



Trinity College Dublin
Coláiste na Tríonóide, Baile Átha Cliath
The University of Dublin

What is the Internet doing to me? (Security and privacy for people in a connected world)

Eoin O'Dell @cearta

Data and Privacy



What's in Data Protection news?



What's in Data Protection news?



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YOUR DATA FOR ORGANISATIONS RESOURCES WHO WE ARE NEWS AND MEDIA DATA PROTECTION OFFICERS

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Data Protection Commission launches inquiry into Ryanair's Customer Verification Process

04th October 2024

The Data Protection Commission (DPC) has today announced that it has opened an inquiry into Ryanair's processing of personal data as part of the Customer Verification Processes for customers who book Ryanair flights from third party websites or Online Travel Agents.

The DPC has received a number of complaints regarding Ryanair's practice of requesting additional ID verification from customers who book travel tickets via third party websites, as opposed to booking directly on Ryanair's website. Those verification methods may include biometric data [1].

Graham Doyle, Deputy Commissioner with the DPC commented: "*The DPC has received numerous complaints from Ryanair customers across the EU/EEA who after booking their flights were subsequently required to undergo a verification process. The verification methods used by Ryanair included the use of facial recognition technology using customers' biometric data. This inquiry will consider whether Ryanair's use of its verification methods complies with the GDPR.*"

General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR)



99 Articles

173 Recitals

21 footnotes

88 pages

Some key concepts and principles

Key Concepts

- “Personal Data”
- “Processing”

Key Principles

- Principles of Processing
- Lawfulness of Processing



Personal data

Article 4(1) GDPR

‘personal data’ means any information relating to an **identified or identifiable** natural person ('data subject'); an identifiable natural person is one who can be identified, **directly or indirectly**, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that **natural person**;

Case C-434/16 *Nowak*



Handwriting leading to identification

distance himself from Turpin's affairs, and so the letter was moved to the post office at Saffron Walden where James Smith, who had taught his younger schoolmate Turpin how to write while they were at school, recognised the handwriting. He alerted JP Thomas Stubbing, who paid the postage and opened the letter. Smith travelled to York Castle and on 23 February identified Palmer as Turpin.^[67]

" Dear Brother, York, Feb. 6, 1739.

I AM sorry to acquaint you that I am now under confinement in York Castle, for horse-stealing. If I could procure an evidence from London to give me a character, that would go a great way towards my being acquitted. I had not been long in this country before my being apprehended, so that it would pass off the readier. For Heaven's sake, dear brother, do not neglect me; you will know what I mean, when I say——

I am yours,
JOHN PALMER.



Processing of personal data

Article 4(2) GDPR

‘processing’ means **any operation** or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

Article 4(7)-(8) GDPR

'controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; ...

