

Class-action suit launched against Facebook

Social networking site violating privacy and selling information, says lawyer

By **JOAN DELANEY**
Epoch Times Staff

Allegations that Facebook is profiting from people's personal information without their permission are at the centre of a class-action lawsuit launched last week against the popular online social network.

The suit, filed by Merchant Law Group, alleges that Facebook changed users' privacy settings in 2009 without proper consent . . . "in such a fashion as to mislead and induce users into putting their personal information and privacy at further risk."

The changes allowed users' information, which may previously have been available only to family and friends, to become public unless users went through a series of complicated privacy settings that are "confusing [and] materially deceptive," according to the statement of claim.

"People who thought they were improving their privacy position in almost every instance were depreciating their privacy positions, because there was window after window where you had to go to deal with privacy. So at the end of the day, for almost all the Facebook users, they didn't know that now their privacy was dramatically changed and they had far less privacy," says class-action lawyer Tony Merchant.

The users' information is being made available by Facebook to third parties in order to "enhance their profitability," Merchant says.

"So the company has put itself in a position that it could harvest private information, market that private information, profit inappropriately, and endanger people through the loss of their privacy."

The suit is seeking damages amounting to the total profits

reaped by Facebook through using the information—although Merchant is not sure yet how much that is.

"Whatever it is—and we suspect it's huge—they ought to be ordered to pay the money back that they are wrongfully receiving. Then it would be distributed to the Facebook users."

How Facebook profits is through selling targeted advertising that is catered toward the personal information provided by the user, according to the statement of claim. These ads appear throughout the Facebook website and on user pages such as a user's home page or news feed.

"The data collected from its Users is the key commercial asset Facebook employs to sell advertising and drive traffic to the Facebook.com website," the claim says.

The social networking giant's handling of users' information has been criticized by privacy regulators in both Canada and the United States.

After a 14-month investigation, Jennifer Stoddart, Canada's Privacy commissioner, last July identified several ways in which Facebook's practices violated the country's privacy laws. Facebook was ordered to make improvements or face a federal court.

As a result, the company, which has about 12 million users in Canada, has made a number of privacy-related changes, the most recent of which were announced earlier this month.

However, Stoddart has said that some of those changes have sparked concern among users, and is considering opening a new investigation.

Merchant maintains the changes "didn't remedy the problems." In addition, he says, that information is now out there for anyone to access.



A member of the Raging Grannies protests outside the Facebook headquarters on June 4 in Palo Alto, California. A class-action suit alleging Facebook is profiting from people's personal information is being launched in Canada. JUSTIN SULLIVAN/GETTY IMAGES

"In many instances, the damage has already been done. One of the ways that the damage gets done is harvesters searching the Net take information, and it goes to other places, and you can't get it back."

In a May op-ed in the Washington Post, Facebook CEO and founder Mark Zuckerberg assured users that in the coming weeks, Facebook "will add privacy controls that are much simpler to use. We

will also give you an easy way to turn off all third-party services."

He said the principles under which Facebook operates preclude sharing users' personal information "with people or services you don't want," including advertisers. "We do not and never will sell any of your information to anyone," Zuckerberg wrote.

Facebook, which has more than 400 million users worldwide, has

been criticized for a failing business model and lack of monetization strategy. Industry insiders have long suspected the only foreseeable way for the Palo Alto-based social media site to generate a substantial and sustainable revenue stream is through the sale of its much-coveted personal user data to third parties.

So far, about 400 people have signed on to the class-action suit,

which Merchant says should proceed in six months at the earliest. The litigation is pending before the courts and individuals can continue to join the class action.

Merchant Law Group, which has 10 offices across Canada and one in the U.S., has been involved in several high-profile class actions, including residential school litigation, silicon breast implants, and lead paint in toys.

Canada's Korean War vets get annual day of recognition

VETERANS CONTINUED FROM P1
"It was too close to World War II, nobody wanted to know anything about it really. Then came Vietnam which was a television war, and they got so much coverage on TV that Korea was forgotten," Wickens says.

