LAW RIGHT WEEKLY · #001

When the product becomes the evidence

Meta before a jury. TikTok facing $400 million. Uber fined exactly €824,990,000. Three cases, one red line: anyone affected by technology must be able to understand and challenge the decision.

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INAUGURAL ISSUE · 001

The Top 3 at a glance

This week, technology enters three different rooms: a courtroom, a government settlement and a data-protection decision. The same question waits at every door: who answers when the product has already decided?

The Meta trial examines the design of platforms used by young people. The TikTok settlement shows that protecting a child takes more than asking for a date of birth. The Uber decision shows what meaningful human intervention must look like when a platform worker's income is at stake.

This Top 3 does not claim to count every view in the world. No public counter can. The attention ledger shows indexed results by language, media presence, a dated sample of public engagement, freshness and legal relevance. Those figures describe a signal. They are neither certified audience figures nor judgments.

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The Law Right global Top 3

Editorial ranking frozen at 10 am Brussels time on 25 August 2026. Meta leads; TikTok and Uber follow. No figure is presented as a view count.

01

Meta: the product takes the stand

Trial underway

02

TikTok: the conditional $100 million inside the 400

$400m announced

03

Uber: a nine-digit decision and a very human right

€824,990,000

01 **CHILDREN · PLATFORM DESIGN** **Trial underway**

Meta: the product takes the stand

A trial brought by four US states against Meta began on 18 August. The claims concern product design, children's data and public messaging. Meta contests them; no judgment has been delivered.

Phillip Burton Federal Building & United States Courthouse — Marincyclist, CC BY-SA 4.0, via Wikimedia Commons — recadrage et optimisation Law Right. Wikimedia Commons ·

> **A button is never "just a button" when it organises a child's attention.**

What is established — and what remains alleged

The attorneys general of California, Colorado, Kentucky and New Jersey are litigating in the US District Court for the Northern District of California. Trial began on 18 August 2026 after Meta was denied summary judgment.

The complaint alleges that Meta designed features of Facebook and Instagram to drive excessive use by minors, collected or used data from children under 13, and downplayed risks. These are contested allegations, not judicial findings.

Denying summary judgment allowed the case to proceed to trial. It did not decide liability or damages. When the ranking was frozen, the jury had not returned a verdict.

A complaint sets out what one side says it can prove. A verdict may later establish what the law accepts as fact. Between them, law provides an adversarial process; a press release is not a judgment.

A default, recommendation, notification, exit sequence or age check has an author, a purpose, success metrics and ordinarily an audit trail. A “continue” button can have a much longer résumé than its two syllables suggest.

Law is looking at the architect’s plan

The case spans COPPA, consumer law and design choices. In Europe, the GDPR and Digital Services Act lead to a related question: does the service protect the minor, or make the child bear the full burden of protecting themselves?

Self-declared age, defaults, recommendations, exit friction and advertising are product choices. They can become matters of governance, evidence and, sometimes, liability.

COPPA protects the data of children under thirteen and, where it applies, requires measures including notice to parents and verifiable parental consent. The revised Rule also strengthens provisions concerning advertising, retention and security.

European guidance translates Article 28 DSA into product choices: private defaults, recommendations less likely to create content spirals, excessive-use features off by default, effective blocking and proportionate age assurance. The guidance is non-binding and does not automatically guarantee compliance.

A child should not have to understand a platform’s business model before being able to protect themselves. Protection lives in the order of screens, the ease of saying no, quiet notifications and a genuine exit.

Platform compliance also lives in the interface: what attracts, what retains and what lets someone leave.

Federal trial underway · allegations contested · no jury verdict as at 25 August 2026

Your useful move for Monday

1. Map a minor’s full journey from sign-up to exit.
2. Identify mechanisms that prolong use and record their justification.
3. Test defaults against the most vulnerable user, not the most informed one.
4. Keep design decisions, impact evidence and human trade-offs.
5. Ask what behaviour each interface choice seeks to produce and what evidence demonstrates it.
6. Name the person empowered to stop or correct the system and preserve the record of those judgments.