'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

Art 5(1) GDPR - Principles



Transparency and
legitimacy



Purpose
limitation



Data
minimization



Accuracy

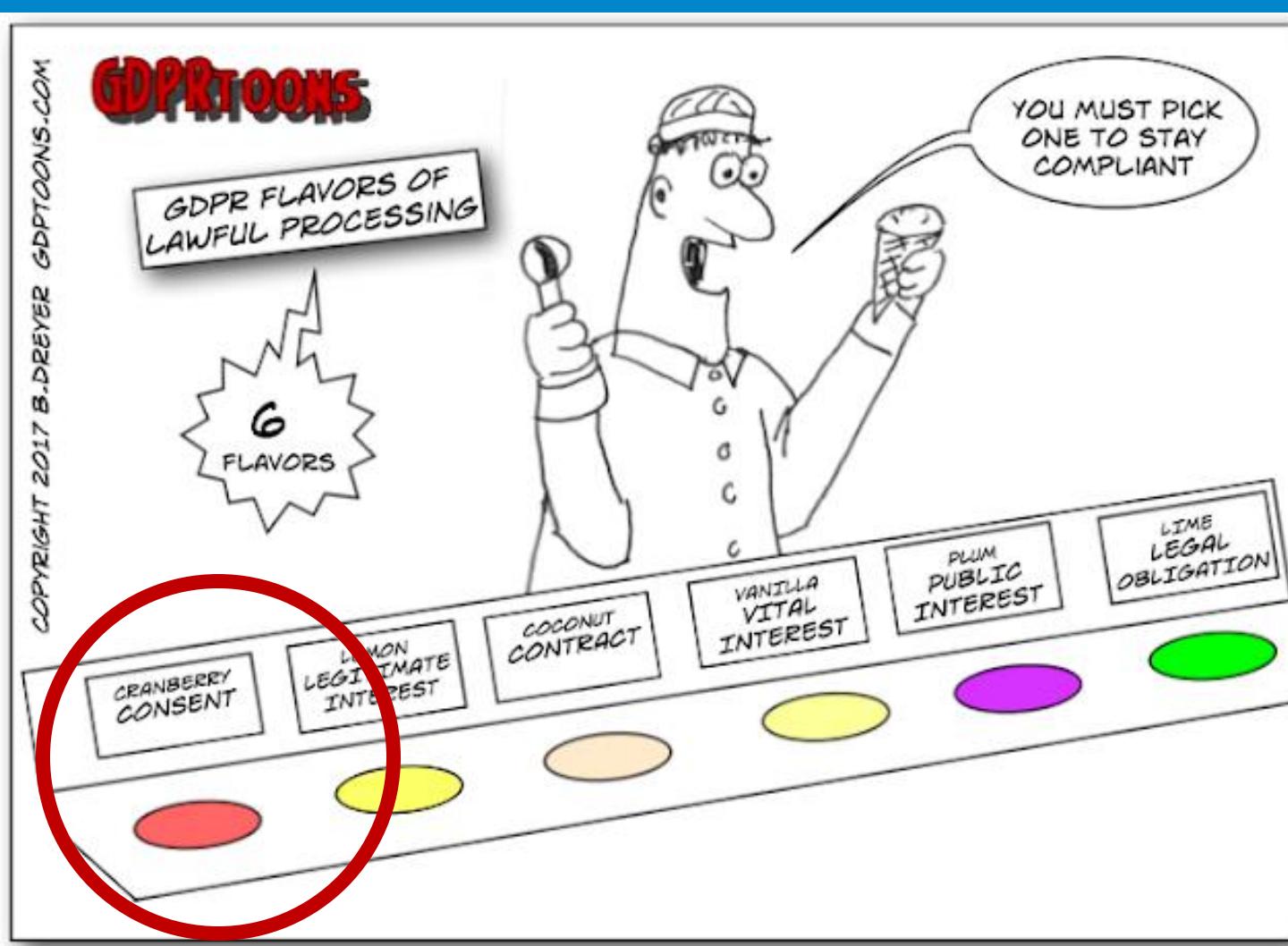


Confidentiality



Limitation of
storage term

Article 6 GDPR – lawfulness of processing



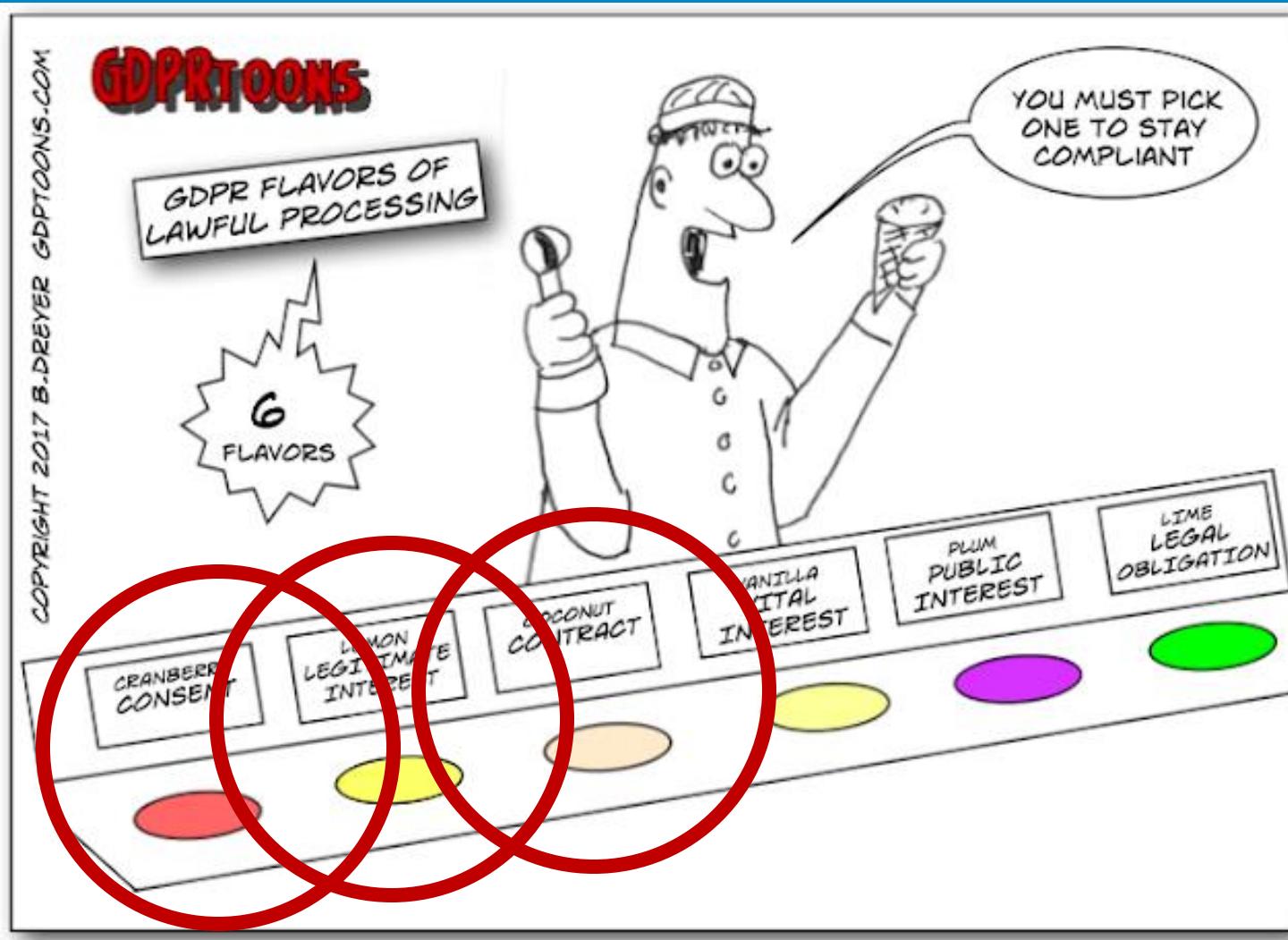
Cranberry
Consent [of
data subject]