"It wasn't what you'd call a popular war. And the veterans when they came back, at that time they weren't allowed to join the Legion because they didn't class them as veterans. But that has now been changed, so that's water under the bridge."

When introducing the motion in April for an annual day of recognition, Senator Yonah Martin, who is of Korean descent, thanked all veterans of the Korean War.

"I owe them my very existence, as do my parents and every person of Korean descent in the world today. On behalf of all of us, please accept our deepest gratitude to you, our unsung heroes of democracy and freedom, and for the sacrifices of your fallen and departed comrades," she said.

Sixteen U.N. member nations joined to help South Korea under the command of the United States, while China and Russia backed the North. In all, roughly 2.5 million died. Of the 34,000 Canadians who served, 516 lost their lives and more than 1,500 were wounded.

The Canadians were involved in several important battles, including the battle of Kap'nyong. There, although outnumbered, along with their Australian comrades they succeeded in preventing a Chinese breakthrough that would have resulted in the recapture of Seoul.

For this, Princess Patricia's Canadian Light Infantry received a U.S. Presidential Citation, the only time a Canadian unit has ever won such an award.

Although devastated after the war, Korea has gone on to

become a major player in the industrialized world and now stands among the G20 countries.

"South Korea has come a long way since the war," says Wickens, who fought with the British Royal Signals.

"It's a fantastic country now, and they have the same feeling for Canadian veterans as the people of Holland do. Canadian veterans are treated—well, all veterans are treated with great respect when they visit Korea."

Since 1975, the Korean government has been inviting veterans and their families to Korea—all expenses paid—as a thank-you and to promote the country's post-war prosperity. Since then, a total of 26,000 people have visited up to 2009.

This year being the war's 60th anniversary, allocations have been quadrupled and some 2,700 are expected to visit between April and November.

Also this year, South Korea's president, Lee Myung-bak, plans to send a letter of gratitude to every surviving Korean War veteran. Korean Veterans Associations (KVA) in the 21 countries that participated in the war are currently trying to locate unregistered veterans.

"It's a hard job," says Wickens, who has been compiling a database of Canadian vets. "I've found 6,200 so far."

An estimated 12,000 Canadian Korean War veterans are still alive, most of whom are in their 80s.

Events will take place in several cities on July 17. KVA plans to hold a major national service at the Korea Veterans National Wall of Remembrance in Brampton, Ontario.

With many veterans now too old to make the trip to Korea, KVA is encouraging veterans across the country to "plan to participate in this possible 'Last Hurrah' event."

Lung cancer patients often stigmatized, study finds

By **HELENA ZHU**
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Some Canadians don't have much sympathy for those suffering from lung cancer on account of the disease's association with smoking, a new survey has found.

Because of the smoking connection, lung cancer patients are likely to experience significant stigma—a phenomenon that could impact the care and treatment they receive, according to the research.

One in five Canadians admit feeling less sympathetic toward sufferers of lung cancer due to its known association with smoking cigarettes and other tobacco products, reported the survey, which was conducted in 16 countries by Ipsos MORI on behalf of The Global Lung Cancer Coalition.

"This research supports what we have known for a long time—that lung cancer continues to carry the very heavy burden of stigma," said Dr. James Gowing in a press release. Gowing is the co-chair of the Cancer Advocacy Coalition of Canada, a member of The Global Lung Cancer Coalition.

"You simply do not see this type of blame culture with any other disease, or patients and families being abandoned. No one deserves lung cancer, and certainly no one deserves to die from it."

Lung cancer is the leading cause of cancer deaths worldwide. In Canada in 2009, the preva-

lence of lung cancer at 23,400 was similar to that of breast cancer (22,900). But lung cancer claimed the lives of 20,500 Canadians compared with 5,400

rate in Canada is four times higher for breast cancer than lung cancer. Interestingly, the rate of investment into research for lung cancer is four times lower than that for breast cancer."

