

Amsterdam, 27 March 2024

## Avast sued over spying virus scanners

*CUIC demands €1000 plus share of profits per user of Avast software*

Privacy foundation Consumers United in Court (CUIC) today started collective proceedings against software company Avast, which made virus scanners that collected without permission the internet browsing activity of hundreds of thousands of people in the Netherlands on computer, tablet, or smartphone. These data -about health, economic situation, and political preferences, for example- were sold on to other companies for millions of euros via an Avast subsidiary. For each user, CUIC demands compensation of €1000 and, on top of that, for each victim, a share of the profit unlawfully realized by Avast. Consumers can still register without cost at [cuic.eu](https://www.cuic.eu).

### Avast virus filters spied on hundreds of thousands of Dutch citizens

Eight months ago, CUIC Foundation announced that it would start a lawsuit against Avast (now acquired by Gen Digital - formerly Norton), maker of virus scanner software. Over 10,000 Dutch consumers who used the surreptitiously spying software have since joined the lawsuit. CUIC's claim is also supported by the European privacy organization None of Your Business (noyb), and the Dutch Privacy First, which calls it "an ironclad case".

President of CUIC, Wilmar Hendriks: " People thought they were safe with a virus scanner, but the very maker of it tracked everything they did n on their computers. Avast sold this information to third parties for big money. They even advertised the goldmine of data they had captured. Companies like Avast should not be allowed to get away with this. That is why we are filing this lawsuit. Those who will not hear should feel. "

### Fines

The Czech privacy regulator (UOOU) also concluded that Avast Software s.r.o. violated several sections of the General Data Protection Regulation and fined the company approximately €13.7 million. In addition, the US federal consumer authority, the Federal Trade Commission (FTC) imposed a fine of \$16.5 million, and a ban on marketing web browsing data for advertising purposes. Such convictions are important, but they do not yet result in redress for aggrieved users. The case for which CUIC is suing Avast today should lead to such compensation.

### Spying virus scanners

Many hundreds of thousands of Dutch citizens had antivirus software on their devices between January 2014 and January 2020 with names such as AVG Online Security, Avast Secure Browser and AVG Secure Browser. Users of the (free) Avast filters installed the software expecting to thus secure the data on their computers, mobile phones and tablets against malware, among other things. This was often done as a free service by the supplier of the computers. In advertisements, Avast responded to the need for digital security, for example by appealing to parents about their responsibility to protect their children while surfing. But the reality turned out to be completely different: Avast spied on its

users without informing them or asking their consent, copied and sold their data on a large scale to third parties through subsidiary Jumpshot. With customers such as Google, Unilever and Microsoft, Avast was able to distribute its covertly obtained data very widely via Jumpshot. Jumpshot said it could even provide data on users' activities within "walled gardens", which third parties normally could not access. The illegal practices were extremely lucrative: data trading by Jumpshot earned Avast many millions in 2019 alone. This unlawful and secret data processing took place for at least six years, and Jumpshot's activities only ceased in 2020 after independent investigators and journalists uncovered it.

### **Sign up for the case on [CUIC.eu](https://cuic.eu)**

People who had an Avast virus filter or browser extension on their laptops, computers, phones or tablets, or those of their children, during the period January 2014 - January 2020 are urged to sign up for compensation. Over 10,000 consumers have already done so. CUIC wants to achieve two things with this case: first, redress for those whose data was made available to third parties and made available for inspection without their knowledge and without valid consent. Second, to set an example for all companies. Privacy is a fundamental right that needs protection against abusive commercial practices.

### **About CUIC**

CUIC is an independent organization, co-founded by the Dutch Privacy First and the European organization None of Your Business (Noyb). These are two leading organizations that have for many years and successfully fought and litigated for concrete data protection of citizens, with important consequences in legislation, implementation, and supervision. CUIC aims to protect the fundamental right to privacy and to raise awareness among 'data grabbers'.