

MAJOR LAWSUIT ALERT!: Home Depot And Google Facing CIPA Lawsuit For Use Of Google's Cloud Contact Center AI

Article By:

Tori Guidry

So, Home Depot and Google probably received the worst Valentine of all time yesterday.

Plaintiff Christopher Barulich filed a MASSIVE class action lawsuit against these two huge corporations alleging violations of Section 631 of the California Invasion of Privacy Act.

As a reminder, here is Cal. Pen Code § 631(a):

Any person who, by means of any machine, instrument, or contrivance, or in any other manner, intentionally taps, or makes any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with any telegraph or telephone wire, line, cable, or instrument, including the wire, line, cable, or instrument of any internal telephonic communication system, or who willfully and without the consent of all parties to the communication, or in any unauthorized manner, reads, or attempts to read, or to learn the contents or meaning of any message, report, or communication while the same is in transit or passing over any wire, line, or cable, or is being sent from, or received at any place within this state; or who uses, or attempts to use, in any manner, or for any purpose, or to communicate in any way, any information so obtained, or who aids, agrees with, employs, or conspires with any person or persons to unlawfully do, or permit, or cause to be done any of the acts or things mentioned above in this section...

The allegations here are that Home Depot, through its use of Google's Cloud Contact Center AI (CCAI), infringed upon customers' privacy rights by allowing Google to access, record, read, and learn the contents of their calls in real time without obtaining prior consent.

Plaintiff alleges that he called Home Depot's customer service and was not informed that Google would be monitoring and transcribing the calls.

Plaintiff further alleges that Google uses the data from these calls to further train its AI model.

So in other words, Plaintiff is claiming that the use of third-party AI programs to collect data from calls in real time is a violation of Section 631. Home Depot would be liable under an aiding and abetting theory, and Google would be liable as the eavesdropper.

AI programs assisting in customer service are becoming more and more popular so it will certainly be interesting to see how this case ultimately turns out.

We saw a [similar lawsuit filed in October of 2023](#), so these might become just as popular as the Chatbox cases soon.

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