freely given,
specific,
informed &
unambiguous

But Art 8
DAoC / kids

Article 6 GDPR – lawfulness of processing

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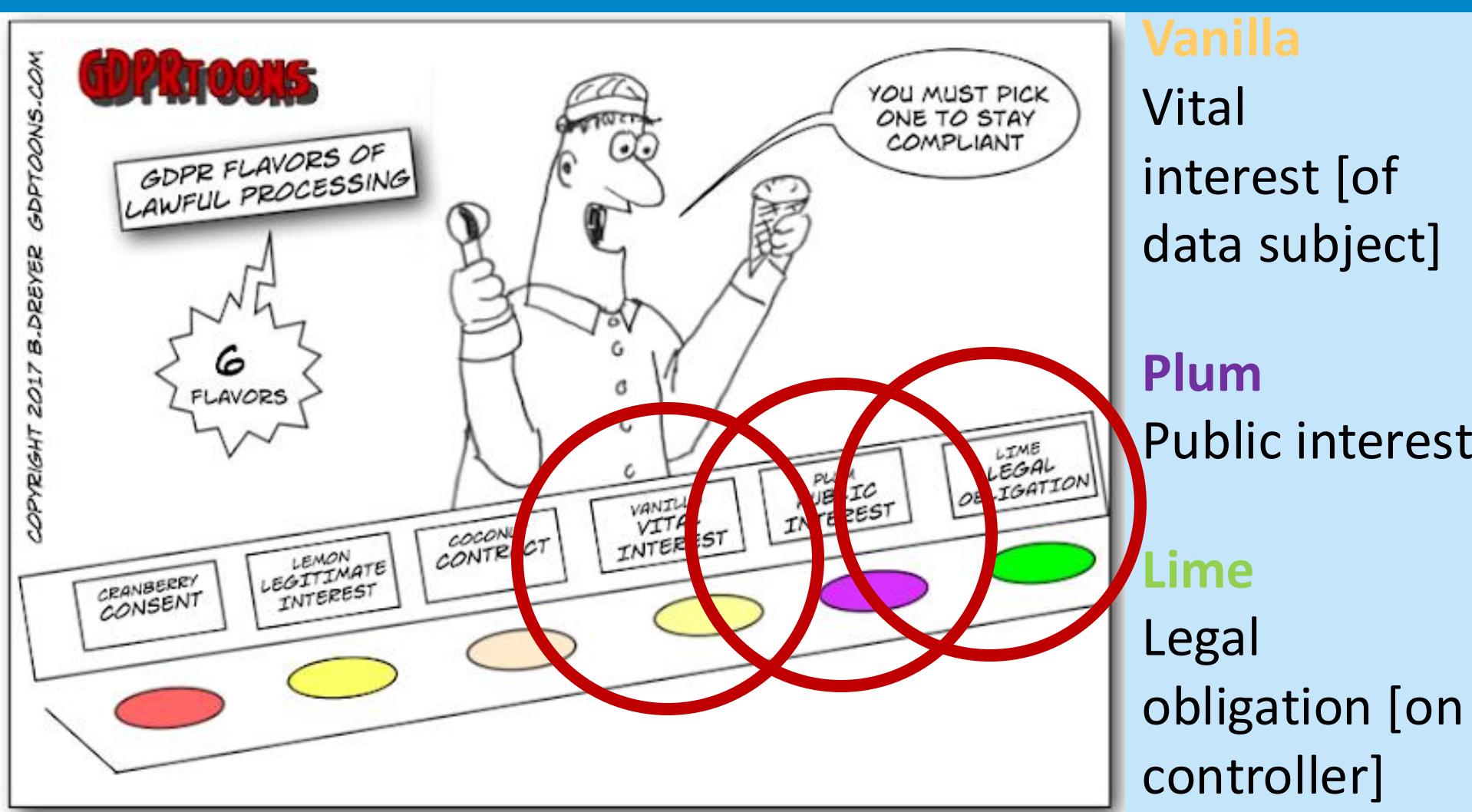


Cranberry
Consent [of
data subject]

