

# Right of Publicity

- Differs from the right of privacy
  - the right of publicity provides a person with property rights in their identity
  - the right of privacy protects a person from any emotional anguish incurred from the publication of personal facts which are embarrassing, intimate, or portray the person in an offensive manner

# Privacy And Publicity

**Hans-Jörg Trenz**



## **Privacy And Publicity:**

**Privacy and Publicity** Beatriz Colomina, 1996-02-28 Through a series of close readings of two major figures of the modern movement Adolf Loos and Le Corbusier Beatriz Colomina argues that architecture only becomes modern in its engagement with the mass media and that in so doing it radically displaces the traditional sense of space and subjectivity Privacy and Publicity boldly questions certain ideological assumptions underlying the received view of modern architecture and reconsiders the methodology of architectural criticism itself Where conventional criticism portrays modern architecture as a high artistic practice in opposition to mass culture Colomina sees the emerging systems of communication that have come to define twentieth century culture the mass media as the true site within which modern architecture was produced She considers architectural discourse as the intersection of a number of systems of representation such as drawings models photographs books films and advertisements This does not mean abandoning the architectural object the building but rather looking at it in a different way The building is understood here in the same way as all the media that frame it as a mechanism of representation in its own right With modernity the site of architectural production literally moved from the street into photographs films publications and exhibitions a displacement that presupposes a new sense of space one defined by images rather than walls This age of publicity corresponds to a transformation in the status of the private Colomina argues modernity is actually the publicity of the private Modern architecture renegotiates the traditional relationship between public and private in a way that profoundly alters the experience of space In a fascinating intellectual journey Colomina tracks this shift through the modern incarnations of the archive the city fashion war sexuality advertising the window and the museum finally concentrating on the domestic interior that constructs the modern subject it appears merely to house **Privacy and**

**Publicity** Theodore R. Kupferman, 1990 **International Privacy, Publicity and Personality Laws** Michael Henry, 2001 An impressive team of 39 authors have contributed to this unique overview of the laws relating to privacy publicity personality in 29 countries For guidance on these issues the relevant application of the law in differing jurisdictions this book provides invaluable comparisons outlining the terms of current initiatives the areas in which change is anticipated covering the Data Protection Act 1998 the Human Rights Act 1998 in the UK The book covers a vast range of issues from covert filming to recording of conversations from sifting of rubbish through to security camera footage trade mark infringement ensuring that whatever topic is of interest this book has it covered **Privacy in Telecommunications** Blanca R.

Ruiz, 2023-07-03 As telecommunications travel to and from satellites in space they can be monitored and often are by crime prevention authorities and others with enabling technology Inevitably the laws of privacy and of space intersect While privacy and the secrecy of telecommunications are widespread concerns of individuals controlling telecommunications in order to prevent and fight crime is a pervasive concern of governments The United States Germany and the ECHR have employed fundamentally different methods to approach this apparent dilemma Using discourse theory as a theoretical

framework the author scrutinises these three systems and the effectiveness of the solutions they have employed She proposes patterns of reasoning which outline the role that the secrecy of telecommunications plays in constitutional democracies and which help to overcome the strains that new technologies inflict on both the need to protect privacy and on the necessity to control telecommunications

*Laws of Image* Samantha Barbas, 2015-09-30 Americans have long been obsessed with their images their looks public personas and the impressions they make This preoccupation has left its mark on the law The twentieth century saw the creation of laws that protect your right to control your public image to defend your image and to feel good about your image and public presentation of self These include the legal actions against invasion of privacy libel and intentional infliction of emotional distress With these laws came the phenomenon of personal image litigation individuals suing to vindicate their image rights *Laws of Image* tells the story of how Americans came to use the law to protect and manage their images feelings and reputations In this social cultural and legal history Samantha Barbas ties the development of personal image law to the self consciousness and image consciousness that has become endemic in our media saturated culture of celebrity and consumerism where people see their identities as intertwined with their public images The laws of image are the expression of a people who have become so publicity conscious and self focused that they believe they have a right to control their images to manage and spin them like actors politicians and rock stars

