

RIGHT TO BE FORGOTTEN: THE COURT OF MILAN ORDERS GOOGLE TO CHANGE THE PROCEDURES FOR HANDLING USERS' REQUESTS

The collective injunctive action brought by some members of Algopolio has been upheld. Google will have to allow users to submit documents in support of their de-indexing requests and will have to give reasons for any refusal in an immediately understandable way. The decision is an important step towards the full effectiveness of a right provided for by the GDPR, with implications of national and European relevance.

Milan, 5 October 2026 | The **Court of Milan** has upheld the **collective injunctive action** brought by some members of the **Algopolio** association, assisted by Prof. Barbara Randazzo and Ruggero Rudoni of the law firm **ORALEX** and by Francesco Dagnino and Silvia Cossu of the law firm **LEXIA**, against Google LLC, Google Ireland Limited and Google Italy S.r.l.

The decision censures the way in which Google handles the requests submitted by users to exercise the right to be forgotten under Articles 17 and 21 of the GDPR, recognising that the current procedures in fact prevent its exercise.

First, the Court ordered Google to change the procedures and forms available to users, allowing them to **attach documentation in support of their de-indexing request**. Second, it required Google to **give reasons for any refusal, based on an assessment of the documents submitted by the data subject**, so that the data subject can understand the reasons immediately and effectively.

Google will therefore have to change its procedures and forms **by 15 November 2026**, with a substantial financial penalty for each day of delay in complying with the order.

A decision that strengthens and protects the need for effective rights in the digital environment

The decision is particularly significant because it addresses not only the handling of individual requests, but the functioning of the procedure through which users can exercise, against a global search engine, a right recognised by European law.

The issue was at the heart of the action launched in November 2025, in which some members of Algopolio, together with other claimants, challenged Google's procedures for handling de-indexing requests as standardised and not adequately individualised.

"Our battle has always been, first and foremost, a battle for the effectiveness of fundamental rights," says **Prof. Vincenzo Morabito, President of Algopolio and lead claimant**. "A right truly exists only if a person is put in a position to exercise it. The point is to intervene in a mechanism that has a concrete impact on people's lives and on their ability to defend their reputation and dignity. The Court's decision

addresses exactly that mechanism: anyone who turns to Google must be able to fully present their case, provide the necessary documentation and understand the reasons for any refusal.”

An issue that goes beyond Italy’s borders

The ruling of the Court of Milan concerns the concrete application of Articles 17 and 21 of the GDPR and therefore raises an issue whose relevance may extend well beyond the single Italian proceedings. The right to be forgotten is recognised by European law, and Google operates through procedures used by millions of users across the Union. The Italian decision is pioneering in ensuring and guaranteeing protection for all users in the Union.

Prof. Barbara Randazzo of ORALEX, counsel for the claimants, states: “The decision is of clear interest for the protection of fundamental rights in two respects. Procedurally, it clarifies the complex issues underlying the establishment of Italian jurisdiction over class and collective actions brought against the web giants, thereby guaranteeing the right of access to a court. Substantively, the Court reads European law in the light of the case law of the Court of Justice of the EU, requiring individualised, non-automated procedures to protect the right to be forgotten.”

Silvia Cossu of LEXIA, counsel for the claimants, notes: “The Court has finally given substance to a protection provided for by the GDPR that Google’s procedures had diminished and rendered merely formal. It is also very positive that the Court, as requested, decided to issue the order against Google LLC, overcoming the objection of lack of jurisdiction raised by its defence. The finding of Italian jurisdiction over a dispute of this kind also strengthens the protection of users.”

English translation of the Italian press release of 5 October 2026. In case of discrepancies, the Italian version prevails.