

Press-release

24 March 2021

BRYAN CAVE LEIGHTON PAISNER DEFENDS DOUBLE DATA IN A PRECEDENT-SETTING DISPUTE WITH VKONTAKTE OVER USE OF PUBLIC WEB DATA

After the 12 February 2021 hearing in a case brought by the owner of the VKontakte social network against Skolkovo resident OOO Double (Double Data), developer of Double Data software, over lawfulness of processing open data on the VKontakte social network, the Moscow Commercial Court awarded the case to Double Data, represented by Bryan Cave Leighton Paisner. The full judgement was produced on 22 March 2021 and may be found [here](#).

This is one of the most talked about and high-profile IP/IT and Big Data litigations in recent years and is also the first ever dispute in Russia over intellectual rights to publicly accessible web data (database) generated by users themselves, rather than the website owner.

It is no overstatement that the judgement on the dispute, which lasted for more than four years, sets a precedent; one of the problems it addressed is lawfulness issues involved in the way search engines and web-browsers work.

At the trial stage, Double Data was represented by Bryan Cave Leighton Paisner Russia Dispute Resolution Partner and Head of IP **Elena Trusova**, Counsel **Evgeny Oreshin** and Junior Associate **Daria Khvostovets**.

Maxim Ginzhuk, OOO Double Founder and CEO: *“Apart from feeling inspired by this win, we believe that the one crucial implication of the award is that it will help many tech businesses avoid having to spend four years on similar disputes with corporations. There is now a legal precedent in Russia that says that caching and indexing may be declared lawful operations.*

What is clear to any IT specialist is, apparently, far from clear from the legal perspective. We would like to express our thanks to the BCLP team for their tremendous hard work, translating our IT speak into clear legal language and presenting such a strong case. We also appreciate the time the court devoted to this litigation, wrestling with the intricacies of various technical issues”.

Elena Trusova, Dispute Resolution Partner and Head of IP at Bryan Cave Leighton Paisner Russia: *“At last the trial hearing of this case, which is, indeed, a breakthrough, is over and we are thoroughly satisfied with the judgement. Today, the court truly chose digital and information exchange freedom by disagreeing with VKontakte’s arguments that user data on social networks may not be processed using third party software”.*

Evgeny Oreshin, Dispute Resolution and IP Counsel at Bryan Cave Leighton Paisner Russia: *“The court has embraced the hi-tech advancement approach, opposing monopolisation by VKontakte’s platform of data and a huge range of information. We believe*

