

# Social Network Privacy Dilemmas

James Grimmelmann

ICPL

22 July 2010

motivation



facebook

Home

Profile

Friends

Inbox

James Grimmelmann

Settings

Logout

Search

## The Ghost Riding The Whip Association

Global

## Basic Info

Type: Just for Fun – Totally Random  
 Description: Ghost Riding Your Whip!

## Proper steps to Ghost Riding The Whip:

1. Get stupid because of wild beats.
  2. Let the car idle at a slow speed.
  3. Jump out and start dancing ridiculously
  4. Continue dancing while next to or on top of the car
  5. Do this in front of clubs or other similar establishments.
- (Note: The car is considered The Whip.)

## A bit of History:

Ghost Riding the Whip is a term that I believe was coined in San Francisco. The poppin' Bay Area rap scene could only spawn something so "Hyphy". By the way, Hyphy is another San Fran term meaning wild, crazy, hype, or the shit, if you will. Therefore, ghost riding the whip is incredibly Hyphy.

Given the above, this is a group for all people who on one or more occasions have part taken in Ghost Riding The Whip or enjoyed thinking about it.

## Recent News

On Saturday, January 13th, 2007, we took Ghost Riding The Whip to Chicago, IL. We are looking forward to this Midwestern chapter to expand.

As of Friday, January 5th, 2007, Ghost Riding The Whip is officially outlawed in the state of California.

Saturday night, December 30th, Matt, Jesse, Vin, Ryan, and I all went around Ghost Riding Vin's Whip. We even managed to cross Bluemound Road while Ghost Riding it.

## Members

Displaying 8 of 280 members

[See All](#)[View Discussion Board](#)[Join this Group](#)

Share +

## Group Type

This is an open group. Anyone can join and invite others to join.

## Officers

**Besian Kodra** (Wisconsin Milwaukee)

King of the castle and full time CEO

**Samara Cihlar** (Milwaukee, WI)  
 Giff of the Land

**George Shuntov** (City Colleges of Chicago)

The Steroid Representative from EAS (Hydroxicut, Protein, Glutamine)

**Vincenzo DiMatteo** (Milwaukee, WI)

Secretary of the Defense (Donald Vinsfelt) and Full-time Whip Ghost Rider

**Jesse McLaughlin** (Wisconsin Milwaukee)

Full-time Whip Ghost Rider

**Ryan J. Day** (Milwaukee, WI)  
 Full-time Whip Ghost Rider

**Kate Dawe** (Wisconsin Milwaukee)  
 Head of Lack of Penis chapter and of "The

## Advertise

## Robot in Fashion Debut



Japanese Robot Walks the Catwalk in Fashion Debut  
 The HRP-4C humanoid robot showed off her stormtrooper-like silver and black frame an

[Join the IT Elite](#)

Learn the "10 Habits of Highly Effective IT Professionals" by downloading a free eBook now! Click to get your Instant Access.



## Want a FREE Nikon D300?



# outline

- social network sites and their privacy woes
- legal perspectives:
  - U.S.
  - E.U.
  - mine

social network sites



# (I) profiles

Facebook | James Grimmelmann

http://www.facebook.com/home.php#/jamesgrimm

Facebook | Miquel Peguera Facebook | James Grimmelmann

facebook Home Profile Friends Inbox 1 James Grimmelmann Settings Logout Search

**James Grimmelmann** The more I heard about Conrad Murray, the more he sounds like Dr. Nick Riviera. via Twitter - on Saturday clear

Wall Info Photos Boxes +

What's on your mind?

Attach  Share

James + Friends Just James Just Friends Settings

RECENT ACTIVITY

-  James and Pamela Carter are now friends. · Comment · Like
-  James and John Rea are now friends. · Comment · Like
- 2 more similar stories
-  James became a fan of D is for Digitize. · Comment · Like

**James Grimmelmann** The more I heard about Conrad Murray, the more he sounds like Dr. Nick Riviera.  
June 27 at 1:32pm · via Twitter · Comment · Like

 Stephanie Schmitt at 1:43pm June 27  
I think you hit it. Dr. Feelgood, calling Dr. Feelgood!

