

TITLE: E-Commerce: The e-Consumer and the attacks against the personal data

By Nomikou Eirini
Attorney at Law
Master Degree in Web Law

The appearance of internet in the information society we live in, has dramatically affected the exchanges of information and the commercial operations: Immediate transmissions, on-line cross-board sales and dematerialization of the exchanges in general. In such a society the dangers that threaten the personal data, throughout the operations of e-commerce seem to be severe.

On one hand, the use of personal data could benefit the consumer, like in cases of personalization of the offers, but it is also highly possible for the consumer to face many fraudulent methods against his personal data. These methods may differ during the phases before, during and after the conclusion of a contract. The identity theft, usually accompanied by an economical goal, is the most common threat for the personal data. The personal data can also be used for marketing purposes, in order to create an attitude segmentation of the consumers and personalize the offers.

In case of fraudulent actions concerning the personal data, the consumer can use the legal procedure against those who stole the personal data. The obstacle in these cases is the options offered by the borderless internet. During a legal action against a website that steals personal data, how will we react if this website changes its hosting country into another one with no legal protection of the personal data? In the era of the internet, the globalization of market and commerce should carry along the globalization of protection of personal data. This would be fundamental in order to overcome the obstacles concerning the liability of the authors of personal data theft caused by the facility with which a website can change its hosting country and the applicable law.