

Court Holds Delta's Privacy Policy Isn't a Contract

Delta Air Lines scored a victory when a California federal court granted the company's motion to dismiss a putative class action based on a data breach, primarily by arguing that its publicly posted privacy policy is not a contract and Delta did not have any enforceable obligation to keep the plaintiff's data secure, **reports** Manatt, Phelps & Phillips.

A Delta passenger sought to represent a nationwide class of consumers alleging breach of contract after the airline suffered a data breach, explains **Jesse M. Brody**.

The court found that the plaintiff could not assert a breach of contract based on Delta's privacy policy, because it expressly disclaimed that it constitutes a contract, stating, "This Privacy Policy is not a contract and does not create any legal rights or obligations."

Read the article.