**The Right of Publicity** Jennifer E. Rothman, 2018 This essay is based on a featured lecture that I gave as part of the Cardozo Arts Entertainment Law Journal s 2 symposium on a proposed right of publicity law in New York The essay draws from my recent book *The Right of Publicity Privacy Reimagined for a Public World* published by Harvard University Press Insights from the book suggest that New York should not upend more than one hundred years of established privacy law in the state nor jeopardize its citizens ownership over their own names likenesses and voices by replacing these privacy laws with a new and independent right of publicity law at least not the versions thus far proposed The essay begins by busting a host of myths about the development of privacy law in New York and across the nation The tort based right of privacy was and remains the original right of publicity and was even referred to as a right to stop unwarranted publicity Privacy laws from the beginning protected the famous and anonymous alike and allowed for recovery of economic and business damages as well as of emotional distress and reputational harms In the essay I debunk the common albeit erroneous claim that the right of publicity was created in 1953 by the Second Circuit Court of Appeals in *Haelan Labs v Topps Chewing Gum* Instead the turn to a transferable and independent of privacy right of publicity actually occurred later and was driven in part by Hollywood lawyers and heirs of celebrities who saw the advantages of a transferable property right in a person s identity Such a shift however is often at the expense of the very individuals the right of publicity is supposed to protect The essay concludes with some recommendations for New York and for right of publicity and privacy laws more generally

**International Privacy, Publicity and Personality Laws** Henry, 2000-12-01 Written by an impressive team of 43 authors contributing on the laws of

privacy publicity and personality in 29 countries The publication provides an overview of the principle differences in legislation prevailing throughout the world and outlines the terms of current initiatives and the areas in which change is anticipated including the Data Protection Act 1998 and the Human Rights Act 1998 The countries covered are Argentina Australia Austria Belgium Brazil Canada Denmark Finland France Germany Greece Hong Kong Iceland India Ireland Italy Japan Luxembourg The Netherlands New Zealand Norway Portugal Singapore South Africa Spain Sweden Switzerland UK USA

*Ethical Issues in Journalism and the Media* Andrew Belsey, Ruth Chadwick, 2002-09-11 This book examines the ethical concepts which lie at the heart of journalism including freedom democracy truth objectivity honesty and privacy The common concern of the authors is to promote ethical conduct in the practice of journalism as well as the quality of the information that readers and audience receive from the media

The Rights of Publicity and Privacy J. Thomas McCarthy, 2008 **The Rights of Publicity and Privacy** J. Thomas McCarthy, 2007 The Commercial Appropriation of Personality Huw Beverley-Smith, 2002-08-15 Commercial exploitation of attributes of an individual's personality such as name voice and likeness forms a mainstay of modern advertising and marketing Such indicia also represent an important aspect of an individual's dignity which is often offended by unauthorized commercial appropriation This volume provides a framework for analysing the disparate aspects of the problem of commercial appropriation of personality and traces in detail the discrete patterns of development in the major common law systems It also considers whether a coherent justification for a remedy may be identified from a range of competing theories The considerable variation in substantive legal protection reflects more fundamental differences in the law's responsiveness to commercial practices and different attitudes towards the proper scope and limits of intangible property rights

**Privacy and the Media , Convergent Media and Privacy** Tim Dwyer, 2015-10-19 A lot of personal data is being collected and stored as we use our media devices for business and pleasure in mobile and online spaces This book helps us contemplate what a post Facebook or post Google world might look like and how the tensions within capitalist information societies between corporations government and citizens might play out

**Social Dimensions of Privacy** Beate Roessler, Dorota Mokrosinska, 2015-06-26 Written by a select international group of leading privacy scholars *Social Dimensions of Privacy* endorses and develops an innovative approach to privacy By debating topical privacy cases in their specific research areas the contributors explore the new privacy sensitive areas legal scholars and political theorists discuss the European and American approaches to privacy regulation sociologists explore new forms of surveillance and privacy on social network sites and philosophers revisit feminist critiques of privacy discuss markets in personal data issues of privacy in health care and democratic politics The broad interdisciplinary character of the volume will be of interest to readers from a variety of scientific disciplines who are concerned with privacy and data protection issues

Democracy and the Public Sphere Hans-Jörg Trenz, 2023-11-23 From fake news to infringement of privacy in digital spheres the changing landscapes of media and public communication have completely transformed

contemporary democracies in recent decades Disruptions of media functioning can be seen as evidence for a transition from democracy to post democracy but how plausible is this scenario Using empirical evidence the author asks how imminent the threat of the end of democracy is and how it can be restored Exploring the creative and destructive ways individuals and groups make use of new digital and social media in democratic societies across the world the book presents a much needed critical theory of the public sphere as we enter the new digital age

