

Insights

BCLP ATTORNEYS AUTHOR ARTICLE FOR BLOOMBERG LAW ON IMPLICATIONS OF 'VAN BUREN' RULING

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BCLP Partner Mark Srere and Senior Trial Counsel Ben Clark authored an article published June 15 by Bloomberg Law with four takeaways from the U.S. Supreme Court's recent decision in *Van Buren v. U.S.* The court's decision limits the scope of the Computer Fraud and Abuse Act (CFAA) in ways that will affect not only the statute's criminal application but also civil enforcement by companies. "In particular, the court held that 'an individual "exceeds authorized access" when he accesses a computer with authorization but then obtains information located in particular areas of the computer – such as files, folders, or databases – that are off limits to him,'" they wrote. "To the extent that Congress allows it to stand, employers and website operators should make a close review of information that they would like to protect from otherwise-authorized employees and users, and fashion a prophylactic approach to preventing such unauthorized access."

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