View Photos of Me (11)  
Edit My Profile

Write something about yourself.

Information

# (2) links

The screenshot shows a web browser window with the Facebook interface. The address bar displays the URL `http://www.facebook.com/fri`. The Facebook navigation bar includes links for Home, Profile, Friends, and an Inbox with a notification count of 1. The user's name, James Grimmelmann, and a Settings link are visible on the right. The main content area is titled "Friends" and features a search bar and a sidebar with options like "All Connections", "Find Friends", "Browse", "Phonebook", "Recently Added", and "Recently Updated". A modal dialog is open in the center, titled "Add Lawrence Lessig as a friend?". It includes a profile picture of Lawrence Lessig and the text: "Lawrence will have to confirm that you are friends." Below this, there is a checked checkbox for "Show in News Feed" with the note "Lawrence's posts will appear on your home page." and a link "Add to list...". At the bottom of the dialog are three buttons: "Add a personal message...", "Send Request", and "Cancel". In the background, a "Suggestions" section is partially visible, showing profiles for Lawrence Lessig, Jeff Hirsch, and Michael Geist with "Add as Friend" buttons. A small footer note states "Facebook will not store your password. Learn More."

Facebook | Friends

facebook Home Profile Friends Inbox 1 James Grimmelmann Settings

## Friends

Search Friends

- All Connections
- Find Friends
- Browse
- Phonebook
- Recently Added
- Recently Updated

### Lists

- Friends
- Pages
- News Feed
- Harvard
- Yale
- NY Law

### We'd like to help you find your friends

Your friends on Facebook are the same friends, acquaintances and family members that you have in your address book. Upload your contacts to find more friends.

[Upload Contact List](#)

### Add Lawrence Lessig as a friend?

Lawrence will have to confirm that you are friends.

☒ Show in News Feed  
Lawrence's posts will appear on your home page.

[Add to list...](#)

[Add a personal message...](#) [Send Request](#) [Cancel](#)

Facebook will not store your password. [Learn More.](#)

### Suggestions

Add people you know as friends and become a fan of public profiles you like.

- Lawrence Lessig [Add as Friend](#)
- Jeff Hirsch [Add as Friend](#)
- Michael Geist [Add as Friend](#)



# (3) social graph



social risk evaluation



if your friends jumped  
off a bridge, would you?





safety in numbers





# I think we're alone now





nobody in here  
but us chickens





you know me,  
old buddy old pal



I know how much  
this means to you

**I tells you sekrit... k?**



http://go.to/funpic

ICANHASCHEEZBURGER.COM 🍪 \$ 🍪



do you think I can't see  
what you're doing?

© spiggycat, <http://www.flickr.com/photos/spiggycat/2393460671/>




social privacy harms



## Personal Information

Interests:

