

Introduction to Social Media Analytics (Lec 12)

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Topics for this week

- Understand common social media risks.
- Comprehend data privacy/anonymization issues.
- Know the different types of social media data.
- Be familiar with different kinds of legal issues.
 - Defamation / attacks
 - Intellectual property
 - Spam information
- Be aware of potential damages on human well-being.

Social media risks

- ▶ **Risk** is the possibility of losing something of value such as, intellectual or physical capital.
- ▶ **Social media risk** is the possibility of losing something of value due to social media use.

Social media risks

- ▶ Privacy breaches
- ▶ Identity theft
- ▶ Legal risks
- ▶ Reputation damage
- ▶ Cyberbullying
- ▶ Harassment
- ▶ Phishing scams
- ▶ Mental health
- ▶ Addiction

Privacy

► “the right to be let alone.” (Warren and Brandeis, 1890)

Privacy in context of social media is the “ability to decide what *information* one **discloses** or withholds about oneself on social media, who has **access** to such information, and for what **purposes** one’s information may or may not be used.”

Privacy question

- ▶ **Is social media data private?**
- ▶ **Are there caveats / exceptions?**

Information on social media

- ▶ Public Information

- ▶ Private Information

Deciding which data is private or public depends on the privacy settings of the social media applications in use.

Accessing social media data

► **In what circumstances can we access social media data?**

► **Only, if:**

- 1) The information is publically available, OR
- 2) Consent is obtained, OR
- 3) The information will be used for research purposes, OR
- 4) will not be used where the individual concerned is identified.

Social media data privacy intrusion



Cambridge Analytica whistleblower: 'We spent \$1m harvesting millions of Facebook profiles' - video

► Cambridge Analytica vs. FB

"We exploited Facebook to harvest millions of people's profiles and built models to exploit what we knew about them and target their inner demons. That was the basis the entire company was built on," Christopher Wylie, 2018.

The data analytics firm that worked with Donald Trump's election team and the winning Brexit campaign harvested millions of Facebook profiles of US voters, in one of the tech giant's biggest ever data breaches, and used them to build a powerful software program to predict and influence choices at the ballot box.

<https://www.theguardian.com/news/2018/mar/17/cambridge-analytica-facebook-influence-us-election>

Legal case faced by Snapchat



Case Study: FTC vs. Snapchat

- ▶ Summary: The Federal Trade Commission (FTC) charged Snapchat in 2014 for deceiving users about the temporary nature of "snaps," claiming they were permanently deleted when they were not.
- ▶ Outcome: Snapchat settled with the FTC, agreeing to implement a comprehensive privacy program and to be regularly audited.

Don't be fooled by platforms' official data policy statement!

Your data is "money" to them.

Legal case encountered by Google

▶ Does privacy protection apply everywhere?

Liskula Cohen vs. Google

- ▶ Summary: Liskula Cohen sued Google and forced Google to reveal the identity of a blogger who defamed her on a blog.
- ▶ Outcome: Google was compelled to reveal the blogger's identity, setting a case that **online anonymity does not protect individuals from defamation claims.**

Social media legal risks

- ▶ *Legal risk* is the potential of losing something of value (such as information, reputation, or goodwill) due to the **lack of knowledge of the way law and regulation** apply to a business or their operations.

Social media legal risks

- ▶ When it comes to legal issues surrounding social media, it essentially answers the question:
- ▶ ***What your customers, competitors can sue or be sued for?***

What issues can be sued for?

- ▶ **Defamation:** Libel and Slander
- ▶ **Trade secrets:** Publication of private information
- ▶ **Trademark:** confusing customer about trade mark
- ▶ **Copyright:** Sharing something that is not yours
- ▶ **Spam:** sending unwanted messages/posts
- ▶ **Negligence:** assuming a duty, not fulfilling it.
- ▶ **Discrimination:** in hiring practices
- ▶ **Sexual harassment:** Unwanted social media posting

What is Defamation?

- ▶ A false statement (written or spoken) about someone which causes damage to that person's reputation in any form.
- ▶ **Libel**: When it is in **written** form (e.g., comments or post)
- ▶ **Slander**: When it is **spoken** (e.g., audio or video).

Defamation example

October 3, 2012

Tweet by an employee of **KitchenAid** using corporate Twitter account.



KitchenAid

@KitchenAidUSA

Obamas gma even knew it was going 2 b bad! 'She died 3 days b4 he became president'. #nbcpolitics

KitchenAid is an American home appliance brand owned by Whirlpool Corporation.

<https://www.agnesday.com/kitchenaid-an-excellent-example-in-social-media-crisis-communications/>

Defamation discussion Qs

- ▶ **Does Libel law even applies to a tweet?**
- ▶ **Who is responsible for the defamatory tweet by KitchenAid?**
 - ▶ *The employee and/or the company who owns the account?*
- ▶ **Can X be held liable for defamatory comments posted by its users?**
- ▶ **Does the responsibility extend to people who retweeted the tweet?**

Defamation discussion Qs

► Does Libel law even apply to a tweet?

- Yes, “libel laws apply to the Internet the same way they do to newspapers, magazines, books, films, and other similar publications.” (Luara, 2014).

In most countries,

medium of communication is irrelevant in defamation laws.

- It could be a letter, an email, a social media post, a video, etc.

Defamation discussion Qs

► Can X be held liable for hosting the defamatory comments posted by its users?

