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| **ASSESSMENT TASKS** | | | |
| Name: |  | Section: |  |

**ASSESSMENT TASKS 1**

Mr. John Baniqued is a B.S. Psychology student of Tabako University. He graduated last April 2022. He enrolled at Marlboro University for a new program to prepare for his October 2022 Psychometrician Board Exam. Two weeks after the exam, Mr. Baniqued passed and topped the October 2022 Psychometrician Exam.

Marlboro University decided to cash in on the popularity of John and decided to publish to publish on their official website as well as in the marketing brochures th following caption:

**Congratulations!!!**

**JOHN BANIQUED !!! Number 1 sa Board Exam**

**Be like him. Enroll at MARLBORO UNIVERSITY now!**

Is there any legal consequences in the action of Marlboro University? How about Mr. Baniqued, if he file a complaint against Marlboro University for posting his name without consent, do you think it will prosper? Why or Why not?

**Answer:**

Marlboro University's use of John Baniqued's name and achievement for marketing purposes without his consent could lead to legal consequences. Primarily, this action may violate his right to privacy and his right to control the use of his name or likeness, especially in a commercial context. In many jurisdictions, individuals have a right to protect their personal identity from being used for promotional purposes without their permission. Since Marlboro University used John’s achievement to attract potential students, this likely falls under commercial exploitation, for which consent is usually required. If Mr. Baniqued decides to file a complaint, it is possible that his case could succeed, especially if he did not provide any written or verbal consent for the use of his name in their marketing materials. The university could be held liable for damages, and John may be entitled to compensation, particularly if he can prove that this unauthorized use caused harm or discomfort. In conclusion, Marlboro University’s actions may have legal repercussions, and Mr. Baniqued’s complaint, if filed, could prosper based on the absence of consent and the commercial nature of the act.

**ASSESSMENT TASKS 2**

Dr. Lopez and Dr. Gozon were assigned as RQAT to evaluate the BSIT program of San Bedac College. Dr. Gozon went ot the Registrar and asked for the TOR of Rod Boots Roa. It was provided by the Registrar’s office.

Dr. Gozon asks permission from the Chief registrar to take a picture of the TOR of Mr. Roa. The Chief registrar granted the request. However, without the knowledge of the chief registrar Dr. Gozon posted the TOR of Mr. Roa. Mr. Roa filed a complaint with the Privacy Commission against Dr. Gozon violating the Data Privacy act.

During the hearing, Dr. Gozon aver that it is San Bedac who is liable for the reasons that he lawfully obtained the copy of the TOR of Mr. Roa.

Do you agree with Dr. Gozon? Why or Why not? Explain your answer

**Answer:**

I do not agree with Dr. Gozon's claim that San Bedac College is solely liable for the violation of the Data Privacy Act. While Dr. Gozon initially obtained Mr. Roa's Transcript of Records (TOR) lawfully with the permission of the Registrar, it was his action of posting the TOR without consent that breached data privacy laws. Under the \*\*Data Privacy Act of 2012\*\*, personal and sensitive information, such as a student’s TOR, is protected, and sharing such information publicly without the data subject's consent is a violation. Dr. Gozon, by posting the TOR online, went beyond the authorized purpose for which the document was given. His act of publicizing Mr. Roa's personal academic information without permission is a clear violation of the data subject's rights to privacy, and he should be held accountable for it. San Bedac College, while responsible for releasing the TOR, did so within its legal bounds by providing it to an evaluator who was authorized to access it. The breach occurred when Dr. Gozon used the information inappropriately by posting it online. Therefore, Dr. Gozon’s defense of shifting liability to San Bedac College is not valid, as it was his personal action that caused the privacy violation.