

Disney, Google and Facebook Caught Manipulating the Minds of Millions Of Children and Adults

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Disney Accused of Illegally Tracking Children Via Apps in New Lawsuit



The suit claims Disney is violating the Children's Online Privacy Protection Act.

A San Francisco mom says her child was illegally tracked while using the Disney Princess Palace Pets app.

Amanda Rushing, on behalf of her child referred to as "L.L.," is suing The Walt Disney Company, Disney Electronic Content and others in a proposed class action filed Thursday in California federal court.

Rushing claims an advertising-specific software development kit is surreptitiously embedded in the code for the app, and that's how Disney is collecting personal information and tracking online behavior.

"App developers and their SDK-providing partners can track children's behavior while they play online games with their mobile devices by obtaining critical pieces of data from the mobile devices, including 'persistent identifiers,' typically a unique number linked to a specific mobile device," writes attorney Michael Sobol in the complaint. "These persistent identifiers allow SDK providers to detect a child's activity across multiple apps and platforms on the internet, and across different devices, effectively providing a full chronology of the child's actions across devices and apps. This information is then sold to various third-parties who sell targeted online advertising."

Sobol argues this is exactly the kind of practice the Children's Online Privacy Protection Act was enacted to prevent. Under COPPA, app developers and any third-parties working with them can't legally collect personal information about children who are under the age of 13 without verifiable consent from their parents.

"Disney has failed to safeguard children's personal information and ensure that third-parties' collection of data from children is lawful," writes Sobol.

According to the suit, a Disney subsidiary, Playdom Inc., paid the largest civil penalty to date (\$3 million) for violating COPPA in 2011.

Rushing says L.L. was tracked while using the princess pets app, but the suit claims dozens of other games also track their users, including Club Penguin Island, Star Wars: Puzzle Droids, Frozen Free Fall and Disney Emoji Blitz. (Read the full list on pages 9 and 10 of the complaint, which is posted below.)

Rushing is seeking class certification with a class defined as: "all persons residing in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Utah, Vermont, Washington, and West Virginia who are younger than the age of 13, or were younger than the age of 13 when they played the Game Tracking Apps, and their parents and/or legal guardians, from whom Defendants collected, used, or disclosed personal information without verifiable parental consent."

She's also seeking certification of a sub-class of California residents who could also have claims for violation of the state's right to privacy.

Disney has not yet replied to a request for comment on the complaint.

America's Most Powerful Companies Are Using Creepy Artificial Intelligence to Alter Your Behavior. From Starbucks to IBM, artificial intelligence is hot.

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[Brian Sozzi](#)

[Chris Tompkins](#)

[Michelle Lodge](#)

From Starbucks ([SBUX](#)) to IBM ([IBM](#)), the use of artificial intelligence by big companies to alter your behavior is becoming a major thing. The most recent example is coffee giant Starbucks, as TheStreet recently reported. If you always have a caramel macchiato on Mondays, but Tuesdays call for the straight stuff, a double espresso, then Starbucks is ready to know every nuance of your coffee habit. There will be no coffee secrets between you, if you're a Rewards member, and Starbucks.

This fall as Starbucks rolls out more of its new cloud-based Digital Flywheel program, backed by artificial intelligence (AI), the chain's regulars will find their every java wish ready to be fulfilled and, the food and drink items you haven't yet thought about presented to you as what you're most likely to want next.

So targeted is the technology behind this program that, if the weather is sunny, you'll get a different suggestion than if the day is rainy. Or expect suggestions to vary on the weekend or a holiday, as opposed to a regular workday. If it's your birthday, [Starbucks will offer a personalized birthday selection](#). If you patronize a Starbucks other than you're regular haunt, Starbucks will know that too.

Like it or not, what Starbucks has developed represents a smart melding of technology into e-commerce tools that will pay off long term for the company and drive sales, Brian Solis, a principal analyst and futurist at Altimeter, told TheStreet in an interview.

