

Google Shoots Back in Brazilian Court Against Order to Turn in User Information

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In a quick move, just one day after the Brazilian justice gave it a 15-day deadline to turn in data from its Orkut community site or risk daily fines of 50,000 reais (US\$ 23,400), Orkut appealed the judicial order in a São Paulo Brazilian court today, September 1st.

In a note released to the press the American company stated: "The decision is ineffective because it's directed to Google services, when the intended subject is Orkut, over which Google Brazil has no power, something that has already been reiterated several times, even with a request, not accepted by the Justice, of an investigation by the authorities inside the place where Google Brazil operates".

And they added "The decision is ineffective, because it is imprecise, since it does not tell apart which orders were not complied with, moreover there wasn't noncompliance with any order."

The note also says that "the decision is void, because the civil Justice has no authority to decide on compliance or non compliance with decisions taken by the criminal Justice".

Federal judge José Marcos Lunardelli from the 17th Court heeded a request by São Paulo's Public Ministry, which wants Google to identify users and communities that have used Orkut to promote child pornography, pedophilia, racism and other crimes.