

PERSONALISED DIGITAL
MARKETING:
A Fine Line between
Marketing and Stalking....

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What you are doing...

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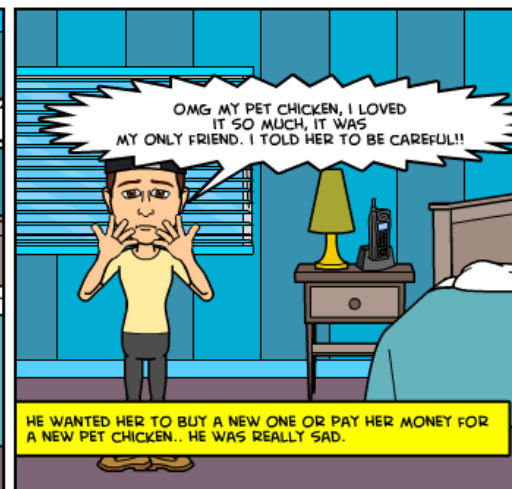
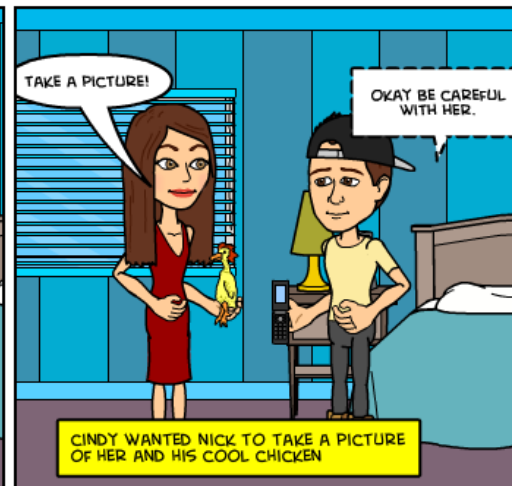
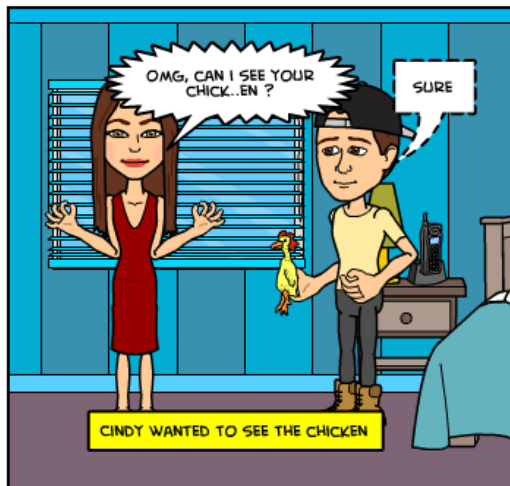
EARLY CASES - “trespass to chattel”

eBay v Bidders Edge:

The argument has a short and conceptual legal life ... before expiring in a puff of logic!

'TRESPASS TO CHATTELS'