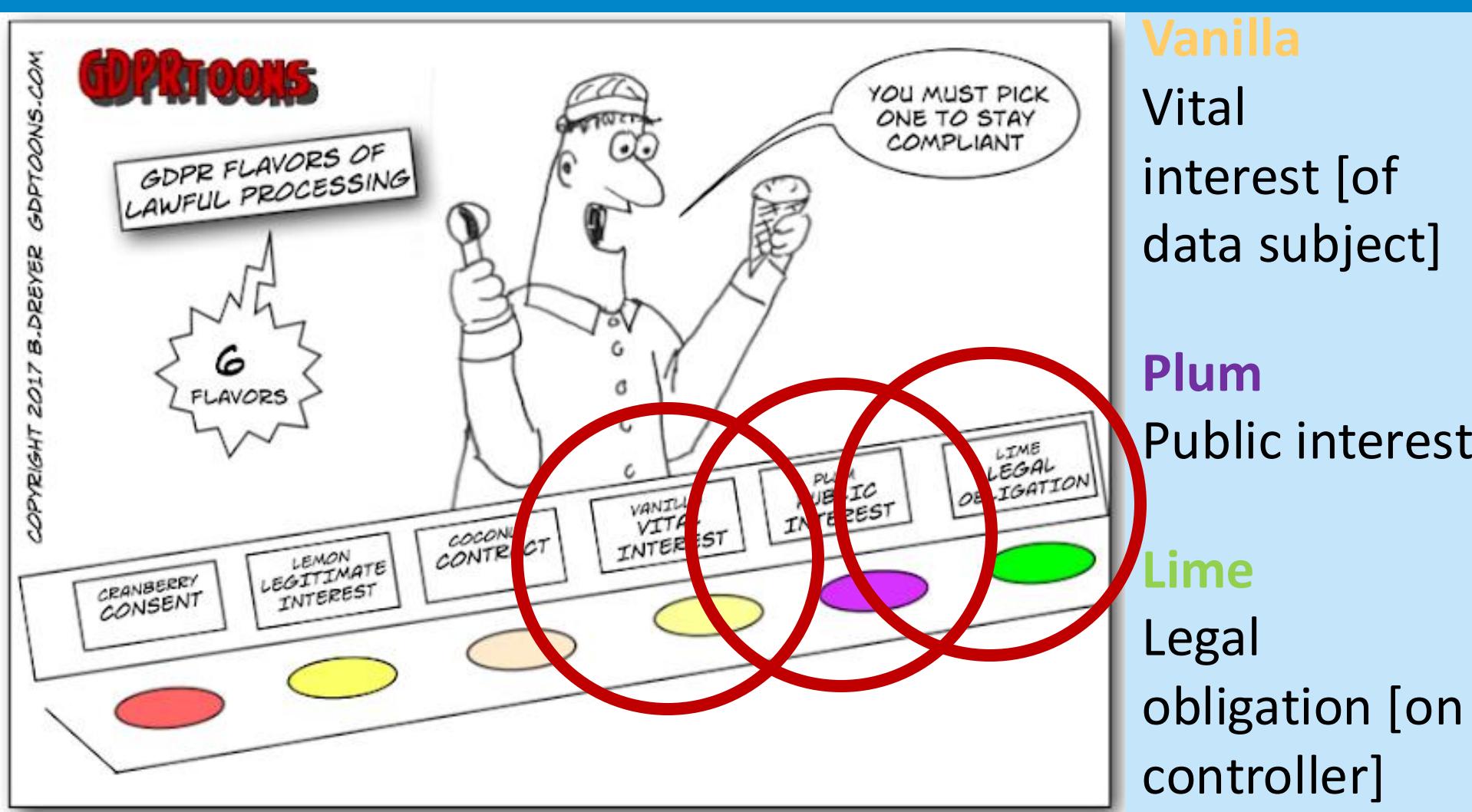
Lemon
Legitimate
interest [of
controller]

Coconut
Contract

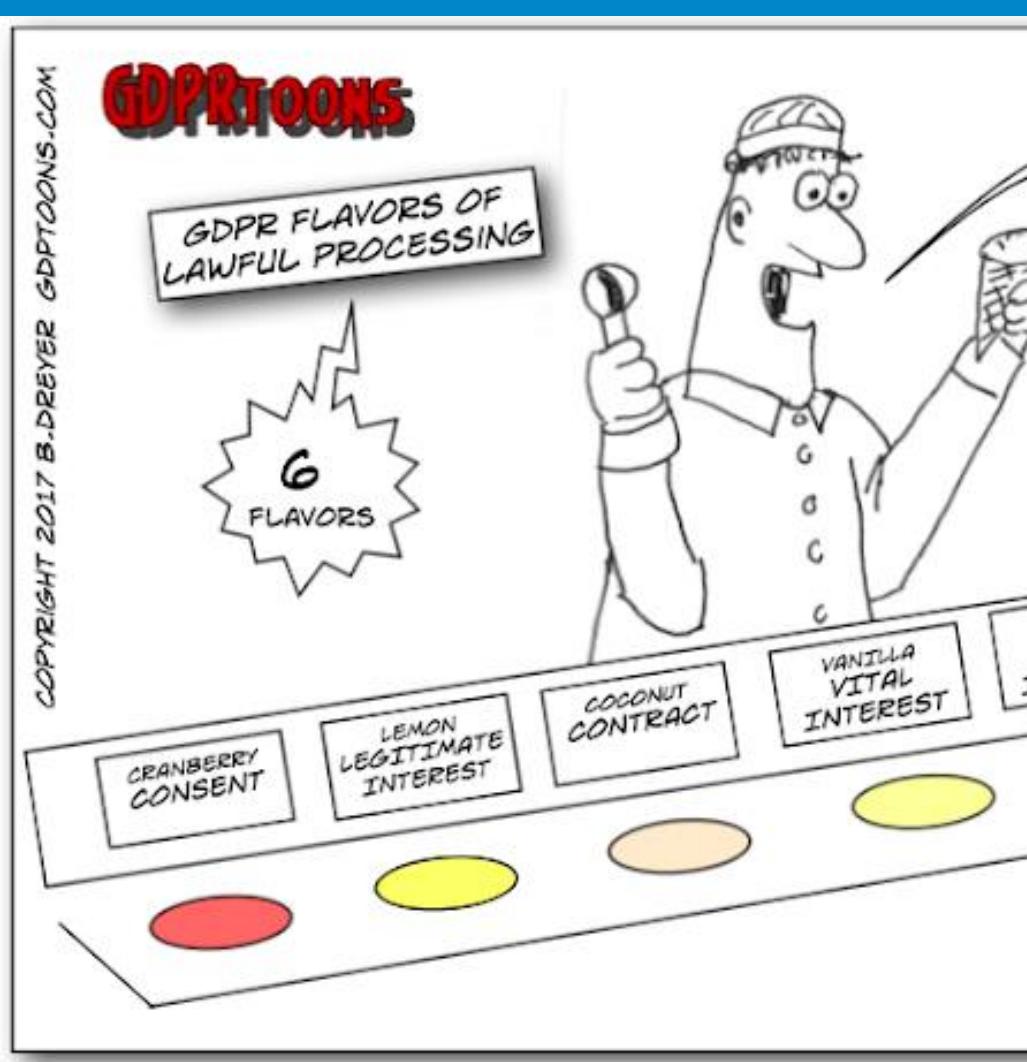
Article 6 GDPR – lawfulness of processing



