



February 10, 2011

The House remains in session.

Special Edition!

Direct from Washington is normally published every Friday when Congress is in session. However, DMA Government Affairs brings you this “special edition” in order to share a time-sensitive update.

State Affairs

CA Supreme Court Says ZIP Code is Personally Identifiable Information

California's highest court ruled today that a ZIP code constitutes "personal identification information," reversing a lower court's decision in favor of Williams Sonoma.

The Supreme Court of California ruled that state law (the California Credit Card Act) prohibits businesses from requesting and recording ZIP codes from consumers prior to credit card transactions, including requests for use in marketing. The Court also held that its interpretation of the statute applies retroactively and declined to limit the damages available. Due to the case's major implications for California retailers and marketers, the DMA had filed an amicus brief supporting the defendant retailer's arguments.

Today's decision opens the door to significant class action consumer lawsuits against any business that previously asked California purchasers to supply a ZIP code for marketing purposes. It also has serious implications for future marketing practices, and privacy debates across the country.

DMA will host a tele-briefing regarding the ruling on Monday, February 14 at 3:00 p.m. ET. During the call, we will also discuss next steps in developing a strategy in response to the California decision. **Please [RSVP](#) to receive dial-in information for the call.**

DMA will make available the full Supreme Court decision tomorrow at www.DMAAction.org. If you would like to receive the document by email in the meantime, please [let us know](#).



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