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A GNLU CENTRE FOR LAW AND TECHNOLOGY INITIATIVE

Monthly Newsletter - TechTalk



Gujarat National Law University



Welcome to the GNLU Centre for Law and Technology Newsletter! Serving as the conduit to the dynamic intersection of science, technology, and the law, our mission is to provide updates on the latest developments, promote academic excellence, and empower legal professionals to navigate this ever-evolving landscape. Join us in bridging the gap between these crucial fields and shaping the future of legal practice in our interconnected world.

↓ Enclosed in this newsletter are the following highlights:

Updates on law and technology, showcasing the latest developments in this ever-evolving field. Our curated content might just spark your next research topic idea. Stay informed and stay inspired and keep reading!

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GOOGLE TEMPORARILY HALTS PLAY BILLING ENFORCEMENT FOR INDIAN APP DEVELOPER

Google has temporarily suspended the enforcement of its Google Play billing system for in-app purchases by Indian app developers. This decision follows recent antitrust rulings by the Competition Commission of India (CCI), which fined Google for its Play Store policies. The requirement for Indian app developers to use Google Play's billing system, originally set for October 31, 2022, has now been put on hold while Google reviews its legal options and ensures continued investment in Android and Play.

Notably, this suspension applies only within India. Developers who wish to offer digital content for purchase to users outside India must still comply with the Play billing system. Indian developers have criticized this billing system requirement, asserting that it hampers innovation in a price-sensitive market. The CCI has already imposed significant fines on Google for its Play Store policies and dominance in the Android ecosystem. Google's Play billing system is mandatory for in-app content purchases, similar to Apple's approach for iOS apps. Both companies charge developers a commission for digital goods sold through their platforms. In response to the CCI's rulings, Google is examining its legal options and plans to challenge the decision. The CCI order emphasizes the importance of allowing developers to use third-party billing/payment processing services without discrimination or adverse measures from Google. This temporary suspension underscores the evolving regulatory landscape surrounding app stores and digital platforms in India.

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IT MINISTRY ENDS VLC MEDIA PLAYER WEBSITE BAN AFTER NINE MONTHS

India's Ministry of Electronics and IT (MeitY) has decided to lift the ban on the VLC Media Player website, operated by VideoLAN, after nearly nine months. The ban, initially imposed in April, stemmed from MeitY's allegations that the VLC website had links to servers of the banned app Onmyoji Arena, which was accused of transferring sensitive personal data of Indian users to an undisclosed foreign entity. The decision to unblock videolan.org follows a series of exchanges between VideoLAN and MeitY. Initially, VideoLAN, with support from the Internet Freedom Foundation, had issued a legal notice to MeitY seeking clarity on the reasons behind the website's ban. In response, MeitY cited "open source threat intelligence reports" that suggested VLC Media Player's use by a China-backed hacking group called 'Cicada.' However, VideoLAN challenged this assertion, highlighting the lack of specific details provided by MeitY regarding the alleged connection between the hackers and the media player.

VideoLAN, in its response, clarified that its website only transmits limited user data to servers located within France, primarily related to the user's operating system and its version. They explained that this data transmission was for enhancing user safety and cybersecurity, particularly regarding updates for VLC Media Player. While the email from MeitY notifying VideoLAN of the lifting of the ban did not specify the exact reasons behind the decision, it followed a virtual hearing involving representatives from VideoLAN. This development is significant for the approximately 80 million Indian users of VLC Media Player, who were previously unable to download the application from authorized sources. The lifting of the ban aims to discourage users from resorting to unapproved third-party websites for downloads, thereby reducing the risk of data theft and cybersecurity incidents.

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REVISED DATA PROTECTION BILL: FINES OF UP TO RS 200 CRORE FOR FIRMS WITHOUT SAFEGUARDS

The Indian government is nearing the finalization of an updated version of the Data Protection Bill, internally referred to as the 'Digital Personal Data Protection Bill.' The revised legislation is expected to impose hefty fines, potentially reaching up to around Rs 200 crore, on companies that fail to implement reasonable safeguards against data breaches. The penalties will be administered by the Data Protection Board, an adjudicating body proposed to enforce the bill's provisions, following a hearing process for the affected companies. The fines will vary depending on the nature of non-compliance by data fiduciaries, which are entities handling and processing individuals' personal data. Companies that neglect to notify individuals affected by data breaches may face fines of approximately Rs 150 crore, while those failing to protect children's personal data could be fined nearly Rs 100 crore. In contrast, the earlier version of the bill, withdrawn earlier this year, proposed penalties of either Rs 15 crore or 4% of a company's annual turnover, whichever was higher.

