[DE] LG Hamburg Orders Google to Filter Search Results

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According to media reports, the *Landgericht Hamburg* (Hamburg District Court) issued a decision on 24 January 2014 (case no. 324 O 264/11), ordering the search engine provider Google Inc. to remove from its search results six secretly taken photographs showing the plaintiff engaging in sexual acts with prostitutes.

Third parties had taken the photographs illegally and first published them on the Internet in 2008. The person depicted had successfully taken court action to stop distribution of the images in 23 countries. Although he had also demanded several times that Google should prevent the distribution of the pictures, they continued to appear in Google search results.

Google pointed out that the search engine provider did not provide content itself, but only helped people to find it. Filtering search results was technically impossible on the one hand and contrary to the principle of Internet neutrality on the other. Moreover, filtering would only make it more difficult to find the photos. Only the original distributor could actually remove them.

The *Landgericht Hamburg* considered that the distribution of the images constituted an obvious breach of privacy, for which Google was jointly liable, since it had failed to filter the images out of its search results in spite of numerous requests. The court considered Google’s claim that filtering was technically impossible to be unsubstantiated and therefore ordered the search engine provider to cease distributing the images, without specifying how this should actually be achieved.

Google has announced that it intends to appeal against the ruling.

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