EU Privacy Rules Said to Be Extended to Google U.S. Site

By Stephanie Bodoni - Nov 25, 2014

Google Inc. (GOOG) will be told to apply the “right to be forgotten” to its websites beyond the European Union under rules being drafted by privacy regulators, according to two people familiar with the plan.

The decision by regulators meeting in Brussels will push the Mountain View, California-based company to apply privacy requests from EU residents to its primary Google.com site in the U.S., said the people, who requested anonymity because the plans aren’t public. Google may also be rebuked for “routinely” notifying media about story links it has removed, they said.

Isabelle Falque-Pierrotin, the head of the group of EU regulators, is scheduled to present the guidelines in Brussels today, according to an e-mailed statement last week.

Google Chairman Eric Schmidt said last month a May ruling by the EU’s top court, in which it ordered search links tied to individuals cut when those people contend the material is irrelevant or outdated, didn’t need to be extended to the U.S. site. Google.com gets fewer than 5 percent of user searches in Europe, the European Commission has said.

The meetings of the EU regulators are ongoing, and some modifications may be made, according to the people. The decision would extend to links on Google sites outside the bloc that are still viewable in the EU.

“One of the natural consequences of the implementation of the” EU court ruling “is that people do use Google more flexibly,” Paul Bernal, a lecturer in law at the University of East Anglia in England, said by phone. If “you can’t find what you want in Google.co.uk, then you use Google.com.”

Al Verney, a spokesman for Google in Brussels, declined to comment.

Antitrust Probe

Recommendations by the regulators, known as the Article 29 Working Party, reflect the positions of the national officials that make up the group. While the EU group’s opinions aren’t binding, they could eventually lead to fines at the national level.
The right-to-be-forgotten rules add to separate demands for curbs on Google's market power being considered by lawmakers this week. EU antitrust regulators should weigh breaking up search engines if efforts to resolve an antitrust case fail, according to members of the European Parliament who will vote Nov. 27 on a resolution to rein in the company.

**Links Evaluated**

Google has removed 41.5 percent, or 208,520 links of a total of 502,977 links it has evaluated since the EU court ruling in May, according to data last updated yesterday on Google's transparency report. It has received so far 174,226 requests for removal, according to the report.

Schmidt said Google “didn’t ask to be the decision maker” on deletions. Google, which opposes the EU judgment, tried to stoke a wider debate about freedom of expression, in light of the court ruling, as EU lawmakers and governments complete new data-protection rules that define the right to be forgotten.

Earlier this month, in Brussels, the company concluded a series of seven public hearings across Europe to discuss the implications of the ruling.

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