Article 6 GDPR – lawfulness of processing



Article 6 GDPR – lawfulness of processing



Cranberry

Consent [of
data subject]

Vanilla

Vital
interest [of
data subject]

Lemon

Legitimate
interest [of
controller]

Plum

Public interest

Lime

Coconut
Contract

Legal

obligation [on
controller]

Art 9 GDPR – special categories

A photograph showing a row of seven white wooden blocks on a light-colored wooden surface. Each block has a large black capital letter on its front face, spelling out the word "SPECIAL". In the background, there is a blurred stack of various books in different colors, including red, green, and blue, suggesting an educational or library setting.

SPECIAL

Obligations of Controllers



GDPR Data Subject Rights



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L E
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GDPR Data Subject Rights

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connection Cybersecurity How-To Laws & regulations NordVPN expertise

≡ Show all categories

Blog > NordVPN expertise

NordVPN study shows: Nine hours to read the privacy policies of the 20 most visited websites in the US



GDPR Data Subject Rights



The Right to Be Informed

Individuals have a right to know who is processing their personal data

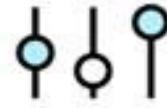
passim



The Right to Access

Individuals have the right to access any personal data that has been collected about them

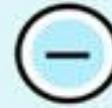
Art 15 (&19)



The Right to Rectifications

Individuals have the right to require organizations to correct inaccurate personal data

Art 16 (&19)



The Right to Be Forgotten

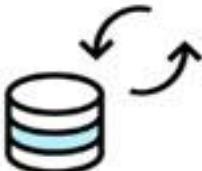
Individuals have the right to have their personal data deleted and to prevent further collection

Art 17 (&19)



The Right to Restrict Processing

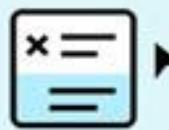
Individuals have the right to require organizations to restrict the processing of specific categories of personal data



The Right to Data Portability

Individuals have the right to require organizations to transfer personal data to a recipient of their choice

Art 18



The Right to Object

Individuals have the right to consent, or withdraw consent, to the processing of their personal data

Art 21



Rights in Relation to Automated Decision Making and Profiling

Individuals have the right to opt out of the use of their personal data by automated systems, such as artificial intelligence

Art 22

DSAR & RtbF



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Your Data

- + Data Protection: The Basics
- + Your rights under the GDPR
- Exercising your rights

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 - > In this case, the data controller shall inform you of any extension within one month of receiving your request, and explain the reasons for the delay.
4. If the controller does not take action on foot of your request, the data controller must inform you without delay and, at the latest, within one month of receipt of your request, of:
 - > The reasons for not taking action.
 - > The possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy (through the courts).

Copyright



What's in Copyright news?



What's in Copyright news?

The New Zealand Herald

Boy named after Star Wars character denied passport due to copyright infringement

Issues arose when they attempted to get a passport for their youngest child. The boy was born on May 4, 2017, and because May 4 is colloquially known as Star Wars Day, the couple were inspired to name him after one of the characters.

Years later, however, the name Loki Skywalker Mowbray was problematic, the UK Home Office said.

What's in Copyright news?