"Starbucks is one of the best companies in the world that connects brand, user and consumer experience between digital mobile and the real world," said Solis. " They are still pushing forward, rolling out their Digital Flywheel strategy to be more dynamic to further integrate digital and real world."

Matthew Ryan, global chief strategy officer at Starbucks, said during an earnings call on Thursday, July 27, that the personalization technology behind Digital Flywheel will allow the company to offer exclusive benefits to subsets of customers and put forth new ways to order. He said the program offers "real-time triggers and push[es] notifications to engage customers more deeply, building on the momentum that is generating the higher spend per members."

In spite of this push, [Starbucks has been challenged](#), according to Stifel analyst Mark Astrachan in a note on Thursday, in which he downgraded the stock to hold from buy.

"Starbucks estimates mobile customers, which are among its most productive, account for 8-9 million of the 13 million MSR [My Starbucks Rewards] members," wrote Astrachan in the note. "We estimate mobile transactions per store growth is slowing, up mid-teens y/y for the last two quarters and

decelerating on 2-year basis. Non-mobile transactions per store, accounting for about 2.5x more transactions than those via mobile, has declined low double-digits for the past four quarters, with the two-year CAGR [compound annual growth rate] decelerating for the past seven quarters."

Meanwhile, Starbucks shares plunged nearly 10% on Friday to \$54 a share.

Solis is a fan of Starbucks, who sees it as a technology company as much as anything else, with solid growth potential. Any downward moves, he contends, are typical growing pains of an innovator and disruptor. "The fact that the stock has tumbled is a reflection of what happens in the face of disruption," he said. "Shareholders tend to want shorter-term results, versus longer-term investments."

"Mobile is one of many promises in which Starbucks is going to grow," Solis added. "That is because we are on the forefront of a new movement in consumer engagement, which marries mobile, loyalty and sales with AI to deliver extreme personalization, which Starbucks, is priming itself for and consumers are going to start demanding more."

Being that this is a Sunday, Starbucks thinks you might like to splurge a bit, say on a chewy chocolate cookie with that decaf cappuccino you always order. Of course, you were about to think that too, right?

[4 Creepiest Ways Corporate America Is Spying on You | TIME.com](#)

4 Creepiest Ways Corporate America Is **Spying on You**. ... Despite the assurances of Ford, it appears that at least some car companies, GPS, ...

 business.time.com/2014/01/15/4-creepiest-ways-corporate-ame...

[You've Heard that the Government and Big Corporations Are ...](#)

You've Heard that the Government and Big **Corporations Are Spying**. But Do You Have ANY IDEA How Widespread the **Spying** Really Is?

 washingtonsblog.com/2013/06/the-government-and-big-corporatio...

[12 Ways Companies Spy On You - Business Insider](#)

Companies know a lot about **you**. Probably more than you're comfortable with. Charles Duhigg of the New York Times wrote yesterday about how major ...

 businessinsider.com/12-ways-companies-spy-on-you-2012-2

[These Four Organizations Are Also Spying On You, And You Had ...](#)

These Four Organizations Are Also **Spying On You**, ... way around the law by sharing other people's personal information with all sorts of companies. ...

huffingtonpost.com/2013/11/06/domestic-spying_n_4100211.html

[Corporations Are Spying On You | Free Speech TV](#)

The NSA isn't the only group that's **spying on** U.S. citizens -- corporate America has been doing it for decades. Ring of Fire's Mike Papantonio discusses this with ...

<https://www.freespeech.org/video/corporations-are-spying-you>

[How To Tell If Your Employer Is Spying On You - AOL Finance](#)

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<https://www.aol.com/2013/09/24/signs-employer-spying-workers/>

[4 Ways Your Employer May Be Spying on You - The Cheat Sheet](#)

4 Ways Your Employer May Be **Spying on You**. ... you aware of all the ways your employer may be watching what you ... companies take it to another level by ...

cheatsheet.com/technology/4-ways-your-employer-could-tra...

