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Loeffler, Cotton Release Bill to Hold Tech Companies Accountable for Child Exploitation, Allow Victims to Sue

"It would amend the US code to strip Section 230 protections from tech companies."

Why this is important: Section 230 of the Communications Decency Act, a provision best known for allowing companies to host user-generated content without fear of liability, has been under attack this past year for supposedly allowing companies to show favor to "liberal" speech over "conservative" speech. Many of the reforms directed to Section 230 have, thus, unsurprisingly focused on forcing companies to take a neutral approach. But, this reform bill from Senators Loeffler and Cotton focuses specifically on sexual exploitation of children. Under the proposed legislation, a new offense would create civil and criminal liability for interactive computer services that act in reckless disregard of conduct promoting or facilitating certain conduct best summarized as sexual exploitation of minors. This new civil and criminal liability also then would be codified as an exception to the Section 230 protections. Whether this will be adopted remains to be seen. But, it represents a new angle to Section 230 reform efforts that seem unlikely to go away any time soon. --- [Joseph V. Schaeffer](#)

Google Lawsuits by States Coming in 'Weeks,' Texas AG Says

"Several states are examining antitrust concerns involving the company's search operation, said Paxton, who launched a 48-state probe into the company in 2019."

Why this is important: Criticism of tech giants has grown during recent years, with almost daily tweets from President Trump and the ubiquity of Congressional hearings where tech CEOs get grilled over Zoom. It's tempting to think that this criticism may slow with the change in presidential administrations. This article reminds us that many state attorneys general are investigating what they call "antitrust concerns over [Google's] search operation" and its "dominance in the online advertising market." Google isn't alone. Facebook may face similar lawsuits soon. One of the go-to responses to these types of lawsuits is that enforcement actions against U.S. tech giants inures to the benefit of Chinese tech companies. As FTC Commissioner Rohit Chopra put it, that's no more than a request for a "blank check" to do whatever they want. --- [Nicholas P. Mooney II](#)

Only 14% of Online Users Frequently Use Biometric Authentication

"This is despite more than half (57%) of those surveyed stating that biometrics would make authentication quicker."

Why this is important: Biometric authentication continues to increase in popularity as consumers become more familiar with the technology. Companies also are learning how to maximize efficiency in their biometric technology manufacturing, which is driving down the production costs. Despite the rise of biometric authentication, users are still skeptical of the technology as a whole. Many consumers report that they are wary of using the technology as their primary means of securing their data or using it to access online accounts. The biggest concern of consumers was the risk of their biometric data falling into the hand of malicious actors, such as hackers. If their biometric data were obtained by a hacker and sold, then not only is the consumers' data at risk, but also their privacy, since some of their unique traits would be known. The next biggest concern that consumers had was, once again, that their data might be sold, but for legitimate purposes. Despite being legal, consumers balk at the idea that their fingerprints, palm prints, or other biometric traits might be sold to advertisers or other companies that study consumer trends. Although skepticism still surround biometric technology, its continued rise indicates that it will be commonplace in the consumer markets for years to come. --- [P. Corey Bonasso](#)

How Nanotechnology Helps mRNA Covid-19 Vaccines Work

"Before Covid-19 spread around the globe, mRNA vaccines were in the early stages of development in biotech companies, and nanotechnology was central to their efforts."

Why this is important: The two COVID-19 vaccines rapidly marching towards deployment in the U.S. provide examples of the efficacy of nanotechnology in modern medicine. Both of these vaccines are mRNA based and rely on lipid nanoparticles to allow the vaccines to successfully navigate through the body to the target cell without degradation. Future applications of this technology could allow for new and unconventional vaccine delivery systems, which eliminate the cold chains currently necessary to maintain vaccine efficacy. While these future applications do not help achieve a successful COVID-19 vaccination program today, they do help pave the way for important advancements in medical treatments such as the highly targeted delivery of medicines directly to the desired bodily systems. --- [Brandon M. Hartman](#)

DOJ Sues Facebook, Alleging It Improperly Hired Foreign Workers and Discriminated Against Americans

"The lawsuit contends that Facebook failed to properly advertise at least 2,600 jobs — and consider applications from U.S. citizens — before it offered the spots to foreign workers whom the tech giant was sponsoring for green cards granting permanent residence."

