

From Big Data to Bacon to Bots: Who will be Under FTC's Watchful Eye Next?

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At last week's Strata + Hadoop Worldwide Big Data Conference those "in the know" about all things Silicon Valley prophesized that "data is the new bacon." Witty comparisons aside, there is no question that big data has matured. Companies across all industry types are clamoring to leverage every possible gigabyte of available consumer data. As the industry has grown up, the list of FTC settlements involving privacy and data security has grown along with it – totaling more than 100 cases presently.

As Kelley Drye Partner, Alysa Hutnik, and Special Counsel, Kristi Wolff, explained in their conference panel (*It's a brave new world: Avoiding legal privacy and security snafus with big data and the IoT*), the FTC has made it clear that it is not just interested in mature companies when it comes to privacy and data security issues. The agency is closely monitoring practices by both startups and "grown up" companies.

So what is the FTC interested in presently? Last week, the FTC announced that it will host a fall seminar series to examine three emerging consumer technology issues that, according to the FTC, are raising critical consumer protection issues. These workshops will address ransomware and related data security issues, privacy and other considerations associated with the use of drones, and tracking consumer habits through their Smart TVs. This week, the FTC also announced that it will hold its second PrivacyCon event, seeking to explore new and evolving technologies, such as targeted advertising, cross-device tracking, smart homes, health and fitness wearables, voice-controlled technologies, connected cars, and commercial drones. And, as those of you who follow this area know, the most common pattern is workshops, followed by guidance, followed by enforcement. Smart companies of all ages should pay close attention.