



**LANTERN**  
BY LABATON

# CONSUMER ALERT

## VOICE ACTIVATED SOFTWARE AND SMART DEVICES: A TRIGGER FOR UNWANTED SURVEILLANCE?

You might use devices with voice activated software in your home or vehicle. As a consumer, you have a right to understand how these devices work and how they might impact your privacy. Voice activated technologies, such as smart speakers and personal digital assistants, rely on specific 'wake words' to initiate interaction. Some consumers are concerned about “false wakes,” where these devices misinterpret ambient noises as wake words. They then activate themselves even if the person did not mean to activate them. Once the devices “wake up” they can then record conversation that you might not have intended.

Studies have shown that certain sounds or words have a higher chance of falsely triggering these devices, leading to unwanted activations. For instance, an [observational study](#) identified different rates of false positives among different smart speakers, meaning that the choice of wake word significantly impacts the likelihood of unintended activations.

Sometimes, it's not just a random mistake when voice assistants start listening when they shouldn't. [Studies](#) have found that some tricky words can secretly turn on these assistants, which could be a privacy risk. Even though big tech companies say they're trying to fix this, it's still happening, and that's a big worry for privacy.

The false wake phenomenon could have user privacy concerns. When falsely activated, these devices may capture and transmit personal conversations or other sensitive audio data to servers of third-party companies. Consumers who buy voice activated devices do not reasonably believe that companies will

have access to recordings of conversations that they had without first using a wake word. Consumer advocates are worried that this means very personal conversations could be inadvertently shared with companies even if consumers don't believe the voice assistant devices are listening.

Here's how you can safeguard your privacy:

**Educate Yourself:** Know the wake words of your devices and be aware of words or phrases that might accidentally trigger them.

**Check Settings:** Explore the settings of your smart devices to disable or control features that might lead to unwanted activations.

**Update Regularly:** Ensure your devices are updated with the latest software to benefit from enhanced security features and bug fixes.

**Mute When Necessary:** Utilize the mute functionality on your smart devices when having private conversations to prevent unintended recordings.

**Seek Transparency:** If concerned, reach out to the device manufacturers for clarity on how they handle false wakes and what measures they have in place to protect your privacy.

In conclusion, the convenience offered by voice-activated technologies comes with its set of challenges. It's essential to stay informed and take proactive steps to mitigate risks, ensuring a balanced relationship between modern convenience and personal privacy. Companies should also be held accountable to respect privacy laws and provide clear,



accessible information about potential privacy concerns when using their products.

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Labaton Sucharow's lawyers are available to address any questions you may have regarding these developments. Please contact the Labaton Sucharow lawyer with whom you usually work or the contacts below.

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