Why this is important: Immigrants play a significant role in the United States' technology industry. Tech titans like Sergey Brin (Russia) and Elon Musk (South Africa) were born abroad before moving to the United States, not to speak of the thousands of software engineers and others who provide the technology industry's knowledge base. That's why the Department of Justice's lawsuit against Facebook over its hiring practices for foreign workers can find its way into *Decoded*. Under federal law, a company looking to hire on a H1B worker permanently is required to demonstrate that there is not a qualified American worker to fill the position. Rather than make real efforts to find a qualified American worker, however, the Department of Justice alleges that Facebook has put its thumb on the scale -- choosing advertising methods to minimize American applicants in favor of the chosen, in-house foreign worker. If the Department of Justice is successful in this litigation, it is certain to change the hiring practices of Facebook and other companies that rely on immigrant workers to build out their technologies. --- [Joseph V. Schaeffer](#)

Experian Predicts 5 Key Data Breach Targets for 2021

"The pandemic warfare will shift to vaccine supply chains, home networks, and data from telemedicine visits in the new year."

Why this is important: The new year will bring "pandemic warfare," according to Experian's eighth annual Data Breach Industry Forecast. Describing 2021 as a "cyber-demic," Experian predicted the top five targets for hackers and cybercriminals to involve the COVID-19 vaccine rollout, home networks, contact tracing efforts, 5G networks, and personal health care data. It expects vaccine rollout efforts to bring attacks on supply chains, while contact tracing efforts and personal health care data will be focused on continuing the theft of the most lucrative data to steal and sell. Home networks and the increase in smart homes leaves individuals vulnerable to ransom attacks where criminals have control of someone's entire house. Think in terms of doors not unlocking and temperature and light controls not responding as day turns to night and outside temperatures cool. The proliferation of 5G networks brings always-on faster connectivity to more individuals' lives but also gives cybercriminals a faster and more pervasive infrastructure in which to exploit vulnerabilities. According to Experian, the new year has some ominous cybercrimes on tap, and it's only a few days away. Happy New Year, everyone. --- [Nicholas P. Mooney II](#)

DoorDash Soars 85% in Wall Street Debut

"DoorDash's stock soared 85% above its IPO price in its Wall Street debut, marking the culmination of a year that has seen delivery companies benefit greatly from skyrocketing demand for their services during the pandemic."

Why this is important: DoorDash completed its initial public offering December 9, 2020 and opened 85 percent above its initial public offering ("IPO") price. The company initially priced its stock between \$75 to \$85 per share but on the day before the IPO, the company had increased it to \$102 per share. When it opened, prices had soared to \$182 per share and almost hit \$190 per share by the close of the day. DoorDash has been one of the companies that has grown during the COVID-19 pandemic; DoorDash completed 543 million orders in the first nine months of 2020 compared to 181 million orders in the first nine months of 2019. The question is whether the increased demand for DoorDash stock is the product of the belief that the pandemic has changed how we live, thus keeping the demand high for services like DoorDash, or whether it is a product of an irrational market. While a stock's price can be volatile for several months after an IPO, DoorDash closed on December 14, 2020 at \$160 per share and has been trending downward since it opened. It will be interesting to see how the DoorDash stock performs over the next few months and even more interesting after it posts its first earnings report after the wave of COVID-related sales have disappeared. --- [Kellen M. Shearin](#)

Tissue Chips Deployed on SpaceX May Accelerate Research by Decades Through Disease Modeling in Microgravity

"Through the use of tissue chips, 'we are able to see the same kind of changes that might happen to the astronauts but on a very short time scale.'"

Why this is important: SpaceX launched into orbit in November of this year, and it took along some scientific investigations to be conducted in microgravity. One such investigation is using tissue chips. Tissue chips are the size of a thumb drive, and they contain human cells in a 3D matrix that mimic the functions of an organ. Physical space on orbiting vessels like the International Space Station is very limited, and technology like tissue chips allow for crucial experiments to be conducted without the need for a large space because they are miniaturized and self-contained. This also reduces the amount of outside interference that may occur. The studies that are now being performed in microgravity or zero gravity are leading to new breakthroughs in the fields of medicine and physical health. Studies conducted in space can have practical applications here on Earth because they allow researchers to discover new methods and techniques for treating ailments in the human body. The economic viability of conducting scientific experiments in space is increasing with this new technology, and it is likely that additional experiments will continue to yield further breakthroughs. --- [P. Corey Bonasso](#)

FireEye, One of the World's Largest Security Firms, Discloses Security Breach

"Mandia described the attacker as a 'highly sophisticated threat actor, one whose discipline, operational security, and techniques lead us to believe it was a state-sponsored attack.'"