The revised bill focuses exclusively on personal data safeguards and excludes non-personal data from its scope, defining non-personal data as information incapable of identifying individuals. This enhanced penalty structure aims to serve as a more effective deterrent against data misuse, encouraging entities to establish robust data protection measures and maintain fiduciary discipline. The previous version of the bill was withdrawn in August after four years of development and multiple revisions. Despite earlier hopes for parliamentary approval, the government opted for a more comprehensive legal framework for the online ecosystem. Minister of State for Electronics and IT Rajeev Chandrasekhar has reiterated that companies will face financial consequences for data misuse and breaches under the upcoming data protection legislation. The new bill is expected to include strict limitations on data collection and storage by companies, ensuring that data is retained only for the initial purpose for which it was collected. The finalized version of the bill is likely to be released along with an explainer and summary, similar to the draft Indian Telecommunication Bill, 2022. The legislation will undergo extensive consultation and is expected to be introduced in the Budget session of Parliament next year.

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UK TO IMPOSE HEFTY FINES ON TECH COMPANIES FOR FAILURE TO REMOVE SELF-HARM CONTENT

The UK government is set to introduce stringent measures to combat self-harm content online, proposing fines for tech companies that do not promptly remove such material. The legislation aims to expand the scope of illegal content related to self-harm and suicide, requiring social media platforms to take a more active role in blocking and eliminating such content. While promoting suicide is already illegal in the UK, the Digital, Culture, Media, and Sport Ministry has revealed its intentions to enforce stricter regulations, ensuring that social media companies prevent a wider range of harmful content from circulating on their platforms. Digital Secretary Michelle Donelan emphasized that social media companies can no longer remain passive observers and must face fines if they allow abusive and destructive behavior to persist online.

This initiative is motivated, in part, by the tragic case of Molly Russell, a 14-year-old whose death in 2017 prompted public outcry. An investigation into her death concluded that social media platforms had exposed her to content that "romanticized acts of self-harm by young people." Consequently, the proposed regulations would require social media platforms to remove and restrict users' exposure to content actively encouraging self-harm. The new legislation, set to be included in the Online Safety Bill, will also prohibit the distribution of sexually explicit images manipulated to appear as if the depicted individuals had not consented to their use. Detailed information, including criminal penalties for promoting self-harm and fines for companies, will be presented to Parliament in the coming month as legislative amendments. The Online Safety Bill has faced a prolonged legislative process since its initial draft in May 2021. Earlier versions of the bill aimed to address "legal but harmful" material online, which drew criticism from tech companies and free-speech advocates who argued that the definition was overly vague and could potentially criminalize lawful behavior arbitrarily. However, the bill has garnered strong support from children's and mental health charities, as well as individuals advocating for curbing online racist and sexist abuse.

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SPOTLIGHTING RESEARCH TOPICS: EMPOWERING RESEARCH PAPER ASPIRATIONS

We understand that embarking on a journey to create impactful research papers can be both exciting and daunting. As you navigate through your academic pursuits, we're here to help illuminate your path and fuel your scholarly ambitions. This section presents a curated selection of broad research paper topics designed to spark your intellectual curiosity and inspire your next paper based on the latest developments of this month. Each topic represents an opportunity for exploration, discovery, and the potential to contribute to the ever-evolving landscape of law and technology. We believe that a well-chosen research topic is the cornerstone of a successful publication, and our aim is to empower you to make informed choices.

- *Global Perspectives on App Store Regulations: A Comparative Analysis*
- *Data Protection Laws: Comparative Analysis of Revised Legislation in India*
- *Government Intervention in Technology: The Case of VLC Media Player Ban*
- *Legal and Ethical Considerations in Combatting Online Harm*
- *Tech Companies' Responsibility in Content Moderation*
- *Legal Challenges in Protecting Minors Online*
- *Government Surveillance and Data Privacy*

MESSAGE FROM THE NEWSLETTER TEAM

Dear readers, the news articles discussed or included in this newsletter represent the views of the respective news websites. We do not endorse or assume responsibility for the content or opinions expressed in these articles. Our purpose is to bring recent developments to your knowledge, providing a diverse range of information for your consideration. Your input matters to us, and we'd love to hear your thoughts. If you have any suggestions, ideas, or feedback on how we can improve the newsletter or if there's something specific you'd like to see in future editions, please don't hesitate to reach out. Your insights help us grow and ensure we're delivering the content you want. Thank you.

Stay curious, stay informed!



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