

Legal & TOS Landscape

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Google Maps TOS

"Customer will not export, extract, or otherwise scrape Google Maps Content for use outside the Services."

This is a contractual prohibition, not criminal statute. Breach of contract, not a crime.

Google v. SerpAPI (Dec 2025 — Ruling Pending)

Filed: December 19, 2025, N.D. California (Case No. 4:25-cv-10826)

Google's DMCA Claims

1. **Access circumvention** (17 U.S.C. 1201(a)(1)(A)): SerpAPI circumvented SearchGuard "on billions of separate occasions." \$200-\$2,500 per violation.
2. **Trafficking in circumvention tools** (17 U.S.C. 1201(a)(2)): Marketing services to bypass SearchGuard.

SerpAPI's requests increased "25,000%" over two years — hundreds of millions daily.

SerpAPI's Defense (Motion to Dismiss, Feb 2026)

- Google doesn't own copyright to third-party search content
- SearchGuard protects business model, not copyrighted works
- "Google's entire business began with a web crawler that copied the content"

Hearing: May 19, 2026 before Judge Yvonne Gonzalez Rogers — **ruling not yet published.**

Industry impact: If Google prevails, rank tracking, competitive intelligence, and SEO analytics could become legally untenable.

Key Legal Precedents

Case	Year	Impact
Van Buren v. US	2021	CFAA limited to insiders. ToS violations are not computer crime
hiQ v. LinkedIn	2022	Public data scraping doesn't violate CFAA (Ninth Circuit, reaffirmed)
X Corp v. Bright Data	2023	Platforms can't claim copyright on user-generated content
Meta v. Bright Data	2024	Logged-out users haven't accepted ToS — no contract breach

Key shift: Google abandoned CFAA arguments (neutered for public data) for **DMCA anti-circumvention claims** — targeting SearchGuard bypass specifically.

US vs. EU

United States

- Public data scraping generally legal (CFAA precedent)
- ToS violations = contract, not criminal
- CAN-SPAM for outreach from scraped data

European Union

- GDPR: public availability does NOT equal lawful basis (Article 6)
- Names, phones, reviewer profiles = personal data
- Need legitimate interest (Art. 6(1)(f)) for B2B
- Must provide opt-out, honor right to be forgotten
- Penalties: up to 20M EUR or 4% global turnover
- EU AI Act enforcement: August 2026

Risk by Method

Method	Legal Risk	TOS Violation	DMCA Exposure
Official Places API	None	No	No
Data marketplace purchase	Low	No (you didn't scrape)	No
Commercial platforms	Medium	Yes	Indirect
Open-source scrapers	Medium	Yes	Low

SERP API proxies	High	Yes	Active lawsuit
Reverse-engineered APIs	Highest	Yes	Circumvention

Enforcement Reality

Survey of 40-50 agencies scraping Maps at scale: **zero cease-and-desist letters**. Google relies on technical countermeasures for most scrapers, reserving legal action for large commercial operations (SerpAPI).

Sources

- [IPWatchdog — Google Sues SerpAPI](#)
- [SerpAPI Motion to Dismiss](#)
- [Is Scraping Google Maps Legal?](#)

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