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High Court Is Likely To Adopt 6th Circ.'s Narrow View Of CFAA

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Loose language in a criminal statute conferring a private cause of action — such as the Computer Fraud and Abuse Act (CFAA) — presents an interpretative dilemma for courts. The CFAA furthers the legitimate public interest in preventing and punishing computer fraud and abuse. But there is currently a circuit split as to what constitutes computer fraud and abuse under the CFAA, and the U.S. Court of Appeals for the Sixth Circuit recently deepened that split.

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James F. Bogan III
t 404.815.6467
jbogan@ktslaw.com