Smokin Blunts

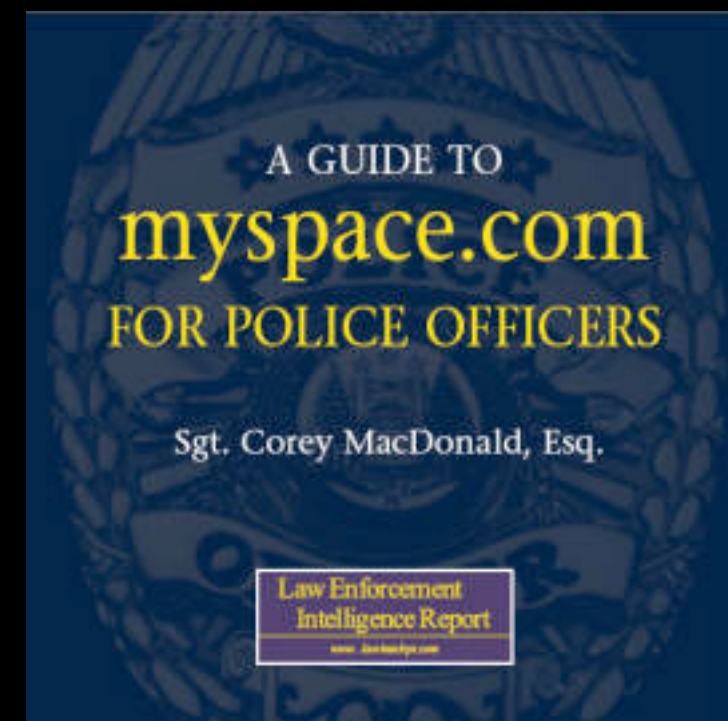
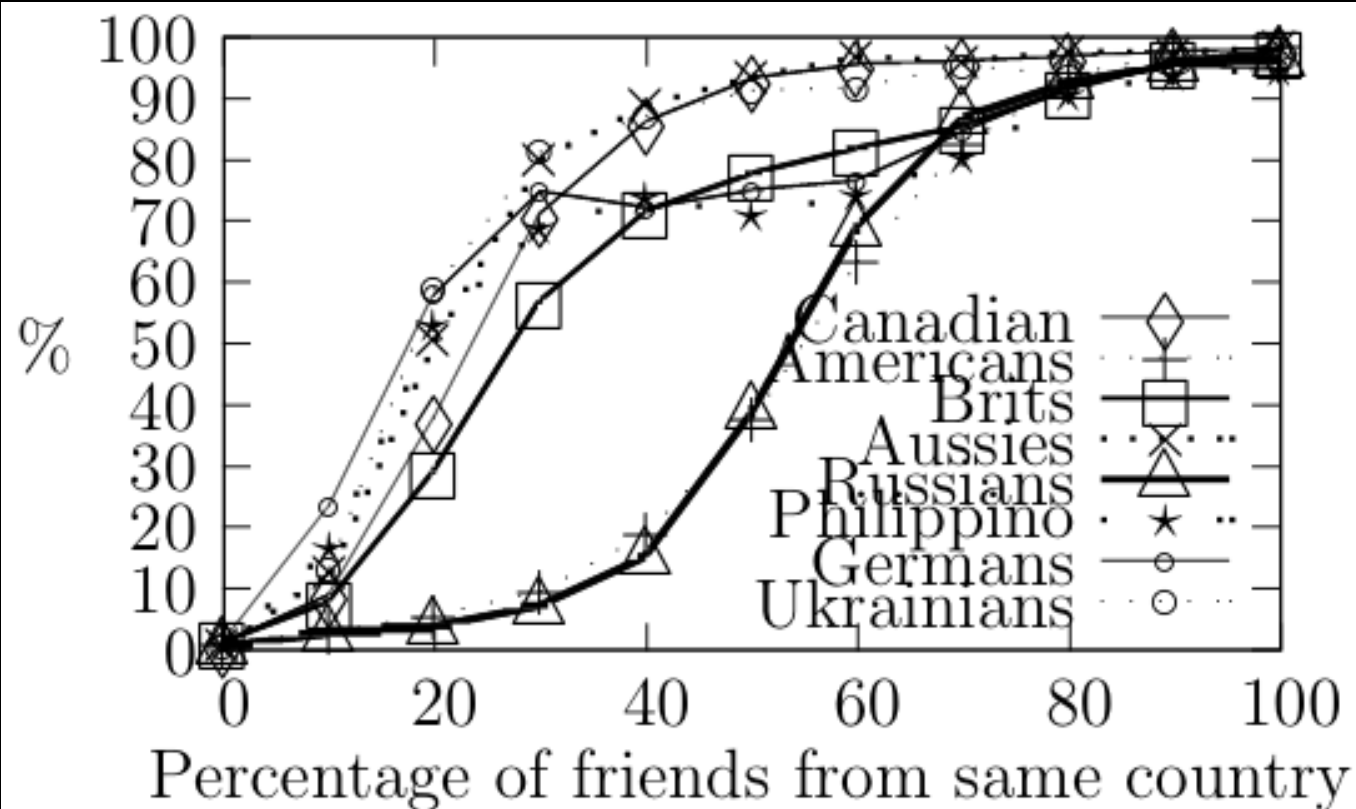
 Fandango is sending a story to your profile. [Help](#) | [Settings](#)

 Ryan bought I Am Legend: The IMAX Experience on Fandango. [Remove](#) x

Fandango can now send stories to your profile through Facebook Beacon, which you can then choose to share with your friends. When you accept this story, it will be put in your Mini-Feed and may appear in your friends' News Feeds. [Learn more.](#)

☐ Always publish stories sent to my profile from this site.