Why this is important: If anyone needed proof that a data breach is only a question of if, not when, the breach of FireEye should prove the point. Attackers, likely state-sponsored, penetrated the system of one of the world's largest security firms, taking tools that FireEye itself uses to test the security of its customers' systems. Though FireEye has disclosed some information pertaining to those tools to allow other targets to recognize their use, the net result is that, much like rebels looting a government armory, the attackers will find themselves better positioned for the next attack. --- [Joseph V. Schaeffer](#)

SpaceX Gets Almost \$900 Million in Federal Subsidies to Deliver Broadband to Rural America

"The company will receive a total of \$856 million, one of the largest subsidies handed out by the Federal Communications Commission under a new program designed to encourage companies to extend broadband access into the United States' most underserved areas over the next 10 years."

Why this is important: For anyone who is living through 2020, "WFH" probably doesn't need explanation (it means "work from home" if you didn't know, but were afraid to ask). But what if "WFH" meant you were forced to work from a library parking lot or the closest Starbucks parking lot? That has been a reality for people without access to fast, reliable internet connectivity at home. The problem with bringing high-speed internet to underserved communities is that it traditionally meant installing underground cables into areas that don't have large populations. Those areas don't promise to provide the return-on-investment to the private companies offering internet services. Government subsidy programs provide relief to those companies with grants that defray up-front costs. As part of those subsidy awards, SpaceX recently was awarded \$856 million to further create and expand its Starlink network, a series of nearly 1,000 satellites meant to blanket the United States with high-speed internet connectivity. Over the objections of more traditional high-speed internet providers, the U.S. government is banking on SpaceX's ability to prove its critics wrong. The FCC estimates there are 21 million Americans who still lack access to high-speed internet. Other sources say that number could be double the FCC's estimate. Closing this digital divide is an issue that must be solved. SpaceX is betting the answer lies not underground, but overhead. And, the U.S. government is betting \$856 million that it's right. --- [Nicholas P. Mooney II](#)

National Weather Service Proposes Limiting Data Availability because of Bandwidth Shortage

"Other agency systems, including information and data streams that deliver vital weather modeling data to broadcast meteorologists and commercial users, have also suffered periodic outages."

Why this is important: Ongoing problems in providing the bandwidth access required by its users has led to a recent National Weather Service proposal that would limit data access by its largest users. The proposed remedy is to limit users to 60 connections per minute on a large number of National Weather Service websites that provide weather data critical to the needs of broadcast meteorologists and commercial users. While direct impacts of this decision will fall on those who rely on National Weather Service information, such as computer modeling outputs and radar data, ordinary individuals also will see impacts due to the effects these access restrictions will have on forecasts and weather alerts. The hope among weather industry officials is that this would only be a temporary limitation while a more workable long-term solution can be achieved. --- [Brandon M. Hartman](#)

Amazon's New Health Band is the Most Invasive Tech We've Ever Tested

"But the Halo pushes into uncharted territory by also collecting new, unabashedly invasive kinds of personal information - including body photos and voice recordings - and then feeding it into Amazon's software for analysis."

Why this is important: Amazon has released a new piece of wearable technology focused on fitness. The Halo Band is a bracelet that has a built in microphone and sensors to track heart rate, temperature,

etc. The fitness watch market has been dominated by Apple Watch and Fitbit for quite some time, but Amazon is looking to catch up with cutting edge features. The Halo Band reportedly tracks your bodily measurements and has the ability to output a full body scan of the user. It also tracks the user's voice and may even report that the user seems "irritable" or "opinionated" depending on tone of voice. The technology used by the Halo Band is admittedly cutting edge, but it may be too thorough to appeal to casual consumers. Many consumers report that they want to know some key points of data such as heart rate, body weight, BMI, etc. However, many consumers are not comfortable with an arm band that measures so many different aspects of their body so closely. --- [P. Corey Bonasso](#)



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