



## Online Privacy and Intellectual Property

Dannelly's CSCI 101 class

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### Why should I even care about Privacy?

- **Why I should not care about privacy:**
  - > I am not doing anything wrong. I have nothing to hide.
  - > It's just too hard to change all those default privacy settings.
  - > I am safe with all these other zebras. That lion will not attack me.
- **Why I should care about privacy:**
  - > I would not give a company a blank check to do whatever they want with my money. Why let them take my information?
  - > Bi-Lo and my ice cream eating habits:
    - Sell that info to Byers. Hence, more annoying advertising.
    - Sell that info to Blue Cross, hence a higher insurance premium.
    - Give that info to Police. The serial killer appears to be fat, so tell us everyone that eats lots of junk food in this town so we can get warrants to search their houses.

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### Workplace Privacy

- **Question:** How much privacy are you entitled to at work? Is your company allowed to read your email? ...
- **Answer:**

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## Online Privacy

### ■ Does shopping online give you more or less privacy than shopping at a real store?

- more privacy:
- less privacy:

### ■ Your Digital Footprint

- Companies like ChoicePoint, DoubleClick, Facebook, and Google gather huge amounts of information about you - your web surfing habits, your credit information, your age and race, your purchasing habits, etc. In the USA they can do almost anything with that data without your permission.

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## Privacy v. Government



### ■ 4<sup>th</sup> Amendment to the U.S. Constitution

*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

### ■ Patriot Act

- > allows officials to track emails without showing probable cause
- > warrants for some records do not require probable cause
- > tapped device does not have to be owned by the suspect
- > etc...

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## Privacy Court Cases

### ■ Katz v. United States

- > 1968
- > Supreme Court ruled that Katz had a reasonable expectation that his conversation in a public phone booth was private.

### ■ Jones v. United States

- > 2012
- > Police can not put a GPS tracker on a car without a warrant.
- > Unresolved is whether or not you have a reasonable expectation of privacy from police tracking your cellphone.

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## Intellectual Property

- **Intellectual Property** is any unique product of the human intellect that has commercial value.
  - For example: books, songs, movies, software

- **US Constitution**

*The congress shall have the power to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries.*

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## Intellectual Property Court Cases throughout the Years

- **Sony v. Universal Studios**

- better known as the "Betamax Case"
- By a ruling of 5-4 in 1983, the U.S. Supreme Court ruled that it was legal to own a VCR.
- Even though a VCR can be used to copy a copyrighted movie (illegal to do!!!), a VCR can also be used for making copies of non-copyrighted material (legal to do).

- **MGM v. Grokster**

- In 2005 the U.S. Supreme Court ruled unanimously against Grokster because 90% of its content was copyrighted material (illegal), even though Grokster might also be used to share non-copyrighted material (legal).

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## Digital Millennium Copyright Act

- making **any** copy of a digital copyrighted work is prohibited
- illegal to possess the technology to circumvent copyright protection technology

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