[Okay](#)



in search of solutions



# U.S. approach:

- Notice and consent
  - Self-regulation / informed consumers
  - Clear, publicly posted privacy policy
  - Click-to-agree terms of service

Children Under Age 13

Facebook does not knowingly collect or solicit personal information from anyone under the age of 13 or knowingly allow such persons to register. If you are under 13, please do not attempt to register for Facebook or send any information about yourself to us, including your name, address, telephone number, or email address. No one under age 13 may provide any personal information to us on Facebook. In the event that we learn that we have collected personal information from a child under age 13 without verification of parental consent, we will delete that information.

- We may offer certain services online jointly with other companies on Facebook. You can call when another company is linked in any item or service provided on Facebook, and we may share customer information with that company in connection with your use of that item or service.
- Facebook features a means of sharing items you have taken on third party sites, such as when you make a purchase or post a review, with your friends on Facebook. In order to provide you on a Facebook site with clear disclosure of the activity information being collected on third party sites and potentially shared with your friends on Facebook, we collect certain information from that site and report it to you as a business you have provided.

This policy is effective as of 12/1/11.

#### Facebook Privacy Policy

We built Facebook. We understand privacy. Facebook's privacy policy is the information that we collect and how we use it.

#### Facebook Information

1. How should you use Facebook? Facebook helps you connect and share with the people in your life. It's a place where you can share photos, videos, and other information with your friends.

2. How should you use Facebook? There is an option to share information with your friends or the public. You can also choose to share information with a specific group of people.

3. How should you use Facebook? Sharing information with your friends is a key feature of Facebook. You can share photos, videos, and other information with your friends.

#### Safe Use of Facebook

For information on how to use Facebook safely, see the Facebook Safety Center.

#### Facebook's Privacy Policy

Facebook's privacy policy is the information that we collect and how we use it. It's a place where you can share photos, videos, and other information with your friends.

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Facebook's privacy policy is the information that we collect and how we use it. It's a place where you can share photos, videos, and other information with your friends.

You post User Content (as defined in the Facebook Terms of Use) on the Site at your own risk. Although we allow you to set privacy options that limit access to your pages, please be aware that no security measures are perfect or impenetrable. We cannot control the actions of other Users with whom you may choose to share your pages and information. Therefore, we cannot and do not guarantee that User Content you post on the Site will not be viewed by unauthorized persons. We are not responsible for circumvention of any privacy settings or security measures contained on the Site. You understand and acknowledge that, even after removal, copies of User Content may remain viewable in cached and archived pages or if other Users have copied or stored your User Content.

While providing you with privacy settings that restrict other users from accessing your information, we allow you to choose the information you provide to friends and networks through Facebook. Our network architecture and your privacy settings allow you to make informed choices about who has access to your information. We do not provide contact information to third party marketers without your permission. We share your information with third parties only in limited circumstances where we believe such sharing is reasonably necessary to offer the service, is legally required or is permitted by you. For example:

- Your friends' Feed and Wall may aggregate the information you provide and make it available to your friends and network members according to your privacy settings. You may set your preferences for your friends' Feed and Wall on your Privacy Settings page.
- Unlike most sites on the Web, Facebook limits access to site information by third party search engines ("searchers") (e.g., Google, Yahoo!, Bing, etc.). Facebook takes actions to block access to third parties to personal information beyond your name, profile picture, and limited aggregated data about your profile (e.g., number of wall postings).
- We may provide information to service providers to help us bring you the services we offer. Specifically, we may use third parties to facilitate our business, such as to host the service on a cloud location facility for servers, to send out email updates about Facebook, to remove repetitive information from our user lists, to process payments for products or services, to offer an online job application process, or to provide search results or links (including sponsored links). In connection with these offerings and business operations, our service providers may have access to your personal information for use for a limited time in connection with these business activities. Whenever we allow third parties for the processing of any personal information, we implement reasonable contractual and technical protections limiting the use of that information to the Facebook-specified purposes.
- If you, your friends, or members of your network use any third-party applications developed using the Facebook Platform ("Platform Applications"), these Platform Applications may access and share certain information about you with others in accordance with your privacy settings. You may approve or deny sharing of certain or all information through Platform Applications on the Privacy Settings page. In addition, third party developers who have created and operate Platform Applications ("Platform Developers"), may also have access to your personal information (including your contact information) if you permit Platform Applications to access your data. Before allowing any Platform Developer to make any Platform application available to you, Facebook requires the Platform Developer to enter into an agreement with us, among other things, requires them to respect your privacy settings and strictly limits their collection, use, and disclosure of your information. However, while we have undertaken contractual and technical steps to restrict possible misuse of such information by such Platform Developers, we are of course cannot and do not guarantee that all Platform Developers will abide by such agreements. Please note that Facebook does not control, and Platform Developers and certain service providers who use Facebook may use the personal information that they may obtain in connection with Platform Applications. In addition, Platform Developers may require you to sign additional terms of service, privacy policies or other policies, which may restrict your personal rights or impose additional obligations on you, so please make sure you review these terms and policies carefully before using any Platform application. You can report any suspected misuse of information through the Facebook Platform and we will investigate any such claims and take appropriate action against the Platform Developer up to and including terminating their participation in the Facebook Platform and/or other formal legal action.
- We occasionally provide demonstration accounts that allow non-users a glimpse into the Facebook world. Such accounts have only limited capabilities, e.g., messaging is disabled, and passwords are changed regularly to limit possible misuse.
- We may be required to disclose user information pursuant to lawful requests, such as subpoenas or court orders, or in compliance with applicable law. We do not reveal information and we have a good faith belief that no information requests by law enforcement or private litigants meet applicable legal standards. Additionally, we may share account or other information where we believe it is necessary to comply with law, to protect our interests, or property, to prevent fraud or other illegal activities perpetrated through the Facebook services or using the Facebook name, or to prevent imminent bodily harm. This may include sharing information with other companies, lawyers, agents or government agencies.
- We do not choose to share information with marketers or other third parties through our site or apps.

generally available to members of Facebook.

When you make use of the communication features of the service to share information with other individuals on Facebook, however (e.g., sending a personal message to another Facebook user) you generally cannot remove such communications.

#### Security

Facebook takes appropriate precautions to protect our users' information. Your account information is located on a secured server behind a firewall. When you enter sensitive information (such as a credit card number or your password), we encrypt that information using secure socket layer technology (SSL). (To learn more about SSL, go to: [http://en.wikipedia.org/wiki/Secure\\_Sockets\\_Layer](http://en.wikipedia.org/wiki/Secure_Sockets_Layer)). Because email and instant messaging are not recognized as secure communications, we request that you not send private information to us by email or instant messaging services. If you have any questions about the security of Facebook Web Site, please contact us through the Help Center.

#### Terms of Use, Notices and Revisions

Your use of Facebook, and any disputes arising from it, is subject to this Privacy Policy as well as our Terms of Use and all of its dispute resolution provisions including arbitration, limitations on damages and choice of law. We reserve the right to change our Privacy Policy and our Terms of Use at any time. Non-material changes and distributions will take effect immediately, and material changes will take effect within 30 days of their posting on this site. If we make changes, we will post them and will indicate at the top of this page the policy's most effective date. If we make material changes to this policy, we will notify you here, by email, or through our mobile phone page. We encourage you to refer to this policy on an ongoing basis to stay informed and our current privacy policy. Before stated otherwise, our current policy applies to all information that we have about you and your account.

#### Contacting the Web Site

If you have any questions about this privacy policy, please visit our privacy help page. You may also contact us by mail at 1601 S California Avenue, Palo Alto, CA 94304.