[How To Tell If Your Boss Is Spying On You - Forbes](#)

How To Tell If Your Boss Is **Spying On You**. ... some of the companies that offer this software have made "white lists" so that the IT departments ...

<https://www.forbes.com/sites/kashmirhill/2012/08/16/how-to-tell-...>

[The rise of workplace spying - The Week - All you need to ...](#)

A growing number of companies are using technology to monitor their employees' emails, phone calls, and movements. Here's everything you need to know:

theweek.com/articles/564263/rise-workplace-spying

[These Devices May Be Spying On You \(Even In Your Own Home\)](#)

These innocent-looking devices may be **spying on you**, ... won't truly eliminate the **spying**. Of course, phone companies also track phone calls as they ...

<https://www.forbes.com/sites/josephsteinberg/2014/01/27/these-de...>

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 <https://www.aol.com/2013/09/29/new-ways-employer-spy/>

[What you can do about companies spying on your ... - CNNMoney](#)

Worried about companies **spying on** your browsing? Here's what you can do

 money.cnn.com/2017/03/29/technology/spying-companies-is...

[Protecting your browsing history: Here's what you can do ...](#)

Worried about companies **spying on** your browsing? Here's what you can do. ... You probably already know that companies like Facebook (FB, Tech30) ...

 money.cnn.com/2017/03/24/technology/spying-companies-is...

[Papantonio: Corporations Are Spying On You - youtube.com](#)

This segment originally aired on the December 8th, 2013 episode of Ring of Fire on Free Speech TV. The NSA isn't the only group that's **spying on** U.S ...

 youtube.com/watch?v=Tw42yaCXsg8

[Are Corporations Spying On You? - RedTea News](#)

When it comes to privacy, you can never be too careful. With the advancement of technology, it has become much easier to obtain personal information.

 redtea.com/america-now/are-corporations-spying-on-you/

[Your Utility Company Is Spying On You And Selling Information ...](#)

Utility companies collect data on ... Home Technocracy Your Utility Company Is **Spying On You** And Selling Information On Your Activities To **Corporations**, Governments, ...

 <https://needtoknow.news/2017/03/utility-company-spying-selling-in...>

[9 Household Products That Could Be Spying on You - ABC News](#)

Companies including Google and Verizon are reportedly developing cable boxes with built-in video cameras and motion ... If your phone can spy on **you**, ...

 abcnews.go.com/Business/household-products-spying/story?...

[Corporations continue to spy on Internet users - The Blue Banner](#)

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 thebluebanner.net/corporations-continue-to-spy-on-internet-...

[Will your Internet provider be spying on you? - CNN.com](#)

Will your Internet provider be **spying on you**? By Douglas ... the parent of CNN and ... it was up to movie and music companies to figure out when their ...

 cnn.com/2012/07/06/opinion/rushkoff-online-monito...

[New Smart Technology Lets Corporations Spy On You | Mass Appeal](#)

New smart technology devices like the Xbox or Samsung's Smart TV can record your voice and send it to unknown third parties. Click here to learn more.

 <https://massappeal.com/new-smart-technology-lets-corporations-sp...>

[Stop Your Boss From Spying on You | PCWorld](#)

Stop Your Boss From **Spying on You** ... there's little debate about whether companies have a right to monitor employees' activities on corporate PCs and ...

 pcworld.com/article/222710/stop_your_boss_from_spying...

[Industrial espionage - Wikipedia](#)

Industrial espionage, ... corporate **spying** or corporate ... while industrial or corporate espionage is more often national and occurs between companies or ...

 https://en.wikipedia.org/wiki/Industrial_espionage

[Confessions of a Corporate Spy | Inc.com](#)

What do you think it means to be an expert in hard-to-get ... Confessions of a Corporate Spy. ... Companies like mine serve to fill the skills gap at small and ...

 <https://www.inc.com/magazine/201302/george-chidi/confessions-...>

[8 Unusual Ways Corporations Are Spying On You](#)

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 govtsslaves.info/8-unusual-ways-corporations-are-spying-on...