NO. Twitter is protected under the Communication Decency Act (CDA), which provides immunity from liability for **service providers and users** who publish information provided by others (user generated content).

Not having CDA type of laws will cripple social media and free speech!

Defamation discussion Qs

► Who is responsible for the defamatory tweet?

Kitchen Aid **may** also be protected under the CDA act, given that they have clear policies, guidelines, training about using cooperate social media (actual outcome will depend on the nature of the case, etc.).

So, the employee is responsible.

Defamation discussion Qs

► **Does the responsibility extend to people who retweeted the tweet from around the world?**

- **It depends.**

Based on laws such as New Zealand's Harmful Digital Communication Act 2015 (HDCA), you may be held liable for spreading information that was already in the public domain (e.g., re-tweeting a defamatory tweet or sharing someone's info. that was deliberately made available online by a hacker), given that it harms the individual whom the information is about, and it is unfair and unreasonable for you to share that data.

Intellectual Property

▶ **IP is the creations of the mind which includes:**

- Trade secrets
- Trademarks
- Patents
- Copyright

▶ Intellectual property rights are rights granted to IP creators.

Intellectual Property

- ▶ Who owns the IP rights of materials posted on social media?
- ▶ Material could be:
 - ▶ Ideas
 - ▶ Documents
 - ▶ Pics
 - ▶ Songs

Intellectual Property

- ▶ Who owns the IP rights of materials posted on SM?

The original owner/author.

However, most SM posting (Tweets, Comments) may not meet the minimum IP creativity criteria and may not have copyright protection.

Intellectual Property

▶ **Trade secrets**

Not generally known to public can be a formula, an algorithm, a design, recipes, a process, a method, etc.

▶ Can easily be leaked on social media, often mistakenly.

Intellectual Property

► Trade secrets

► An employee leaking trade secrets through social media (or through any other medium) breaches:

- Duty of loyalty
- Breach of contractual confidentiality
- Non-disclosure agreement
- Misappropriation of trade secrets, etc.

Which can lead to job termination and legal consequences.

Intellectual Property

▶ **Trade secrets**

▶ **How to stop it from happening?**

- **Updated social media use policies**

(e.g., What employees should not discuss about the company's plans on social media.)

- **Updated non-disclosure agreement (NDA)**

(A legal document prohibits material, knowledge, or information exchange with third parties.)

- **Exit interviews**
- **Training**

Intellectual Property

► **Trademarks:** registered symbol/logo of a business.

- You may be liable for creating a brand handler or an account similar to other brands that confuses other social media users.
- You may also be liability for the use of other trademarks in Google Adwords, keywords, search results etc.

Spam

► **Spam:** sending unwanted messages/posts

A commercial / marketing message sent without consent of the recipient is considered as spam.

Spam

► To comply:

- Obtain consent (written or verbal)
 - e.g., send messages only to people who follow you.
- Keep your messages header honest
- Provide opt-in and opt-out options

Safe option: Opt-in & Opt-out

Definitions

Opt in

To sign up or agree to something.

In business messaging, to agree to receive texts from a company.

Opt out

To revoke your opt in.

In business messaging, to ask a business to stop sending you texts.

Safe option: Opt-in & Opt-out

- ▶ **Opt-in** requires a customer to actively tick a box to receive further messages.



New to our store?

First Name:

Last Name:

Email:

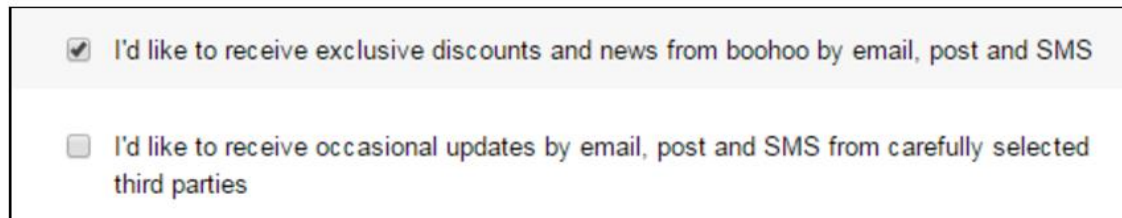
Password:

Confirm Password:

☐ I would like to receive offers, news and information via Email

Sign Up

- ▶ **Opt-out** requires customers to untick a pre-ticked box to not receive further correspondence.



☒ I'd like to receive exclusive discounts and news from boohoo by email, post and SMS

☐ I'd like to receive occasional updates by email, post and SMS from carefully selected third parties

Social media and well-being

- ▶ Screen/platform addiction (rewire dopamine system)
- ▶ Physical & mental illness (eyesight, stress, peer pressure)
- ▶ Decreasing human skills
 - ▶ **Interaction**
 - ▶ **Communication**
 - ▶ **Socialization**
 - ▶ **Discipline**
 - ▶ **Lack of concentration**
 - ▶ **Loss of focus**
- ▶ (Junk) information overloads our cognitive capacity

Post-course challenge: Deactivate all your social media for 3 clean days!

LOQ course evaluation survey

- Provide feedback for **both me and our TA!**
- LOQ system: <https://onlinesurvey.cityu.edu.hk/>



Course notes

- Today's agenda:
 - paper presentation
 - final exam review
- Final exam test
 - Dec 20 (LT-7 @YEUNG)
 - 9:30 – 11:30am
 - Format is the same as midterm
 - 5 A4 CheatSheet (can reuse previous notes)