Sympathy levels in Canada were on a par with the other countries, the only difference being that in Canada, men are less sympathetic than women toward people with lung cancer than other cancers—27 percent compared to 19 percent.

The Global Lung Cancer Coalition concluded that the stigma uncovered in their research has contributed "at a broader level" to the poor resourcing of research and treatments necessary to help people live longer after a lung cancer diagnosis.

In the study, when asked whether they thought lung cancer or breast cancer killed the most people in their country, an almost equal number of Canadians selected both lung cancer (60 percent) and breast cancer (58 percent). One-third did not pick lung cancer.

Although smoking causes most lung cancers, up to 15 percent of patients have never smoked in their lives and 35 percent quit before their diagnosis.

Nevertheless, lung cancer patients feel particularly stigmatized because the disease is so strongly associated with smoking, often causing self-blame, guilt, and shame, which can contribute to depression or anxiety.

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deaths from breast cancer.

Gowing is critical of these lopsided statistics.

"The mortality rate from lung cancer is horrific in this country and we aren't seeing the improvement we should be seeing, given all we know now about this disease today," he said.

"In fact, the 10-year survival

Rural MDs more open to accepting new patients: Report

By **OMID GHOREISHI**
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EDMONTON—Family physicians practising in rural areas and small towns are more likely to accept new patients than their counterparts in cities, according to a report by the Canadian Institute for Health Information (CIHI) released last week.

The 26-page report says that of the rural doctors surveyed, 35 percent were accepting new patients, while less than 18 percent—fewer than one in five—of urban doctors were keeping their doors open to new patients. Going further than previous stud-

ies, the report also discusses factors that affect the likelihood of rural and urban doctors accepting new patients.

One of the strongest factors is the place of graduation, with international medical graduates being more likely to see new patients, particularly in rural areas.

In rural areas, 62 percent of international graduates were accepting new patients, compared to 27 percent among Canadian-educated doctors. In urban areas, the figures for the international graduates and Canadian-educated doctors were 27 percent and 16 percent respectively.

International medical graduates ac-

count for 25.5 percent of rural family physicians and 17.3 percent of urban family physicians, according to the 2007 National Physician Survey, on which the report is based.

Other factors influencing the likelihood of family physicians keeping their practices open include belonging to a group.

"When focusing our attention on rural areas, we found that family physicians who belonged to a group or interprofessional practice were also more likely to accept new patients, as were male family physicians," the report says. This trend also holds true for urban doctors.

"It is time we recognized the toll this devastating illness is taking on Canadians, so that we can overcome the stigma of lung cancer and work towards better prevention, earlier detection, improved treatments, and a cure for all Canadians diagnosed with lung cancer," said Dr. Natasha Leigh, president of Lung Cancer Canada.

The research also found a connection between sympathy levels and the rate of smoking in each country. In general, people in countries with fewer smokers more often felt less sympathetic to people with lung cancer compared with other cancers. However, other cultural or traditional factors also play a role.

"The results of this study raise the question of how stigma toward the victims of lung cancer—smokers and non-smokers alike—impacts the support they receive, particularly from the healthcare system," said Heather Borquez, CEO and president of The Canadian Lung Association.

"As Canadians, we also need to ask ourselves how we can help the five million smokers in our country to quit and stay quit, so that they might escape the terrible fate of lung cancer."

The research surveyed 16,000 people in 16 different countries, including Australia, Japan, Bulgaria, Great Britain, Spain, Slovenia, and the United States. The same questions were asked in each country.

Age also matters, with the physicians at the two ends of the spectrum being more open to new patients than those aged 45 to 54. Rural family physicians working the same number of hours per week as their urban counterparts are also significantly more likely to accept new patients.

The report notes that satisfaction with professional life does not appear to influence the likelihood of a rural family physician accepting new patients. However, it is a major factor among urban family physicians, with those who are satisfied with their professional lives being significantly more likely to accept new patients.