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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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FTC ACCUSES AMAZON OF GENERATING OVER \$1 BILLION USING PRICE-RAISING ALGORITHMS

The United States Federal Trade Commission (FTC) alleges that Amazon deliberately inflated prices by more than \$1 billion using undisclosed algorithms, as revealed in details from a lawsuit filed in September. The FTC contends that Amazon utilized a covert algorithm named 'Project Nessie' to identify specific products, predicting that other online stores would follow suit with price increases. The investigation also accuses Amazon executives of intentionally deleting messages on the Signal app, destroying over two years' worth of communications, despite the FTC's request to refrain from such actions. The FTC and 17 states jointly filed the lawsuit against Amazon, asserting that the company, leveraging its dominant market position, engaged in price inflation both on and off its platform, overcharged sellers, and stifled competition. The allegations suggest violations of federal and state antitrust laws.

In response, Amazon, in a statement published in September, argued that a successful lawsuit would lead to adverse consequences, including higher prices, slower deliveries, and increased inconvenience for consumers and businesses. The company emphasized potential harm to consumer interests and businesses operating on its platform. The FTC's lawsuit outlines Amazon's early-2010s testing of other online stores' pricing algorithms to assess adherence to prices set by Amazon's first-party retail arm. Amazon identified an opportunity to raise prices while minimizing the risk of customers finding identical items at lower prices on other platforms. Project Nessie emerged as a strategic initiative to implement these price increases selectively. In a prepared statement, Amazon spokesperson Tim Doyle dismissed the FTC's claim as "baseless and irresponsible." Doyle highlighted Amazon's voluntary disclosure of employee Signal app usage to the FTC, providing access to conversations even unrelated to the investigation. This legal development adds to the ongoing scrutiny faced by major tech companies regarding anticompetitive practices, emphasizing the significance of transparent and fair business conduct.

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AUSTRALIAN REGULATOR ADVOCATES NEW COMPETITION LAWS AMID DIGITAL PLATFORM EXPANSION

The Australian Competition and Consumer Commission (ACCC) has called for the implementation of new competition laws in response to the rapid growth of digital platforms like Amazon, Apple, Google, Meta, and Microsoft in the country. The ACCC's Digital Platform Services Inquiry report highlights concerns about the expanded reach of these platforms, raising risks of harmful behaviors such as invasive data collection and practices that restrict customer choices and lock them into specific platforms. ACCC Chair Gina Cass-Gottlieb stated that the proposed reforms aim to introduce targeted consumer protections and service-specific codes to prevent potential anti-competitive conduct by designated digital platforms. While the ACCC has not made specific findings of anti-competitive behavior, it notes that digital platforms with significant market power can employ practices like product bundling, pre-installation, and default settings to limit customer choice and discourage innovation from competitors.

The five mentioned digital platforms—Amazon, Apple, Google, Meta, and Microsoft—have not provided immediate responses to Reuters' request for comments. Regarding data collection practices, the ACCC's report highlights that these platforms, through expansion, have gained increased access to extensive consumer data. Privacy policies often lack clarity on whether the collected data exceeds what is necessary for device functionality or product improvement. In addition to advocating consumer protections and codes of conduct, the regulator proposes new mandatory obligations for all digital platforms. These obligations aim to address issues such as scams, harmful apps, fake reviews, and include notice and action requirements, as well as stronger verification of business users and reviews. The ACCC emphasizes the need to ensure that existing competition laws are well-equipped to address challenges posed by emerging technologies like generative AI and virtual reality. Earlier this year, the ACCC initiated a comprehensive inquiry into Australia's evolving digital platform service provider ecosystem, signaling a commitment to understanding and regulating the sector over a five-year period.

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INDIA WARNS FACEBOOK AND YOUTUBE TO ENFORCE RULES AGAINST DEEPAKES

India's Deputy IT Minister, Rajeev Chandrasekhar, issued a warning to social media giants, including Facebook and YouTube, instructing them to consistently remind users about local laws prohibiting the posting of deepfakes, obscene content, or misinformation. This directive, shared during a closed-door meeting, emphasized that despite 2022 regulations banning "harmful" content to children and content impersonating others, many companies have not updated their usage terms. Chandrasekhar stressed the need for social media platforms to raise awareness by reminding users of these rules each time they log in or through periodic alerts. The minister asserted that if companies fail to comply voluntarily, he will issue official directions to enforce these reminders. The demand was characterized as "non-negotiable" by the Indian government, according to one of the anonymous sources present at the meeting.

In response to the warning, India's IT ministry issued a press statement indicating that all platforms have agreed to align their content guidelines with government rules. As of the report, Facebook and Chandrasekhar had not provided immediate comments. Google, the parent company of YouTube, responded with a statement emphasizing its commitment to responsible AI development. Google asserted that it has robust policies and systems in place to identify and remove harmful content across its products and platforms. The move comes amid growing global concerns over deepfakes—realistic yet fabricated videos created by AI algorithms trained on online footage. India's Prime Minister Narendra Modi, during a recent virtual G20 summit, called for global collaboration to regulate AI and expressed concerns about the negative impact of deepfakes on society. Governments worldwide are actively working to formulate regulations to govern AI technologies. India, in particular, has been tightening its regulations on social media companies, a crucial growth market for these platforms. Last year, the government criticized these companies privately for not promptly removing what it deemed as fake news, leading to content takedown orders.

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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.

- *Antitrust and Algorithmic Pricing: Analyzing the Legal Implications of Amazon's 'Project Nessie'*
- *Privacy Concerns and Data Collection: A Critical Examination of ACCC's Findings on Major Digital Platforms*
- *Enforcing Rules Against Deepfakes: Legal and Ethical Perspectives*
- *Corporate Accountability in Antitrust Cases: Examining the Role of Executives in Alleged Price Inflation*
- *Legal Challenges of Combating Misinformation: A Case Study of India's Directive on Deepfakes*
- *Regulating Data Collection: A Legal Examination of Privacy Concerns*

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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