

Bell faces \$750M lawsuit over tracking of cellphone customer Internet usage

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WINDSOR, Ont. - A national class-action lawsuit has been filed against Bell Canada over alleged breaches of privacy arising from its recently discontinued target ads program.

The suit against subsidiaries of Bell (TSX:BCE) alleges that the defendants used the program to track, collect and sell the sensitive account and Internet browsing information of their customers to advertisers.

It seeks \$750 million in damages for breach of privacy, breach of contract and breach of the Telecommunications Act.

A similar lawsuit has also been launched in Quebec, counsel for the plaintiffs, Charney Lawyers and Sutts, Strosberg LLP, said in a statement issued Thursday.

Bell issued a statement saying it would not comment on the allegations contained in the lawsuit, which have not been proven in court.

Although Bell has already cancelled the program, the company has indicated it to reintroduce it in the future and might expand it to include landline use

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However, it has said it would seek explicit customer consent through an opt-in approach. By building consumer profiles, such programs allows advertisers to tailor or target ads to specific consumers.

The suit, against Bell Mobility Inc. and Bell Canada Inc. on behalf of Bell Mobility and Virgin Mobile customers, targeted what Bell labelled as its "relevant ads program," which was launched in November 2013.

Following Bell's announcement of the program, the federal privacy commissioner began an investigation due to "an unprecedented volume of complaints," the statement from the lawyers said.

On April 7, the commissioner said it had found that Bell violated the federal Personal Information Protection and Electronic Documents Act because it did not adequately disclose the nature of the information and customers were not given the option to properly consent to the use of their information for the program.

According to the report, customers were automatically included in the program unless they specifically opted out — something 113,000 Bell customers decided to do.

However, the privacy commissioner said Bell should not assume because customers didn't opt out that they were consenting to having vast amounts of their personal information used in this way.

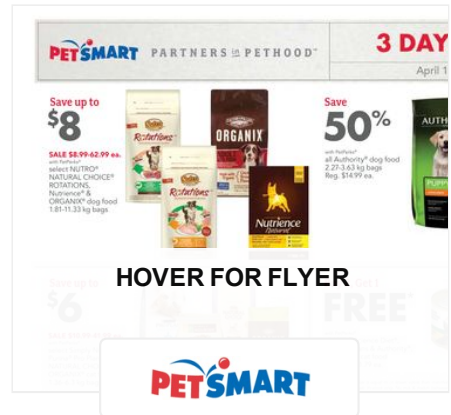
In addition to cancelling the program, Bell said earlier this week that it would delete all customer profiles created under it. However, in addition to damages, the lawsuit seeks the appointment of an expert to "oversee and confirm the destruction of the personal information," the statement from the plaintiffs' lawyers said.

"The Relevant Ads program was a misguided attempt by a Canadian telecommunications company to generate advertising revenue," said Ted Charney of Charney Lawyers. "If allowed to proceed, it constitutes a threat to the core privacy rights of all Canadians."

Lawyer David Robins of Sutts, Strosberg said that through the class action "the plaintiff seeks to hold Bell accountable and stop other providers from selling customers' personal information without informed consent."

Two other groups, the Public Interest Advocacy Centre and the Consumer Association of Canada, have filed complaints to the CRTC against Bell's old program and say they will continue the fight against any revised initiative.

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