BIRD MARELLA LLP

BIRD • MARELLA • RHOW • LINCENBERG • DROOKS • NESSIM

Bird Marella Files Motion for Preliminary Approval of $92 Million Proposed Class Action Settlement Against TikTok

Bird Marella, along with co-counsel Carlson Lynch LLP and FeganScott LLC, successfully moved for preliminary approval of a $92 million proposed class action settlement on behalf of users of the TikTok app.

Once approved by the court, the settlement would resolve claims that the social media company wrongfully collected its users' biometric information and private data and disclosed that information to third parties. In addition to creating a monetary fund for TikTok users, the settlement requires that TikTok initiate a new privacy compliance training program and take other steps to protect its users' privacy going forward.

Known for its 60-second video-sharing social network, TikTok is regarded as one of the most popular apps of all time. While TikTok has denied any privacy violations, the class action lawsuit contended that the app collects and discloses personal data in violation of the Illinois Biometric Information Privacy Act (BIPA), the Video Privacy Protection Act, and other consumer and privacy protection laws.

Illinois is currently the only state in the country with a statute that allows consumers to seek monetary damages if their biometric information is wrongfully taken. Because of this important, Illinois-specific claim, the settlement proposes that each Illinois class member receive an additional five shares of the $92 million settlement fund compared to other class members nationwide.

The settlement was presented for approval to the Honorable John Z. Lee of the Northern District of Illinois. Once approved, class members will receive information about how to participate in the settlement. Principal Ekwan Rhow, who was appointed co-lead to the case by Judge Lee in September, is among three attorneys overseeing the multidistrict litigation of more than 20 consolidated cases against TikTok and its affiliates.

"This is one of the largest settlements ever achieved in a consumer BIPA case, and one of the largest privacy class action settlements," stated Rhow. "It presents an excellent recovery for the class, and it serves as a reminder to corporations that privacy matters, and they will be held accountable for violating consumers' rights."

For more information, click below.

Engadget: https://engt.co/3q7peg3

Business Wire: https://bwArticles.pr/381aGZb

Variety: https://bit.ly/3sB74EY