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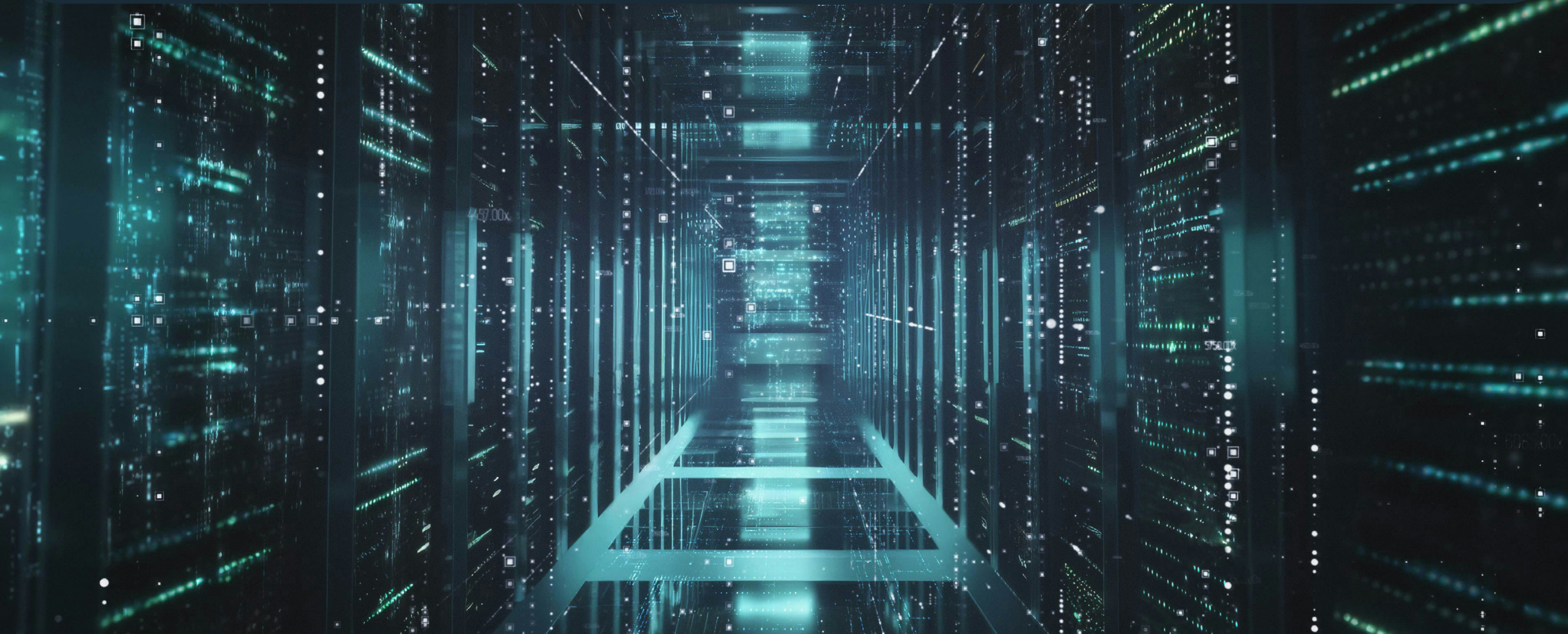
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Privacy class actions against major online platforms gain traction in Italy



Recent developments before the Court of Milan have brought renewed attention to the **growing role of collective redress mechanisms in the field of data protection**. Two representative actions currently pending before the Milan courts, involving major online platforms, are raising important questions regarding the interaction between consumer protection rules, collective litigation and the rights granted to individuals under the GDPR.

The **first proceeding** concerns a representative action brought against Meta in relation to the Facebook scraping incident that occurred between 2018 and 2019. According to the claimant consumer association, personal data associated with Facebook profiles were extracted through the exploitation of certain platform functionalities, allegedly resulting in a loss of control over users' personal information. In a recent decision, the Court of Milan declared the action admissible and allowed the proceedings to move forward to the merits stage, finding, among other things, that the claims were not manifestly unfounded and that the alleged harm could, in principle, be examined through a representative action.

The Court also clarified that the admissibility decision does not anticipate any finding on the merits and that the substantive issues, including the existence of any GDPR infringement, the causal link between the alleged conduct and the claimed harm, and the availability of compensation, will be assessed in the subsequent phases of the proceedings.

A **second collective action** has been brought before the Court of Milan against Meta and TikTok by MOIGE ("*Movimento Italiano Genitori*", a national parents' association, acting together with a group of families). Unlike the first proceeding, this action does not concern data protection rights under the GDPR; according to the claimant association, the action focuses on the alleged biological and psychological harm suffered by minors as a result of prolonged exposure to the algorithmic mechanisms and design features of social media platforms, which are said to foster compulsive use and pose risks to the physical and mental health of young users. The action has been described by the claimants as the first proceeding of its kind to be brought before a court in Europe. The Court of Milan has scheduled the final hearing for 19 November 2026.

Although rooted in different factual and legal frameworks, both proceedings reflect the growing willingness of claimant associations and civil society groups to use collective litigation mechanisms to challenge the conduct of major online platforms before Italian courts. The Meta scraping case, in particular, highlights the continuing discussion surrounding the notion of non-material damage under Article 82 GDPR and, more specifically, whether an alleged loss of control over personal data may give rise to compensable harm. In its admissibility decision, the Court referred to the evolving case law of the Court of Justice of the European Union concerning non-material damage and loss of control over personal information, while expressly reserving any assessment on these issues to the merits stage of the proceedings. The MOIGE action, by contrast, raises distinct questions at the intersection of consumer protection, platform liability and health law, centering on whether the design and algorithmic choices of social media companies may give rise to collective liability for harm suffered by minors.

While both actions remain pending and no conclusions can be drawn at this stage regarding the merits of the claims, the proceedings are indicative of the growing relevance of collective redress mechanisms in disputes involving major online platforms. In the data protection field, the forthcoming decision in the Meta scraping case may provide further guidance on the application of Article 82 GDPR, the requirements for bringing collective privacy claims and the role that consumer associations may play in the enforcement of data protection rights before national courts. More broadly, the MOIGE action may test the extent to which Italian courts are prepared to address the health-related consequences of social media use through collective litigation, a question that, to date, courts across Europe have not yet had occasion to resolve.

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