Home News Sport Business Innovation Culture Arts Travel Earth Video Live

Trump loses Electric Avenue song legal fight

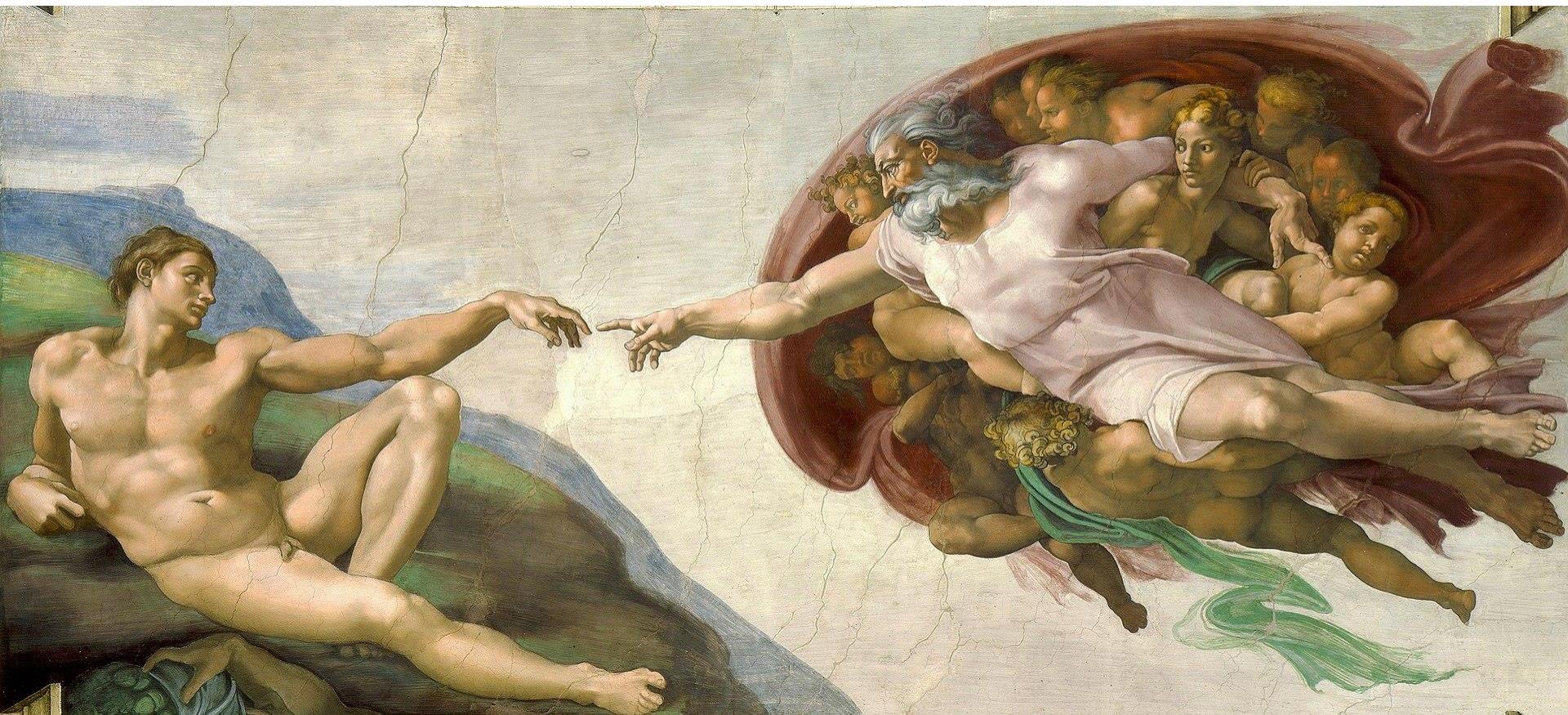
3 days ago

Share Save



Subsistence of copyright

Copyright automatically subsists at the moment of creation

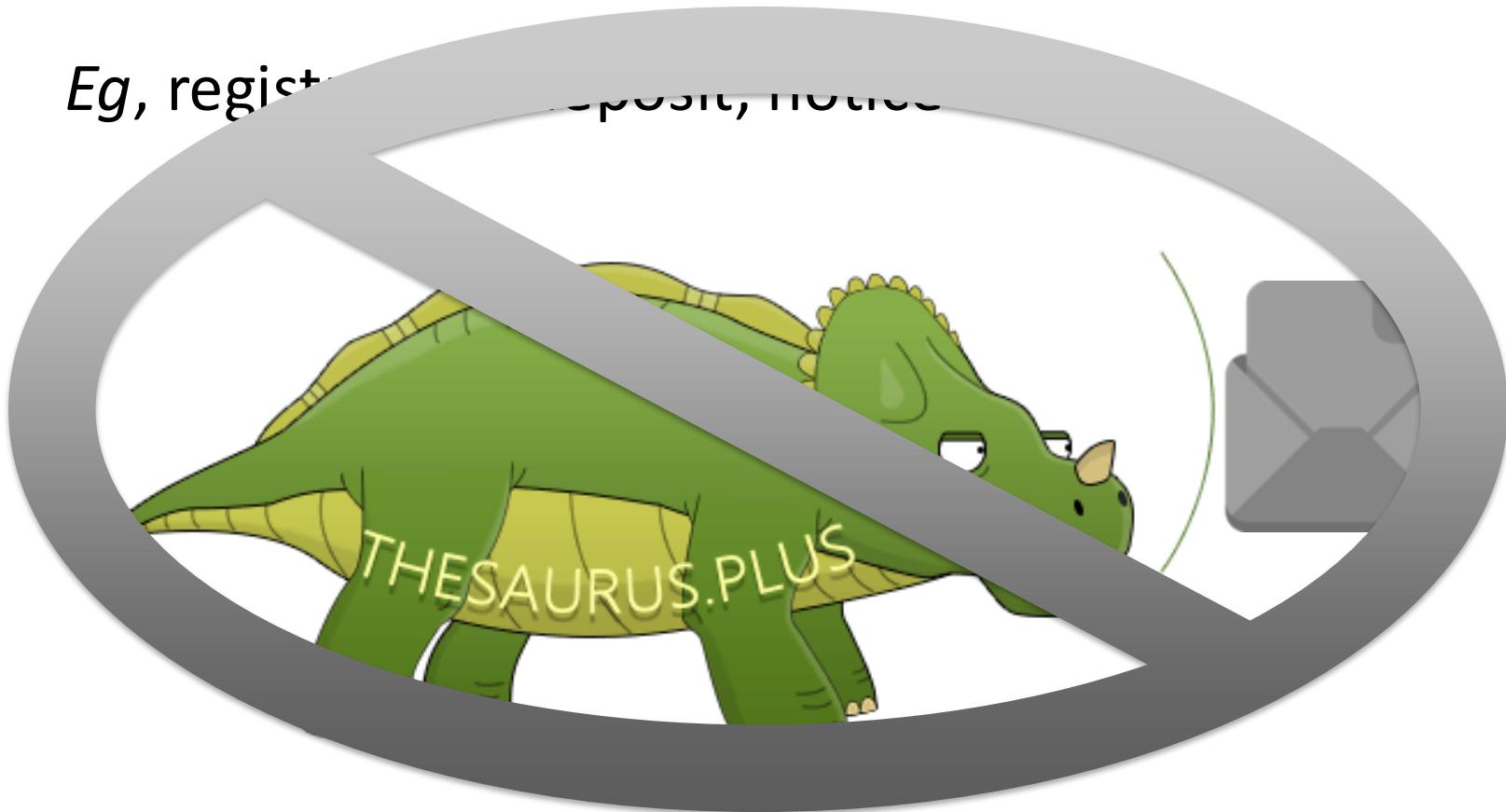


Formalities

“not subject to any formality”

Eg, register

deposit, notice



Originality

Original to you



2014



Ellen DeGeneres
 @EllenDeGeneres

...

If only Bradley's arm was longer. Best photo ever. #oscars



3:06 AM · Mar 3, 2014

(When) is there copyright in a selfie?

