Facebook halts Oculus Quest sales in Germany amid privacy concerns



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Facebook subsidiary Oculus says it has “temporarily paused” sales of Oculus Quest headsets to customers in Germany. Reports suggest the move is in response to concerns from German regulators about the recently announced requirement that all Oculus users will need to use a Facebook account by 2023 to log in to the device.

“We have temporarily paused selling Oculus devices to consumers in Germany,” Facebook writes in a brief message on

the Oculus support site. “We will continue supporting users who already own an Oculus device and we’re looking forward to resuming sales in Germany soon.”

Facebook declined an opportunity to provide additional comment to Ars Technica. But in a statement to German News site Heise Online (machine translation), the company said the move was due to “outstanding talks with German supervisory authorities… We were not obliged to take this measure, but proactively interrupted the sale.”

Breaking up a coupling?

In a statement provided to Heise Online, the Hamburg Commissioner for Data Protection and Freedom of Information (HCDPFI) said, in part:

“The obligation to create a Facebook account [to access an Oculus headset] is legally extremely questionable, at least for those who have already bought a headset. Whether this also applies to new customers is definitely open to discussion. That should largely depend on the design of the contract, which we do not have.”

The group goes on to cite the GDPR’s so-called “coupling ban”, which prohibits tying one side of a contract (say, the EULA needed to use an Oculus headset) to the sharing of specific personal data (say, the data included in a user’s personal Facebook account).

Facebook’s requirement that “the use of the headset should be linked to the establishment of a Facebook account” would seem to violate this coupling ban, HCDPFI said. “For those users who already have a headset and do not log in with a Facebook account after 2023, there is also no immediately suitable alternative to continuing to use the headset. The compulsion to use Facebook is therefore exerted on both old and new customers.”

Both the HCDPFI and Germany's Federal Cartel Office (which protects against anti-competitive practices in the country) made it clear to Heise that they were not currently in discussions with Facebook on this matter. But the Cartel Office has previously gone after the company for merging user data from a variety of sources (such as WhatsApp and Instagram) without the user's active consent.

"Regulators in Germany are right to question the legality of this move," Ray Walsh, a digital privacy expert at ProPrivacy, said in a statement provided to Ars Technica. "Consumers should be allowed to own a device without linking it to Facebook. Forcing users to be part of a social ecosystem is not necessary for the purposes of playing the vast majority of games, and those who wish to play games without social networking should be free to do so."

Walsh continued:

> *It seems clear that Facebook is using its market-leading position within the VR industry to bully users into providing data about themselves. Just how much data Facebook is harvesting from headsets is a grey area, but it is clear that the headsets, which have the ability to map people's homes, have a vast potential for accumulating a wealth of data about users and their homes… The danger for users is that the small amount of data Facebook currently claims to collect from headsets will be widened in the future; with the emergence of social VR platforms such as Facebook Horizons. These will create the perfect ecosystem for gathering data about users in all sorts of problematic ways.*

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