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20 **UNITED STATES DISTRICT COURT**  
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 Austin Recht, individually and on  
23 behalf of all others similarly situated,

24 Plaintiff,

25 v.

26 TikTok Inc. (f/k/a Musical.ly, Inc.);  
27 ByteDance Inc.; Beijing Douyin  
28 Information Service Co. Ltd. a/k/a  
ByteDance Technology Co. Ltd.; and  
Douyin Ltd. a/k/a ByteDance Ltd.,

Defendants.

Case No. 2:22-cv-8613

**CLASS ACTION**

**COMPLAINT**

**JURY TRIAL DEMANDED**

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1 For his complaint against Defendants, Plaintiff, individually and on behalf of  
2 all others similarly situated, alleges as follows:

3 **I. NATURE OF THE ACTION**

4 1. Plaintiff brings this proposed class action on behalf of all persons who  
5 downloaded TikTok, a social media application (the “TikTok app”) <sup>1</sup>, and used  
6 TikTok’s in-app website browser (“in-app browser”).

7 2. This case exemplifies that the “world’s most valuable resource is no  
8 longer oil, but data.”<sup>2</sup> Unbeknownst to Plaintiff and Class Members, Defendants  
9 TikTok Inc., ByteDance Inc., Beijing Douyin Information Service Co. Ltd. a/k/a  
10 ByteDance Technology Co. Ltd., and ByteDance Ltd. (collectively, the  
11 “Defendants”) invaded the privacy of Plaintiff and Class Members by secretly  
12 intercepting details and contents about Plaintiff and Class Members without their  
13 consent.

14 3. At no time did Defendants disclose to Plaintiff and Class Members that  
15 TikTok users who access external websites via the TikTok app<sup>3</sup> use an in-app  
16 browser which is a sophisticated data collection mechanism.

17 4. As described more fully below, the in-app browser inserts JavaScript  
18 code into the websites visited by TikTok users. The clear purpose of the JavaScript  
19 code inserted into these websites is to track every detail about TikTok users’  
20 website activity.

21 5. Through the use of its in-app browser, TikTok has secretly amassed  
22 massive amounts of highly invasive information and data about its users by tracking  
23 their activities on third-party websites. Defendants have unlawfully intercepted  
24 private and personally identifiable data and content from TikTok users so that

25 <sup>1</sup> Also, at times hereinafter, “the app”

26 <sup>2</sup> *The World's Most Valuable Resource Is No Longer Oil, But Data*, THE  
27 ECONOMIST (May 6, 2017), <https://www.economist.com/leaders/2017/05/06/the-worlds-most-valuable-resource-is-no-longer-oil-but-data> (emphasis added).  
28

<sup>3</sup> At times hereinafter, “third-party website”

1 Defendants may generate revenue from use of this data. Through their clandestine  
2 tracking activities, Defendants have violated wiretap laws, unlawfully intruded  
3 upon users' privacy, violated their rights of privacy, and unjustly profited from their  
4 unlawful activities.

5 6. Plaintiff's class action complaint seeks to recover all available  
6 remedies, including statutory penalties, and redress the wrongs imposed by  
7 Defendants on Plaintiff and Class Members.

## 8 **II. THE PARTIES**

### 9 **A. Plaintiff**

10 Plaintiff Austin Recht is a citizen and resident of the State of California,  
11 currently residing in Culver City. Plaintiff downloaded the TikTok app and created  
12 his TikTok account in 2019 on his mobile device, an Apple iPhone. While using  
13 the TikTok app, Plaintiff Recht clicked on links to external, third-party websites.  
14 Plaintiff Recht purchased merchandise from a website provided in an  
15 advertisement. The link took him to a third-party website via the in-app browser  
16 where he completed his purchase and entered his private data, including his credit  
17 card information. Defendants surreptitiously collected data associated with  
18 Plaintiff's use of third-party websites without his knowledge or consent, including  
19 his contact and credit card information provided during Plaintiff's purchase of  
20 merchandise.

21 7. In August of 2022, Plaintiff discovered that TikTok collects data and  
22 monitors what users do on third-party websites via the in-app browser after  
23 reviewing an article on the internet. Prior to reviewing this article, Plaintiff did not  
24 know that his activity on third-party websites was accessed via TikTok's in-app  
25 browser and was being monitored by Defendants, nor did he know that his data  
26 regarding that activity was being captured and recorded by Defendants.

27

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