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# The New Wave of Web Tracking Litigation: Wiretap Statutes, VPPA Risk, and Consent Strategies

## SPEAKERS

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In this episode of *The Consumer Finance Podcast*, Chris Willis is joined by colleagues Jason Manning, Angelo Stio, and Rob Jenkin to unpack the surge of litigations arising from the use of tracking technologies (e.g., cookies, pixels, and session tools) on websites. This episode explains how plaintiff firms are repurposing federal and state wiretap and “trap-and-trace” laws, as well as the Video Privacy Protection Act (VPPA), to assert claims associated with a business’s use of tracking technologies without consent.

The Troutman attorneys tackle the state law statutes and the federal Electronic Communications Privacy Act (ECPA) that plaintiffs typically rely on, the statutory damages that may be available, and the defenses and mitigation options to prevent and combat the claims being pursued, including the use of consent banners, transparent disclosures, the supervision of vendors, and regular audits of the tracking technologies being deployed and the information being shared. Tune in for a concise, actionable guide to reducing litigation risk while maintaining marketing and analytics capabilities.

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