

Press release: September 13, 2023

## **Dutch class action against X. Corp (formerly Twitter) continues: SDBN demands damages for every user of free apps**

Stichting Data Bescherming Nederland (SDBN) is finally starting a lawsuit against X. Corp (formerly Twitter), the company that, between 2013 and 2021, owned ad platform MoPub. In November 2022, SDBN called on X. Corp to answer for their illegal trafficking of the personal data of users from more than 30,000 free apps, such as Wordfeud, Vinted, Grindr and Duolingo. Contact with X. Corp did not yield a resolution. The foundation is now starting a lawsuit. In a comprehensive writ of summons, SDBN is seeking damages from X. Corp for each injured party.

### **Massive privacy violation and illegal data trading**

Between 2013 and 2021, advertising platform MoPub and X. Corp (formerly known as Twitter) unlawfully collected and exchanged user data from over 30,000 free mobile applications in the Netherlands. In addition to Wordfeud, Buienradar, Vinted, Shazam and Duolingo, these included numerous fitness apps such as MyFitnessPal, menstruation apps, dating apps such as Grindr and Happn, games for children such as My Talking Tom and apps centered on the Bible or apps targeting Muslims.

For eight years, even if users never sent a tweet, the free apps enabled X. Corp and MoPub to collect and share their personal data. Consumers did not know with whom and for what purpose X. Corp and MoPub did so. For example, MoPub shared personal data and data about sexual orientation, child desire or religious beliefs on the ad market. This data was then traded on to thousands of parties. They collected far more information than necessary, violating the most important law surrounding the protection of personal data: the GDPR.

### **Twitter / X held accountable - damages claimed for over 10 million users**

In November 2022, Stichting Data Bescherming Nederland called X. Corp to account for its illegal activities and started an awareness campaign via the website [jestaattekoop.nl](https://jestaattekoop.nl). Multiple letters back and forth between SDBN and X. Corp. did not lead to a breakthrough. Hence, SDBN started proceedings today at the court in Rotterdam.

SDBN demands compensation on behalf of 11 million Dutch citizens and will claim higher damages for children and victims whose data is considered especially sensitive, such as that about their religious beliefs, sexual orientation, or health. Furthermore, the foundation argues that users are also entitled to profit sharing. That means the total damages claimed could be substantial. The foundation also demands destruction of the unlawfully collected data and personal data by X Corp and related entities.

### **Victims can only seek justice collectively**

An estimated 10 million adults and 1 million children from the Netherlands who used the free apps between October 2013 and December 2021 are victims of this illegal trade in personal data. In practice, it is impossible for individual victims to seek justice against large parties like X. Corp. Therefore, SDBN seeks to hold X. Corp collectively responsible via this class action.

Dutch privacy expert Anouk Ruhaak, president of SDBN, says "*X. Corp has collected data on millions of Dutch citizens for years. That data was then shared with thousands of companies, who made a lot of money. It is difficult to find out which parties all gained access and who currently controls our data. By holding X. Corp liable, we hope not only to obtain compensation for all those affected, but also to put a stop to this kind of practice. Unfortunately, companies like this often only listen when it hurts financially*".

### **Awareness campaign 'You are for sale'**

Through the website [jestaattekoop.nl](https://jestaattekoop.nl), anyone who has used the free apps can find information and support the lawsuit. By now, more than ten thousand Dutch people have registered. Victims do not have to pay to participate in this lawsuit.

## About Stichting Data Protection Netherlands

SDBN is a Dutch non-profit foundation committed to a world in which privacy is respected by companies. SDBN

**Stichting Data Bescherming Nederland** of victims of privacy violations. The claim against Twitter and the campaign Je Staat Te Koop (‘) was SDBN's first class action lawsuit. Meanwhile, the foundation also has a case pending against Amazon for privacy violations and the illegal tracking of 5 million Dutch Amazon users. The foundation has more cases pending in which user privacy has been violated by large tech companies.

Examples of free apps that exchanged personal data via Twitter's / X. Corp's MoPub platform at least between October 2013 and December 2021:

- Shazam (over 5 million downloads)
- Vinted (over 4.1 million downloads)
- Helix Jump (over 4.2 million downloads)
- Wordfeud (over 3.8 million downloads)
- Trivia Crack (over 3.5 million downloads)
- Zedge Wallpapers (over 3.3 million downloads)
- Super-Bright LED Flashlight (over 3.1 million downloads)
- Picsart Photo & Video Editor (over 3 million downloads)
- MyFitnessPal (over 2.9 million downloads)
- Piano Tiles 2 (over 2.9 million downloads)
- Agar.io (over 2.7 million downloads)
- 8 Ball Pool (over 2 million downloads)
- My Talking Tom (over 2 million downloads)
- DuoLingo (over 1.9 million downloads)
- Badoo Dating. Chat. Friends (over 1.6 million downloads)
- Solitaire - Zynga (over 1.6 million downloads)
- Happn Dating App (over 1.5 million downloads)
- Sudoku - Easy Brain (over 1.4 million downloads)
- Buienradar (over 1.3 million downloads)
- Grindr - Gay chat (over 510,000 downloads)

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For further information and interview requests, please contact Michel Langendijk, press officer Stichting Data Protection Netherlands at [pers@stichtingdatabescherming.nl](mailto:pers@stichtingdatabescherming.nl) and +31 (0)6 4096 3010

Anouk Ruhaak is the president of SDBN and a privacy specialist and activist. She lives and works from Canada, where she worked at the Mozilla Foundation. She is available for interviews in the Netherlands on Sept. 13, 2023 or via video call after that date.

Julia Janssen is an ambassador for Stichting Data Bescherming Nederland in the lawsuit against Twitter and the campaign Je Staat Te Koop. Janssen is an artist and researcher and has been committed to privacy and data protection for years.