court to initiate an antitrust action against the tech giant
- Regulators levy hefty fines on Alibaba Group and Tencent Holding, in the ongoing campaign to curb monopolies in China

DATA PRIVACY

- In the midst of charges that Amazon is breaching consumer privacy in 25 states, the US Congress is pushing for federal consumer privacy legislation
- Draft data protection recommendation report to be tabled before the Lok Sabha by the parliamentary panel in the next session

ANTITRUST INTERNATIONAL

Facebook facing regulatory pushback from US Federal Trade Commission due to anti-competitive practices

- US FTC pushed a federal court for allowance of antitrust lawsuit against Facebook amidst claims of interference with competitive process by targeting nascent threats through exclusionary conduct.
- The lawsuit represents one of the most significant challenges the FTC has brought against tech companies in a move to curb the market power of the industry's behemoths.
- In a filing with the U.S. District Court for the District of Columbia, the FTC said that for more than a

decade, Facebook's market share exceeds more than 7-% of daily active users which is needed to establish monopoly power.

- It further said that Facebook sought to maintain its monopoly position by buying photo sharing app Instagram and secure messaging app WhatsApp.

Source: [Link](#)

Alibaba, Tencent levied hefty fine amidst crackdown on monopolistic behaviour in market

- Alibaba Group Holding Ltd., Tencent Holdings Ltd. and Baidu Inc. are among companies that have been ordered to pay a total of 21.5Myuan (\$3.4M) in fines by China's competition regulators,

the latest round of penalties in the nation's ongoing crackdown on monopolies.

- According to the State Administration for Market Regulation, the enterprises must pay 500,000 yuan (\$78,000) for each of the 43 antitrust offences. Alibaba was penalised with a \$2.8Blevy earlier this year for abusing its market dominance, while food-delivery leader Meituan was fined \$533M last month for violating anti-monopoly regulations.

Source: [Link](#)

DATA PRIVACY **INTERNATIONAL**

Amazon undermining consumer privacy in 25 US states has led to Congress push for Consumer privacy legislation

- After a Reuters article exposed how Amazon has led an under-the-radar push to weaken consumer privacy laws in 25 states while gathering a valuable collection of personal data on American consumers, five members of Congress called for nationwide consumer-privacy legislation.
- According to the report, the revelations highlighted the need for bipartisan action on stronger privacy measures. No major federal privacy legislation has

also been passed by the Congress in years because members have been deadlocked on the issue.

- Amazon did not respond directly to lawmakers' concerns of its anti-privacy lobbying campaign. The company reiterated its previous Reuters statement, stating that it favours federal privacy legislation over a "patchwork" of state regulations. The company seeks a single nationwide privacy law that "requires transparency about data practices, restricts the selling of personal data without consent, and assures that consumers have the right to access and delete their personal information," according to the company.

Source: [Link](#)

NATIONAL

Parliamentary Panel to table draft report on data protection bill in the next parliamentary session

- After two years of deliberation and five extensions, a joint parliamentary committee has completed the draft report on the Data Protection Bill. The report, along with suggestions, is expected to be presented before Lok Sabha.
- In December 2019, the Data Protection Bill draft was referred

to a legislative committee. It has advocated for the storage of sensitive personal data in India, as well as data fiduciaries' responsibility to provide protections and a grievance redress process. The measure was proposed after the Supreme

Court stated in 2017 that privacy is a fundamental right and ordered the government to create a data protection policy.

Source: [Link](#)

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