[Corporations Spying On Opposing Activists? - youtube.com](#)

How will free speech suffer if **corporations** can ally themselves with government spy agencies and private security firms to intimate and silence those who ...

 [youtube.com/watch?v=V-Ux_EoZaUY](https://www.youtube.com/watch?v=V-Ux_EoZaUY)

[How to stop your smart TV from spying on you | Komando.com](#)

How to stop your smart TV from **spying on you**. By Komando Staff ... Companies have had to defend their inventions again and again and compared to simpler and less ...

 <https://www.komando.com/tips/387669/the-secret-setting-smart-tv-m...>

[How Stores Spy on You - Consumer Reports](#)

Get information on how stores spy on you from ... Join our campaigns and together, we'll hold **corporations** and ... How and Why Retail Stores Are **Spying on You**

 consumerreports.org/cro/2013/03/how-stores-spy-on-you/index.htm

[4 Signs Your Boss Is Spying on You - The Cheat Sheet](#)

Chances **are**, your boss is keeping an eye on **you**. Forty-three percent of companies actively monitor employee emails, according to the American Management Association ...

 cheatsheet.com/money-career/4-signs-your-boss-is-spying-...

[Spying On Employees: What You Can And Can't Do - hr.com](#)

-Even though you may monitor your employees for legitimate business interests, such as productivity, efficiency, and quality control, there are a handful of laws that ...

 https://www.hr.com/hr/communities/legal/spying_on_employees_...

[Tracking The Companies That Track You Online : NPR](#)

Tracking The Companies That Track You Online. ... One of the fastest-growing online businesses is the business of **spying on** Internet users by using sophisticated ...

 [npr.org/templates/story/story.php?storyId=129298003](https://www.npr.org/templates/story/story.php?storyId=129298003)

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...

Federal regulations designed to give you more control over your web browsing history and other personal information may soon be eliminated. There are steps ...

 [q13fox.com/2017/03/29/worried-about-companies-spying...](https://www.fox.com/2017/03/29/worried-about-companies-spying...)

When Companies Spy on You: Corporate Data Mining and Big ...

The Hardcover of the When Companies Spy on **You**: Corporate Data Mining and Big Business by Jeri Freedman at Barnes & Noble. FREE Shipping on \$25 or more

 <https://www.barnesandnoble.com/w/when-companies-spy-on-you-jeri-freedman...>

Is Corporate Spying Legal? - Forbes

We know from the Patricia Dunn/HewlettPackard (NYSE: HPQ) scandal that certain **spying** methods are illegal...pretexting, comes to mind. And, in the U.S ...

 <https://www.forbes.com/sites/corporateresolutions/2011/05/31/is-...>

News: Are the companies spying on you? | MegaGames

Detect "Spyware" before you download! Spychecker can detect almost one thousand so called "Spyware" products by name. If you are not sure if the freeware

 megagames.com/news/are-companies-spying-you

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When you're surveilling one person, ... NSA Doesn't Need to Spy on Your Calls to Learn Your Secrets. ... Governments and **corporations** gather, ...

 <https://www.wired.com/2015/03/data-and-goliath-nsa-metadata-spy...>

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 <https://christianruther.com/end-times/science/beast-tech/meet-duo-cre...>

Smart Meter Companies Admit: We're Spying On You | Off The ...

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Millions of Americans installing 'perfect spying device' in ...

Corporations spying on their own customers is a conspiracy FACT You can fully expect that many people who are still living in the pre-Snowden era will immediately ...

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This works in two ways: companies and organizations **spying on** their own employees, ... Your Computer and Phone Cameras Are On -- Beware! 290. ABOUT US;

[huffingtonpost.com/rebecca-abrahams/your-computer--phone-cam...](#)

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[dailymail.co.uk/sciencetech/article-2513592/Is-TV-spying-...](#)

[3 Ways to Spot a Spy - wikiHow](#)

How to Spot a Spy. ... Don't automatically assume your friend is a spy, but if you are suspicious monitor ... Many companies monitor their employee's computer ...

