**15.21 Without Authorization—Defined**

A person uses a computer “without authorization” when the person has not received permission from the [owner] [[person who] or [entity which] controls the right of access to the computer] for any purpose, or when the [owner] [[person who] or [entity which] controls the right of access to the computer] has withdrawn or rescinded permission to use the computer and the person uses the computer anyway.

**Comment**

Use this instruction with Instructions 15.22, 15.23, 15.24, 15.25, 15.26, 15.27, 15.28, 15.29, 15.30, and 15.31. Where appropriate, substitute “government,” “financial institution,” or other specific entity where called for by the accompanying CFAA instructions. *See*, *e.g*., Instruction 15.23 (Obtaining Information by Computer—from Financial Institution or Government Computer).

A person uses a computer “without authorization” under the CFAA when the owner of the computer, or a person or entity who controls the right of access to the computer, has rescinded permission to access the computer and the defendant uses the computer anyway. *United States v. Nosal*, 844 F.3d 1024, 1034 (9th Cir. 2016).

*Revised Mar. 2017*