



Legal issues of VGI

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Before we start

A warning...



It depends!



Dependencies



- [The Giant Panda and the Giant Buddha](#)
- [Chinese boat trip on the Yangtze river](#)
- [Een klein beetje ontgoocheld](#)
- [The real China!](#)

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GREAT LOCATION BUT SLEEP NOT POSSIBLE

Atlantic Ave is a Truck Route. That means semis will be passing your place all the time. Prepare for sirens of the police, ambulances and fire trucks. There's also plenty of drag

Used to Live Here
09/24/2007 01:28 p.m.

Search radius: 228 miles

ME ROB ME

empty

Check out the same results on [Twitter search](#).

Next step

We at Forthehack have been thinking about how we want to continue pleaserobme.com. It has received a lot of attention and it's time for a next step. We want to offer this website to a professional foundation, agency or company that focuses on raising awareness, helping people understand and provide answers to online privacy related issues.

If you're such a foundation, agency or company, contact us.

More Info

- [Home](#)
- [Why](#)
- [About](#)

Made Possible By



Dependencies (2)

- Who are the actors?
 - Users/producers
 - Platform
 - Editors
 - Government?
- What is their status?
 - Amateurs v. Professionals
 - Commercial v. Non-commercial

Dependencies (3)

- Where is the activity taking place?
 - Lack of harmonisation
 - Applicable law and jurisdiction

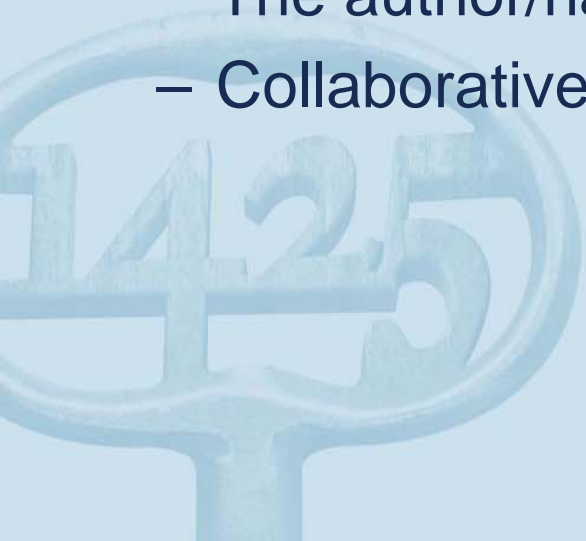


Some issues

- Intellectual property rights
- Privacy
- Liability
 - Users/producers
 - Intermediaries
- Contracts
- Defamation/racism/hate speech
- Journalists
- Audiovisual media services
- ...

IPR – copyright

- What is protected?
 - Original material
 - Maps, datasets, photographs, descriptions ...
 - Different interpretations
- Who is protected?
 - The author/natural person
 - Collaborative works



IPR - copyright

- What rights?
 - Reproduction & making available (online)
 - Adaptation - mash-ups?
 - Integrity
 - Attribution (right of paternity)
- Exceptions and limitations
 - Traditional exceptions
 - Derivative works
 - Fair use
- Licensing

Privacy – data protection

- Concept of personal data
 - Any information related to an identified or identifiable person
 - Very broad and vague
- “Citizens as sensors”
 - Location and tracking data
- Reasonable expectation of privacy?



Privacy – data protection

- Who is the data controller?
 - The user v. the platform
 - Obligations
 - Inform user
 - Notification
 - Keeping up to date
 - Technical measures
 - ...
- Personal data of minors




Liability (for incorrect content)

- Who is liable?
 - User
 - Identity and/or location?
 - Platform/editor
 - How far does his responsibility go?
 - What if it is a public body?
- Contract v. tort liability
 - Importance of warranty disclaimers and liability exonerations
 - Legal limitations

Liability (for illegal content)

- Liability of intermediaries
 - Limitation of liability for hosting services
 - For infringements on IPR, privacy, defamation, etc.
 - EU: e-commerce directive
 - US: Digital Millennium Copyright Act
 - Conditions
 - Only hosting
 - No actual knowledge of illegal activities
 - Upon knowledge, removal of infringing information
 - No duty to monitor
- The paradox of editorial activities...

Conclusion

- Legal framework v. 'amateur producers'
 - Legal framework v. social norms
 - Legal framework v. reality/enforcement
 - Legal framework v. technology or alternative regulation
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Thank you!

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