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   Court filing · oag.ca.gov
3. Associated Press — trial context and Meta's response
   Context source · apnews.com

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4. FTC — 2025 final COPPA amendments
   www.ftc.gov
5. EUR-Lex — Digital Services Act, Article 28
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6. European Commission — protection of minors guidelines
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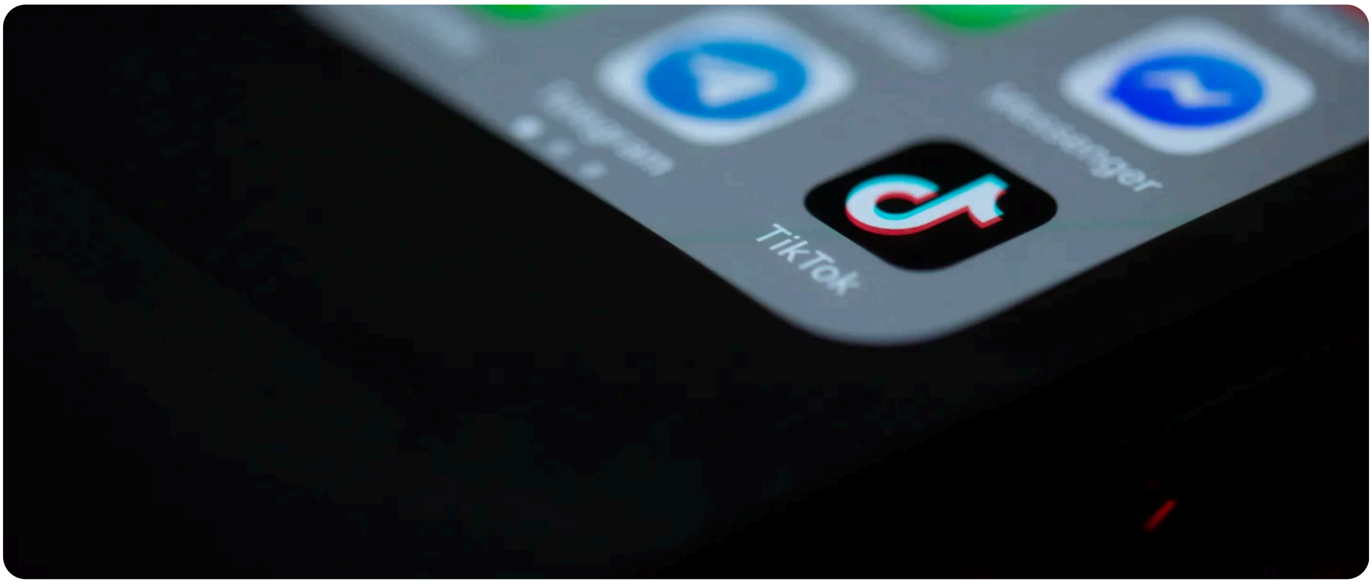
7. Meta — company position on teen protection
   about.fb.com

02 **CHILDREN · PRIVACY** **$400m announced**

TikTok: the conditional $100 million inside the 400

The settlement announced by the Department of Justice provides for $300 million, plus $100 million if a court vacates the earlier Musical.ly injunction. It resolves allegations without a finding of liability.



Adapted from "TikTok app" by Solen Feyissa, CC BY-SA 2.0, via Wikimedia Commons. Changes: crop and Law Right optimisation. Wikimedia Commons ·

> **A large number catches the eye. Its condition often tells the real story.**

What the settlement actually says

On 21 August, the Department of Justice announced a settlement with TikTok and ByteDance over allegations involving data of children under 13 and compliance with COPPA.

The structure is precise: $300 million is payable; a further $100 million would follow if the court grants TikTok's request to vacate the earlier Musical.ly injunction. Writing only "$400 million fine" would erase that condition.

The release also describes controls TikTok says it has already improved. They should not be recast as new undertakings imposed by the settlement. There is no determination of liability.

The payment structure belongs ahead of the headline: $300 million is immediately payable. The remaining $100 million becomes payable only when a court vacates the earlier injunction against Musical.ly.