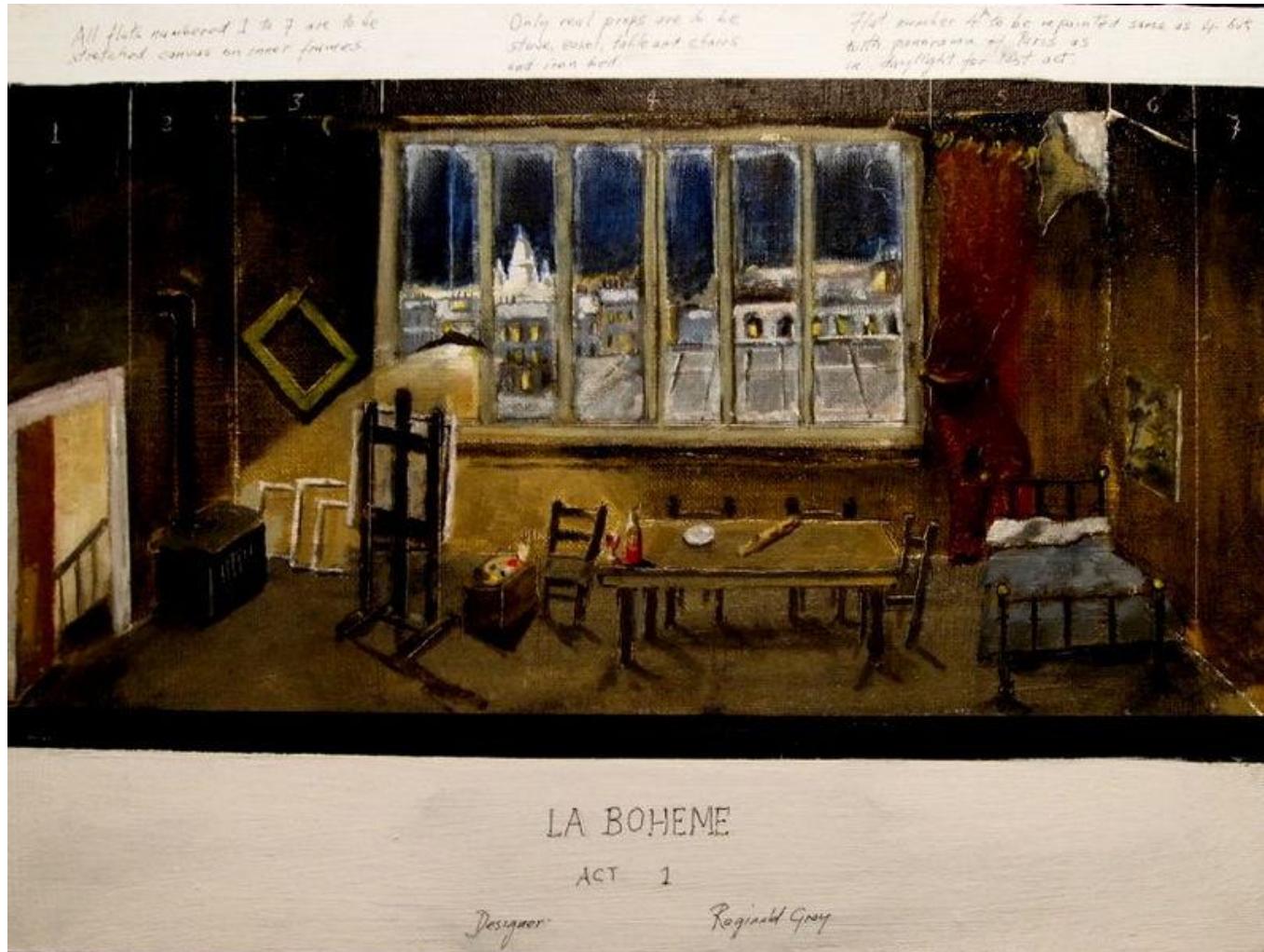
 **Ellen DeGeneres** 
@EllenDeGeneres

If only Bradley's arm was longer. Best photo ever. #oscars 



Is copyright in the Dolby Theatre, Samsung, Ellen, Bradley, **or anybody?**

Rights holders



Author



Class participation



Pop Quiz



