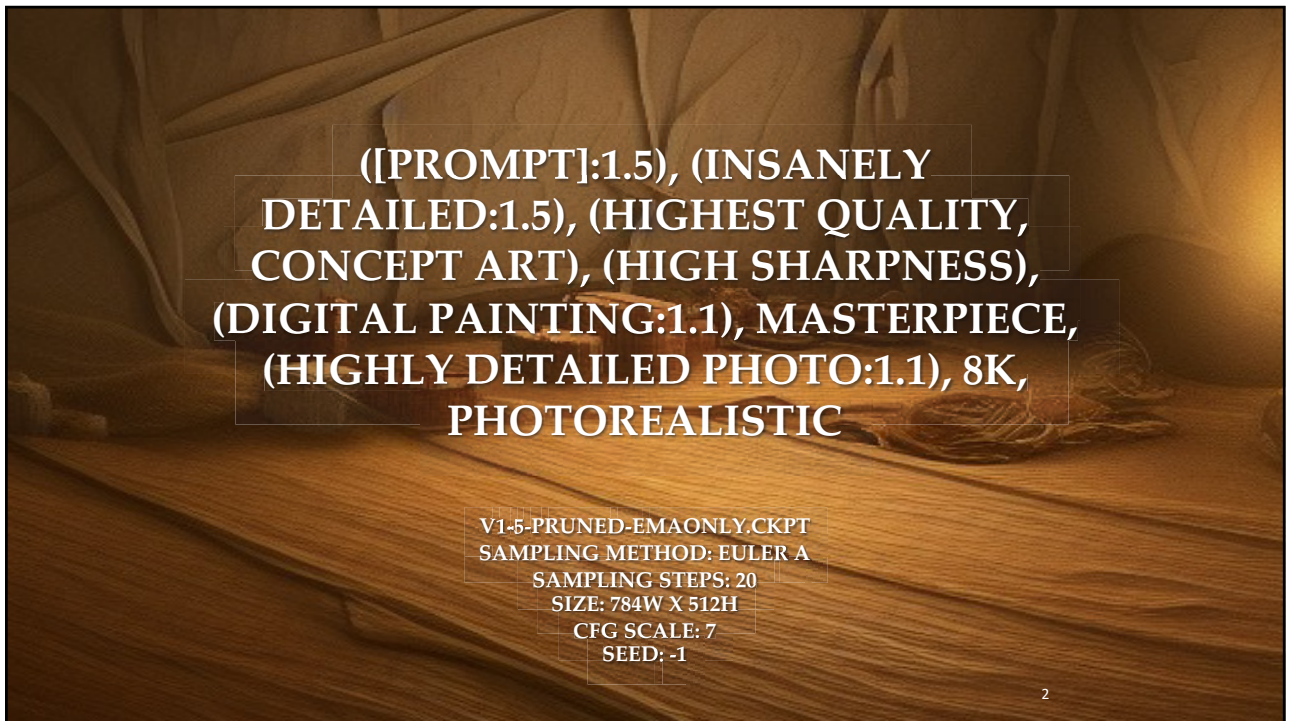




1



2




THE CFAA

3

CFAA

“Whoever ... intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains ... information from any protected computer ... shall be punished”

18 U.S.C. § 1030(a)(2)(C)

A close-up of a person's face, possibly a woman, wearing a headset. The person's right eye is glowing red, and the background is dark and futuristic, with some blurred lights and structures.

4



CFAA

“[T]he term ‘exceeds authorized access’ means to access a computer with authorization and to use such access to obtain or alter information in the computer that the accessor is not entitled so to obtain or alter.”

18 U.S.C. § 1030(a)(2)(C)

5

5

Van Buren (2021)

“Van Buren’s account of subsection (a)(2) makes sense of the statutory structure because it treats the ‘without authorization’ and ‘exceeds authorized access’ clauses consistently. ... [L]iability under both clauses stems from a gates-up-or-down inquiry—one either can or cannot access a computer system, and one either can or cannot access certain areas within the system.”

Van Buren v. US, 141 S.Ct. 1648 (2021)



6

6

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