The complaint alleged that children could create regular accounts, data was collected or retained without adequate notice and parental consent, and some deletion requests were mishandled. TikTok disputed the claims; settlement avoids a judicial determination.

Why Europe should watch

COPPA is US law. The design problem is not. The GDPR gives children special protection; the Digital Services Act adds safety duties and restricts, among other things, certain profiling-based advertising to minors.

Age assurance must be proportionate: strong enough to protect and restrained enough not to build a fresh surveillance database.

A date-of-birth field is not a barrier; it is a door with a sign on it. Age assurance should match the risk without becoming a reason to collect everyone's identity.

The EDPB emphasises necessity, proportionality, data minimisation, purpose limitation, security and effective redress. Protecting minors does not justify building a new database about every user.

Child protection is architecture: cautious defaults, minimal data, short explanations and an easy exit.

US settlement announced · $300m + conditional $100m · no finding of liability

Your useful move for Monday

1. Separate what the settlement imposes from what the company says it already does.
2. Test how users can bypass the age-check flow in practice.
3. Minimise data used to estimate or verify age.
4. Write for a young reader, then ask that reader to test the words.
5. Separate proof of age, civil identity and public profile wherever possible.
6. Document errors and redress: false age, family account, challenge and deletion.

Sources and further reading

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03 GDPR · AUTOMATED DECISION-MAKING €824,990,000

Uber: a nine-digit decision and a very human right

The Dutch DPA imposed exactly €824,990,000 on Uber over driver account suspensions it considers fully automated. Uber disputes the decision and announced an appeal.

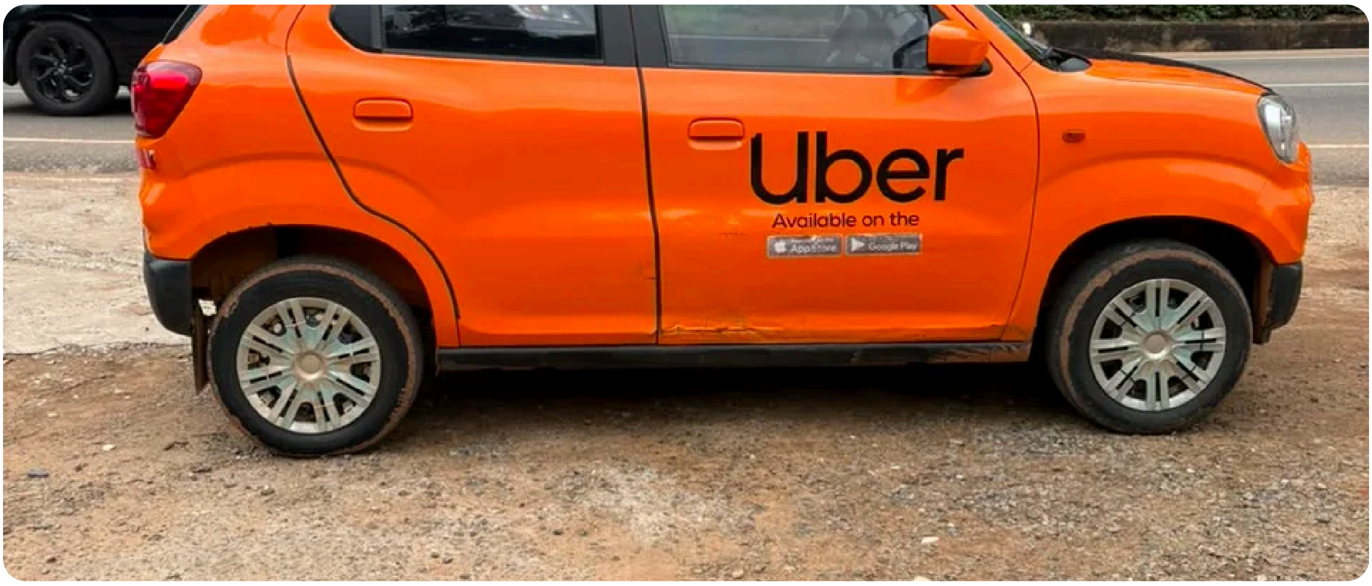

Photo : Mr.Aveey, “Uber hailing car”, Wikimedia Commons — CC0 1.0. Optimisation Law Right. Wikimedia Commons ·

> **An algorithm can close an account. The appeal route must open a real door.**

What the regulator decided

More than 170 French drivers complained to the CNIL through the French Human Rights League. The Dutch DPA handled the case as lead authority.

