Google Threatened With Sanctions Over Photo Mapping Service in Germany

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BERLIN — A German data protection official on Tuesday threatened Google, the world's largest search company, with “unspecified sanctions” if the company did not change its Street View panoramic photo mapping service to conform to the country's strict privacy laws.

Johannes Caspar, the data protection regulator for the German city-state of Hamburg, where Google has its German headquarters, said officials would be forced to pursue unspecified sanctions if he did not receive written guarantees from Google agreeing to changes before 10 a.m. local time Wednesday.

Mr. Caspar said during an interview that Google and the German data protection officials were at odds on 12 points involving the operation of Street View. German privacy law forbids dissemination of photos of people or their property without their consent.

The most significant disputes involving Street View, Mr. Caspar said, concern Google's unauthorized filming of houses and private property and the company's handling of the photographic data it records but which is later removed from Street View following complaints by property owners.

"I have asked for written guarantees on 12 points," Mr. Caspar said, "and if Google doesn't deliver the guarantees by the deadline, we will be forced to investigate the possibility of sanctions." He declined to specify what the other 10 points were or what sanctions were contemplated.

Dietmar Müller, a spokesman for the German Federal Commissioner for Data Protection and Freedom of Information in Bonn, said the Hamburg agency could levy fines against Google of up to €100,000, or $136,000, which Google could appeal in court. Private citizens could also sue Google in German court over unauthorized filming, he added.

"But generally, the penalties for this type of activity are limited in Germany," Mr. Müller said.

The data protection administrators of 16 German states, led by Hamburg and the northern state of Schleswig-Holstein, have objected to Google's plans for its Street View service. In Kiel, a city on the Baltic Sea, residents last year put stickers on their front doors warning Google not to film their property for the service.
Google has been compiling a photographic inventory since 2008 of major streets in Germany for Street View, which is available in 11 countries, including France, Italy, Spain, Britain and the Netherlands in Europe.

But about 300 people in Germany have complained to local officials about the filming, Mr. Caspar said, and Google has not set a date for introducing the service in Germany, the largest European economy.

In an attempt to resolve the dispute, representatives for Google and the state data protection officials met in April. Stefan Keuchel, a Google spokesman in Hamburg, said Google had made real progress at the meeting toward a resolution to the impasse.

“We are committed to reaching an agreement which respects local laws,” Mr. Keuchel said.

Google, Mr. Keuchel said, agreed at the meeting, in Schwerin, to give Germans the right to opt out of Street View filming in advance by visiting a Web site. Also, property owners can contact Google after Street View goes online and have their property or images removed or made unintelligible by pixelation.

It is standard practice, Mr. Keuchel said, for Google to make vehicle license plates indecipherable and obscure the faces of individuals filmed unwittingly by Google's 360-degree panoramic camera.

But Mr. Keuchel declined to say whether Google would accede to all the German objections, which a confidentiality agreement prevented him from detailing.

“We will definitely be submitting our answers to all of the questions raised by the state officials by tomorrow’s deadline,” Mr. Keuchel said.

Mr. Caspar said that his agency so far had received only a verbal promise from Google and that it was seeking written guarantees from authorized representatives at Google's headquarters in California.