**Privacy, Property and Personality** Huw Beverley-Smith, Ansgar Ohly, Agnes Lucas-Schloetter, 2005-11-24 The protection of privacy and personality is one of the most fascinating issues confronting any legal system This book provides a detailed comparative analysis of the laws relating to commercial exploitation of personality in France Germany the United Kingdom and the United States It examines the difficulties in reconciling privacy and personality with intellectual property rights in an individual's identity and in balancing such rights with the competing interests of freedom of expression and freedom of competition This analysis will be useful for lawyers in legal systems which have yet to develop a sophisticated level of protection for interests in personality Equally lawyers in systems which provide a higher level of protection will benefit from the comparative insights into determining the nature and scope of intellectual property rights in personality particularly questions relating to assignment licensing and post mortem protection

**The Death of Privacy** Gini Graham Scott, 2008-08 Today personal privacy is becoming a thing of the past due to the information revolution the intrusive gossip hungry media and other social and technological developments making everyone's life an open book As a result individuals and organized groups have been fighting to create more privacy protections from those seeking to invade their privacy and learn information about them which can quickly be spread worldwide due to the power of the Internet The Death of Privacy raises intriguing questions about an individual's desire for the right to privacy versus Big Brother's right to know For example May an employer inquire about an employee's personal history beyond details that may affect job performance Just how far can the press go in revealing anything about anyone Can the police demand to search your home or car as part of an official investigation in your neighborhood What privacy protection exists if your name and address are obtained by marketers and mailing list companies How do the new technologies cellular phones faxes e mail computer bulletin boards influence the overall future of privacy Dr Gini Graham Scott a nationally recognized expert on personal privacy and other related issues gives a thoughtful overview of privacy battles in and out of the courtroom that have directly influenced what can remain private In addition this book shows the growing impact of print and broadcast media from the early privacy skirmishes generated by the press back in the late 1800s through the mid 1990s which turned today's media into tabloid journalism The Death of Privacy steers an objective course in explaining the varying views on both sides of the battles while advocating the right of individuals to maintain as much personal privacy protection of possible This book will be of importance to anyone who wants to understand the decline of personal privacy today and will be of special interest to sociologists legal and medical professionals politicians historians and

individual rights advocates still fighting for personal privacy today      **Internet Domain Names, Trademarks and Free**

**Speech** Jacqueline D. Lipton, 2010-01-01 As the first form of truly rivalrous digital property Internet domain names raise many challenges for law and policy makers Analyzing the ways in which past disputes have been decided by courts and arbitrators Jacqueline Lipton offers a comprehensive global examination of the legal regulatory and policy issues that will shape the future of Internet domain name governance This comprehensive examination of domain name disputes involving personal names and political and cultural issues sheds light on the need to balance trademark policy free speech and other pressing interests such as privacy and personality rights The author stresses that because domain names can only be registered to one person at a time they create problems of scarcity not raised by other forms of digital assets Also discussed are the kinds of conflicts over domain names that are not effectively addressed by existing regulations as well as possible regulatory reforms Internet Domain Names Trademarks and Free Speech brings pivotal new insights to bear in intellectual property and free speech discourse As such policymakers scholars and students of intellectual property cyber law computer law constitutional law and e commerce law will find it a valuable resource      *Islands of Privacy* Christena E.

Nippert-Eng, 2010-09-15 Everyone worries about privacy these days As corporations and governments devise increasingly sophisticated data gathering tools and joining Facebook verges on obligatory concerns over the use and abuse of personal information are undeniable But the way privacy functions on the virtual frontier of the Internet is only a subset of the fascinating ways we work to achieve it throughout our everyday lives In *Islands of Privacy* Christena Nippert Eng pries open the blinds giving us an intimate view into the full range of ordinary people's sometimes extraordinary efforts to preserve the border between themselves and the rest of the world Packed with stories that are funny and sad familiar and strange *Islands of Privacy* tours the myriad arenas where privacy battles are fought lost and won Nippert Eng explores how we manage our secrets our phone calls and e mail the perimeters of our homes and our interactions with neighbors She discovers that everybody practices the art of selectively concealing and disclosing information on a daily basis This important balancing act governs a wide range of behaviors from deciding whether to give our bosses our cell phone numbers to choosing what we carry in our wallets or purses Violations of privacy and anxiety about how we grant it to each other also come under Nippert Eng's microscope as she crafts a compelling argument that successfully managing privacy is critical for successfully maintaining our relationships with each other and our selves Roaming from the beach to the bank and from the bathroom to the bus Nippert Eng's keenly observed and vividly told book gives us the skinny on how we defend our shrinking islands of privacy in the vast ocean of accessibility that surrounds us

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