

Maine Internet Privacy Law Survives Challenge

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Maine's internet privacy law has survived its first challenge from internet service providers earlier this month. As we previously discussed, [here](#), this law prohibits the sale of certain information about customers' internet use by internet service providers and went into effect on July 1, 2020.

The Plaintiffs, made up of several trade associations that represent internet service providers who provide service in Maine, filed a Motion for Judgment on the Pleadings alleging that the statute is unconstitutional on the grounds that it violates the First and Fourteenth Amendments, is unconstitutionally void for vagueness, and is preempted by federal law. Defendant, Maine's Attorney General, Aaron Frey, filed a Cross Motion for Judgment on the Pleadings seeking judgment on the Plaintiffs' preemption claim.

The court denied the Plaintiffs' motion and granted the Defendant's motion to dismiss the preemption claims, finding, in part, that Maine's internet privacy law is an exercise of state regulatory authority that is anticipated by federal law.

Putting it Into Practice: The Maine internet privacy law is in effect and has survived its first challenge. This case is a reminder that internet service providers should review their consumer information sharing practices if they have not done so already.

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