[wikihow.com/Spot-a-Spy](#)

[When Companies Spy on You | Cavendish Square Publishing](#)

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[https://www.cavendishsq.com/title/When-Companies-Spy-on-You](#)

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Experts say that's not necessarily true, but that telecommuting only works if companies hold employees accountable. "**You** have to manage workers, whether they're ...

[cnbc.com/id/100826081](#)

[Sir Tim Berners-Lee speaks out on data ownership | Technology ...](#)

"When you read big data pieces in a magazine, it's about how big companies are **spying on you**. A lot of the marvel of big data is a threat to me.

[https://www.theguardian.com/technology/2014/oct/08/sir-tim-berners-le...](#)

[6 Ways Your Employer Can Legally Spy on You - Recruiter](#)

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 <https://www.recruiter.com/i/6-ways-your-employer-can-legally-spy-on...>

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 popularmechanics.com/technology/gadgets/a4636/4223564/

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Your Boss Is Watching ... Using services like Yahoo or Hotmail can make it harder for your boss to spy on ... I've got bad news for **you**: Companies can and ...

 pcworld.com/article/118072/article.html

[Don't Let Congress Order Internet Companies to Spy on You ...](#)

The U.S. House of Representatives is currently considering H.R. 1981, a bill that would order our online service providers to keep new logs about our online ...

 https://wfc2.wiredforchange.com/o/9042/p/dia/action/public/?action_KEY=8175

[Is your rental car company spying on you? - CBS News](#)

Speed or cross a state line in a rental car and you could be ... Is your rental car company **spying on** you ... about car rental companies **spying on** ...

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 <https://www.quora.com/Is-your-employer-allowed-to-spy-on-you-vi...>

[Three tools to stop companies spying on your web browsing | ZDNet](#)

Want to limit the ability of companies to track what sites you visit online? Check out these tools that shut down common ways used to track browsing habits.

 zdnet.com/pictures/three-tools-to-stop-companies-sp...

[Is Your Cable Box Spying On You? Behavior-Detecting Devices ...](#)

Is Your Cable Box **Spying On You**? ... Lawmakers and privacy advocates are asking such questions as companies continue to experiment with data collection that will ...

 ibtimes.com/your-cable-box-spying-you-behavior-detect...

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 sagaciousnewsnetwork.com/household-robots-will-be-used-by-governme...

[Government Spying on Americans ... and then Giving Info to ...](#)

You've heard that the government spies on all Americans. But you might not know that the government shares some of that information with big **corporations** ...

 washingtonsblog.com/2013/06/government-spying-on-americans-an...

[Are Car Insurance Companies Spying On You? - NkRadio](#)

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 nradio.me/news/watch/videoJq0bM5O2ugh- U

[Windows 10 is Spying on you - Whiteout Press](#)

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 whiteoutpress.com/articles/2015/q4/windows-10-spying-you/

[Is it Legal for Your Company to Spy on You?](#)

Is it legal for your company to spy on **you**? Companies don't monitor activities all the time, but they do randomly sample the activities of their employees. Home;

 <https://financialhighway.com/is-it-legal-for-your-company-to-spy-on-you/>

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 fox40.com/2017/03/29/worried-about-companies-spying...

[FAQ :: Can cable companies spy on you through your TV ...](#)

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 raptureready.com/faq-can-cable-companies-spy-on-you-throug...

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If you happen to be reading this article online ... Most parties to the debate agree that companies should have clear policies on electronic surveillance and that ...

<https://www.scu.edu/ethics/focus-areas/business-ethics/resour...>

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Could your vacuum cleaner be **spying on you**? ... of robot vacuum cleaners actually collect information about properties to share with other technology companies.

<https://au.be.yahoo.com/lifestyle/real-life/a/36532256/is-your-va.>