On 21 August, it announced a fine of €824,990,000. It considered certain temporary or permanent account suspensions triggered by suspected fraud or low ratings to be fully automated decisions with a significant effect on income.

The regulator also found that the claimed human involvement was not meaningful enough and that information to drivers was insufficient. Uber rejects those findings and announced an appeal. No appellate ruling was available on 25 August.

The figure commands attention, but the core question is shorter: who may decide that someone cannot work tomorrow morning? According to the regulator, a closed account meant no rides and therefore no income through the platform.

Uber disputes the findings and announced an appeal. That belongs in the story: the authority has decided while judicial review remains open.

The decisive word: intervention

Article 22 of the GDPR protects against decisions based solely on automated processing that produce legal effects or similarly significantly affect a person. Where an exception applies, the person must be able to obtain human intervention, express their point of view and contest the decision.

A human who confirms a score without understanding the file or having power to change the outcome is not necessarily meaningful intervention.

Not every algorithm meets Article 22. There must be a solely automated decision with legal or similarly significant effects. Losing access to the tool through which someone earns a living is not an awkward film recommendation.

In SCHUFA, a score may itself be a decision where a third party gives it a determining role. In Dun & Bradstreet Austria, the Court requires a concise, intelligible explanation of the procedure and principles actually applied to the individual case.

Meaningful human involvement requires expertise, time and authority to change the result. Without all three, the human is scenery.

A “request review” button is not yet a review. The human reviewer’s actual power makes the difference.

Administrative decision issued · appeal announced by Uber · no appellate ruling as at 25 August 2026

Your useful move for Monday

1. Identify automated decisions that cut off access, income, payments or accounts.
2. For each decision, record the data, threshold, effect and legal basis.
3. Test the appeal path with a real case and a human authorised to change the outcome.
4. Keep evidence of the reasoning and the final review decision.
5. Measure how often human review actually changes outcomes.
6. Give the reviewer the file, sufficient time and genuine authority to reverse the decision.

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   Official source · www.autoriteitpersoonsgegevens.nl
2. CNIL — English summary of the decision
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3. Associated Press — Uber's challenge and announced appeal
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ON THE RADAR

On the radar

Three important signals outside the Top 3 because their multilingual reach is narrower or the underlying proceedings are still at too early a stage.

01

AI · Creators · Default on

Twitch: the opt-out concerns future use, not a time machine

The Dutch DPA flagged a default-on setting for sharing content and data with Amazon for future generative-AI training. A complaint seeking class-action status was filed in California on 20 August. The court has not certified a class or ruled on the merits. The complaint reviewed contains no standalone copyright-infringement count.

02

Tax · State aid · ≈ $17bn reported

Apple in Ireland: one annual figure containing an old battle

Bloomberg Law reported this week that about $17 billion in tax was paid in Ireland for fiscal 2025. The figure was heavily affected by the release of escrow funds after the final 2024 state-aid judgment. It is therefore not representative of an ordinary annual tax bill. The attached primary sources confirm the judgment and treatment of the escrow fund, but not this 2026 figure directly.

03

AI · Professional duties · 42 reports

AI in legal practice: responsibility cannot be delegated to a prompt

On 17 August, the SRA issued a warning about hallucinations, confidentiality and supervision. It cites 42 reports between July 2025 and July 2026: reports are not 42 proven breaches.

The door handle

A young user must be able to step away from a system designed to hold their attention. A parent must understand what happens to data. A driver must reach a human who can truly decide.

Three cases, one design rule: technical power must remain explainable, challengeable and reversible.

Law is not the machine’s brake. It is the handle that lets a person take control again.

Christophe