

Plaintiffs Oppose Dismissal in Ring ‘Virtual Home Invasion’ Suit

by CHRISTINA TABACCO 6 DAYS AGO

After [losing](#) its motion to compel arbitration against non-purchaser plaintiffs, consisting of minor children and an elderly woman, allege that home security company Ring now improperly seeks dismissal of all their claims. The plaintiffs argue that Ring LLC must answer for [virtual home invasions](#) which occurred as a result of inadequate cybersecurity measures that allegedly allowed hackers to “enter” users’ home security systems, shout profanities at them, and threaten them, which was, on at least one occasion, live-streamed.

The [opposition](#), filed last Friday, responds to multiple arguments. First, it says that Section 230 of the Communications Decency Act (CDA) does bar the plaintiffs’ claims because Ring falls short of meeting the three conjunctive criteria. It is not an interactive computer service provider, its products and services are not within the traditional and judicially recognized category that receive Section 230 protection like social media platforms or online content exchanges, and the home security product does not “publish” any content generated by any third parties, the filing says.

In addition, the consumers reiterate that their negligence claims are sound. Ring owed customers a duty of care, they contend. Ring’s argument that it could not foresee the harm caused by its security lapse and subsequent virtual home invasions is “disingenuous,” the opposition claims.

The plaintiffs also back their invasion of privacy claims that assert that hackers accessed video feeds of the plaintiffs while inside their homes and broadcast those on the internet. “Such conduct supports a claim for invasion of privacy,” the opposition says.

Finally, the consumers throw support behind their restitution and unjust enrichment claims, arguing that they have alleged cognizable injury, stated claims for relief, and that Ring derived a benefit from users. The hearing is scheduled for Jan. 31, 2022 in Los Angeles, California.

[Tycko & Zavareei LLP](#), [Robinson Calcagnie Inc.](#), and [Ahdoot & Wolfson PC](#) are interim co-lead counsel for the non-purchase plaintiff class and Ring is represented by [Hueston Hennigan LLP](#).

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