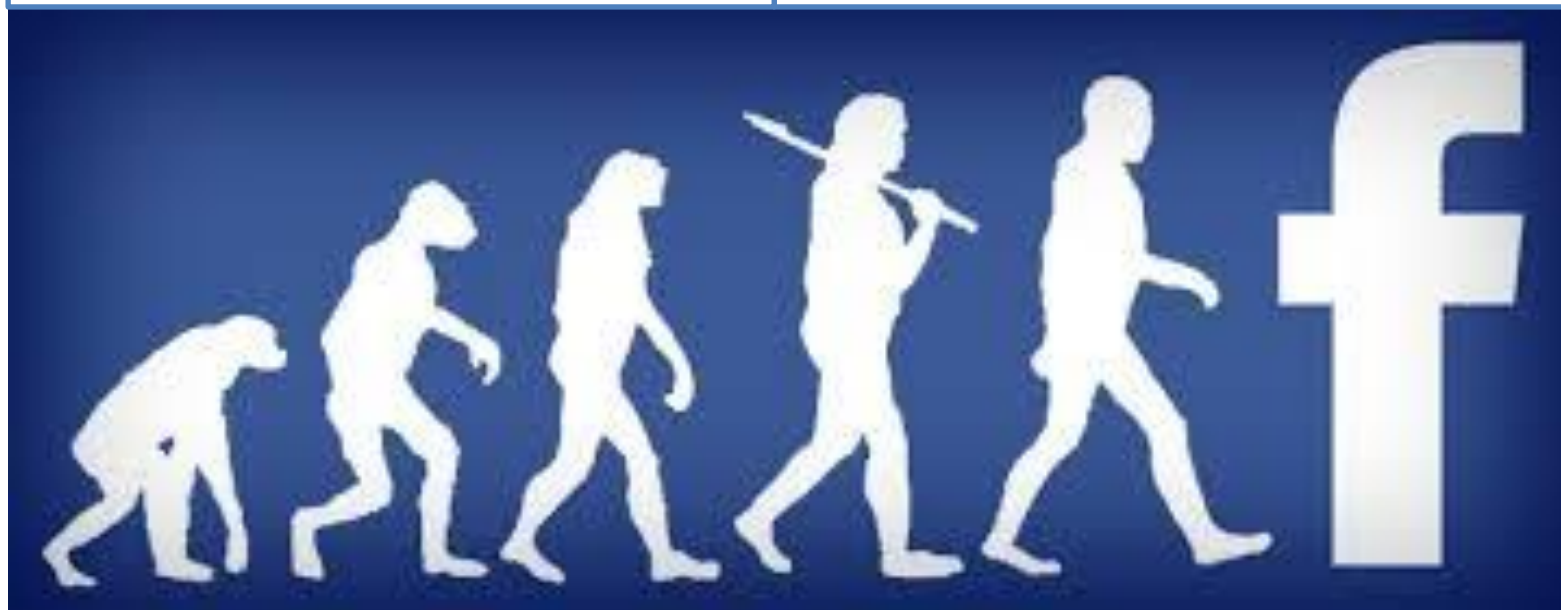
BY NAVJOTSOHI



AND THEN ...

Facebook v Power

In 2009, Facebook took a scraper to court ... and won!



Wait! What?? WHY ...???

Criminal offenses under the US Computer Fraud and Abuse Act

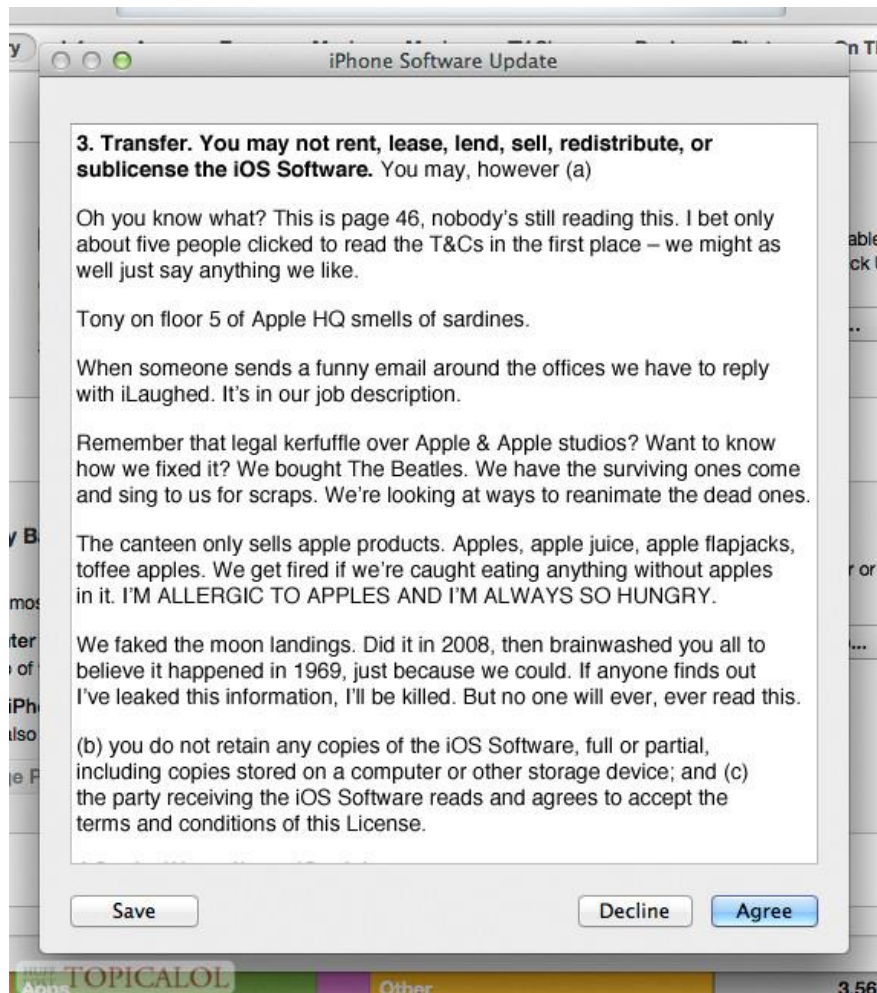
(2) intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains

(C) information from any protected computer;



(4) knowingly and with intent to defraud, accesses a protected computer without authorization, or exceeds authorized access, and by means of such conduct furthers the intended fraud and obtains anything of value, unless the object of the fraud and the thing obtained consists only of the use of the computer and the value of such use is not more than \$5,000 in any 1-year period;





The UAE has **no specific laws regulating web scraping, web harvesting or web data extraction.**

Federal Law No.5 of 2012 (“Cybercrimes Law”) prohibits gaining access to a website “without authorization or in excess of authorization” (Article 2).

Arguably, this is broad enough to cover web scraping IF the terms of the site prohibit that activity.



Would foreign website operators come to the UAE to request action by the public prosecutor against a company based here?

Would they be able to do so?

BUT WE GET CONSENT FIONA....

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WHAT HAVE WE GOT ... LEGALLY?

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THANK YOU.

“Stalking” is such a strong word, I prefer “Intense Research of an individual”.