You post User Content (as defined in the Facebook Terms of Use) on the Site at your own risk. Although we allow you to set privacy options that limit access to your pages, please be aware that no security measures are perfect or impenetrable. We cannot control the actions of other Users with whom you may choose to share your pages and information. Therefore, we cannot and do not guarantee that User Content you post on the Site will not be viewed by unauthorized persons. We are not responsible for circumvention of any privacy settings or security measures contained on the Site. You understand and acknowledge that, even after removal, copies of User Content may remain viewable in cached and archived pages or if other Users have copied or stored your User Content.

Facebook Terms of Service and should be reported through the Help Center.

If you choose to use our instant service to tell a friend about our site, we will ask you for information needed to send the invitation, such as your friend's email address. We will send your friend an email or instant message in your name inviting him or her to visit the site, and may send up to two reminders to them. Facebook uses this information to send invitations and reminders, to register a friend connection if your invitation is accepted, to allow you to use invitations you have sent, and to track the success of our referral program. Your identity may appear on through the Help Center to request that we remove this information from our database.

Facebook may also collect information about you from other sources, such as advertisements, blogs, instant messaging services, and other users of the Facebook service through the operation of the service (e.g., phone logs) in order to provide you with more useful information and a more personalized experience.

By using Facebook, you are consenting to have your personal data transferred to and processed in the United States.

privacy policies?

# technical controls?



## Privacy Profile

Basic Contact Information

Control who can see which sections of your profile. Visit the [Applications](#) page in order to change settings for applications. Visit the [Search Privacy](#) page to make changes to what people can see about you if they search for you.

See how a friend sees your profile:

Profile	<input type="text" value="My Networks and Friends"/>	[?]
Basic Info	<input type="text" value="My Networks and Friends"/>	[?]
Personal Info	<input type="text" value="Only Friends"/>	[?]
Status and Links	<input type="text" value="Only Friends"/>	[?]
Photos Tagged of You	<input type="text" value="Only Friends"/>	[?]
<a href="#">Edit Photo Albums Privacy Settings</a>		
Videos Tagged of You	<input type="text" value="Only Friends"/>	[?]
Friends	<input type="text" value="Only Friends"/>	[?]
Wall Posts	<input checked="" type="checkbox"/> Friends may post to my Wall	[?]
	<input type="text" value="Only Friends"/>	
Education Info	<input type="text" value="My Networks and Friends"/>	[?]
Work Info	<input type="text" value="My Networks and Friends"/>	[?]

Save Changes

Cancel

# E.U. approach

- Data protection directive
  - Data subjects and data controllers
  - Rights of access and correction
  - Restrictions on transfers, secondary uses
  - Categories of special sensitivity



Is your  
grandmother a  
data controller?



# Sensitive information?

Age? Check.  
Sex? Check.  
Race? Check.  
Religion? Check.  
Marital status? Check.

**James Grimmelmann** The more I heard sounds like Dr. Nick Riviera. via [Twitter](#) - on Saturday

[Wall](#) [Info](#) [Photos](#) [Boxes](#) [+](#)

**Basic Information**

Networks: Harvard Alum '99  
Yale Alum '05  
NY Law Faculty

Sex: Male

Relationship Status: Married

**Personal Information**

Interests: Programming, lawyering, pr

**Contact Information**

Website: <http://james.grimmelmann>

**Education and Work**

Grad School: Yale '05  
JD, Law

College: Harvard '99  
Computer Science

High School: Horace Mann '95

**Groups**

Member of: Executive Order ME a \$500, million by Nov 24 to cheer 100,000 Strong Against Eva

[View Photos of Me \(11\)](#)

[Edit My Profile](#)

[Write something about yourself.](#)

**Information**

Networks:  
Harvard Alum '99  
Yale Alum '05  
NY Law Faculty

Relationship Status:



# A tentative suggestion

- Facebook is a tool
  - Useful for some tasks
  - But also predictably dangerous
- A privacy-harming service is *defective*
  - What if its maker were held responsible?
  - Remember Google Buzz?

# questions and conversation?

for the full treatment:

*Saving Facebook*, 94 IOWA L. REV. 1137 (2009)

*Privacy as Product Safety*, 26 WIDENER L.J. 793 (2010)