1. Identify the main ethical question or questions faced by the main character ("you") in the scenario. This will certainly include "what should you do?", but there may be other interesting questions to consider.

    We are torn between sharing the bug with Instatoonz or keeping it to ourselves. We want to share it with Instatoonz because it is a huge liability for millions of users. Sharing it with them would allow them to fix it so hackers couldn't exploit it. Ethically, it seems obvious to tell them. However, given Instatoonz past experience with a user finding and reporting a bug as well as their no bug bounty policy, sharing the bug with them would probably end up with us getting sued. Withholding the bug would put the well–being of the millions of Instatoonz users at risk, but sharing the bug could lead to jail time for us. The problem seems to become one of putting the well–being of others over our own well–being. If we approach this situation from a truly virtuoistic perspective, we should report the bug. Realistically, however, most people would probably delete their Insta Toonz account, not report the bug, and call it a day.

    If we can find the bug while somehow not circumventing security measures on the site, we can be more confident that InstaToonz can't sue us based on DMCA 1201. If we did circumvent security measures, we could try to fight our case in court but it probably wouldn't be worth it.

2. For each stakeholder (or category of stakeholders) in the scenario, identify the stakeholder's relevant rights.

InstaToonz: right to their technology (exclusive knowledge of anything copyrighted)

Site users: right to privacy, right to a service that functions as advertised.

Us: we *should* be able to notify a company of a flaw in their system that compromises the rights of others without being acted against ourselves, but whether this is *legal* depends on a couple factors. We are able to learn as much as we can about Insta Toonz systems without violating The DMCA (i.e. we aren't allowed to circumvent any technological measures).

3. List any information missing from the scenario that you would like to have to help you make better choices.

- It would help to know how deeply ingrained the bug is in the InstaToonz system. If we find something obvious, we would expect InstaToonz would be less likely to sue us than if we did a deep dive into their system.

- It would help to know the trend of InstaToonz usership and whether this bug would do more or less damage in the future.

- It would help to know whether the first person who reported a bug to Insta Toonz did so in a way that violated section 1201 of the DMCA, or if they did so completely legally and were still sued.

4. Describe your possible actions, and discuss the likely consequences of those actions.

There are two main courses of action: share the bug or keep it to ourselves. If we shared the bug, Insta Toonz would be able to fix it which would protect the privacy of millions of their users. However, sharing the bug would also lead to Insta Toonz taking legal action against us because in order to find the bug, we had to take some illegal liberties. If we decided, instead, to keep the bug to ourselves, we would be putting the privacy of millions of users at risk. We would

probably delete our account so that *our* privacy wasn't at risk. Doing this would save us potential prison time.

However, there may be a work around to ensure that the privacy of Insta Toonz users is protected while making sure we don't get sued for finding the bug. We could tell Insta Toonz about the problem anonymously so that they know about the liability but wouldn't know it was us who found it. Doing this would probably be done easiest in person by dropping off an anonymous letter. Another, similar option would be to let a third party know and have them tell Insta Toonz. If we chose this course of action, we would need to ensure that the letter ended up in the right hands. If the letter was intercepted by an attacker, we would be forced to tell Insta Toonz about the bug non–anonymously right away so they could fix the bug before the attacker could exploit it.

5. Discuss whether the [ACM Code of Ethics and Professional Conduct](#) offers any relevant guidance.

The ACM Code supports reporting the bug on the grounds that it would help protect user privacy. In general, the Code advocates for good design supported by peer review, so reporting a bug would be the natural option based on the ACM guidelines.

6.   Describe and justify your recommended action, as well as your answers to any other questions you presented in part A.

The best thing in this scenario would be to report the bug anonymously, ideally via a secure physical exchange. This would protect both us and the users of InstaToonz. In an ideal world, we would be able to discover this bug without gaining much knowledge of the InstaToonz technical system.

If we had to circumvent any technological measures to find the bug, this would be the best course of action. However, if we didn't violate section 1201 of the DMCA, we might be able to just tell Insta Toonz ourselves. This would depend on if the previous person who reported a bug to Insta Toonz violated the DMCA. If they didn't and still were sued, then we would report the bug anonymously. But, if they *did* violate the DMCA, we could potentially get away with telling Insta Toonz ourselves. In any circumstance, telling Insta Toonz anonymously is probably the best course of action.