Does the monkey or the photographer have copyright in the monkey selfie?



2011



Does Naruto or Slater ***or anybody*** have copyright in the monkey selfie?

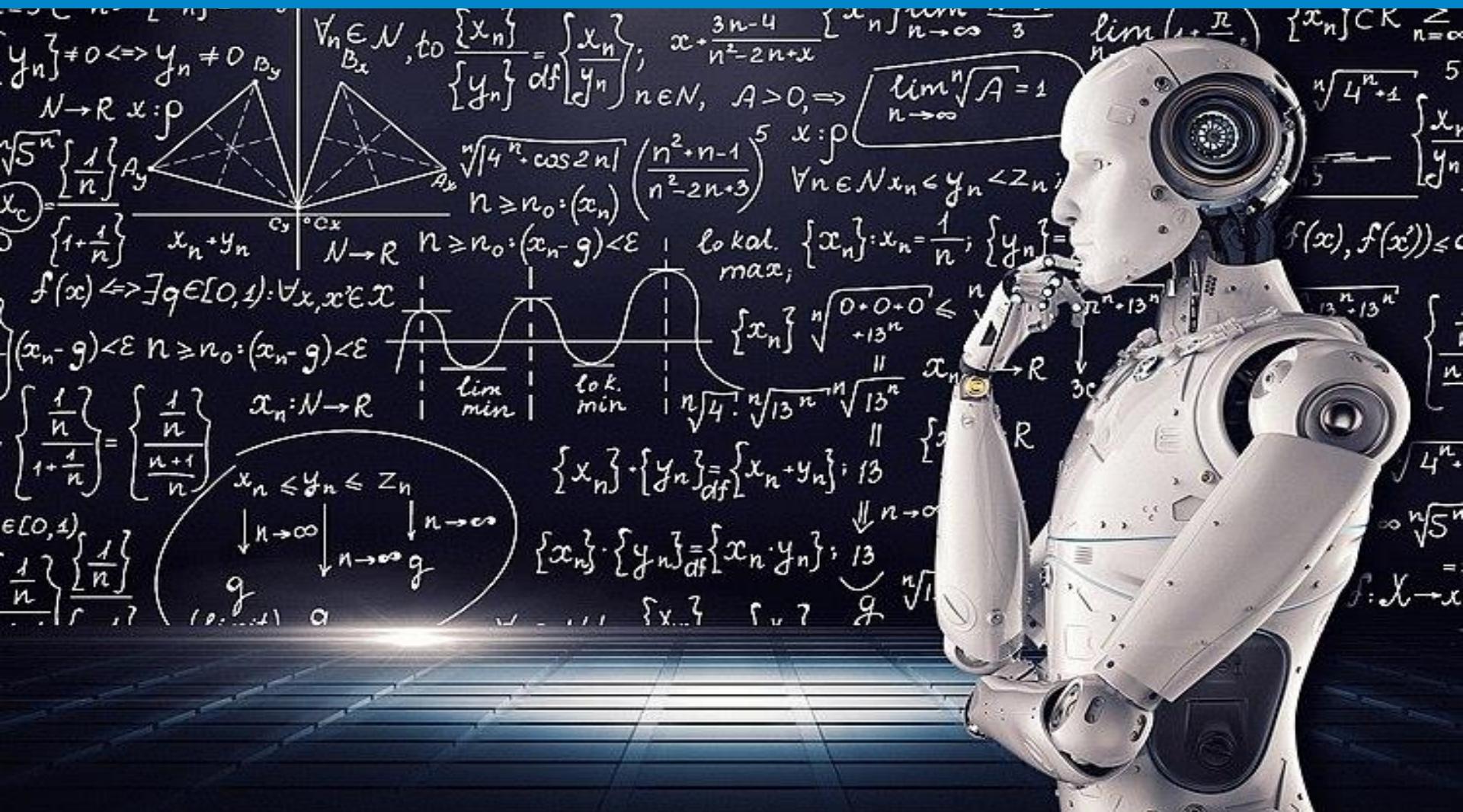
Naruto [PETA] v Slater

(No 3:2015cv04324; ND Cal, 2016 *aff'd* 888 F3d 418 (9th Cir, 2018))



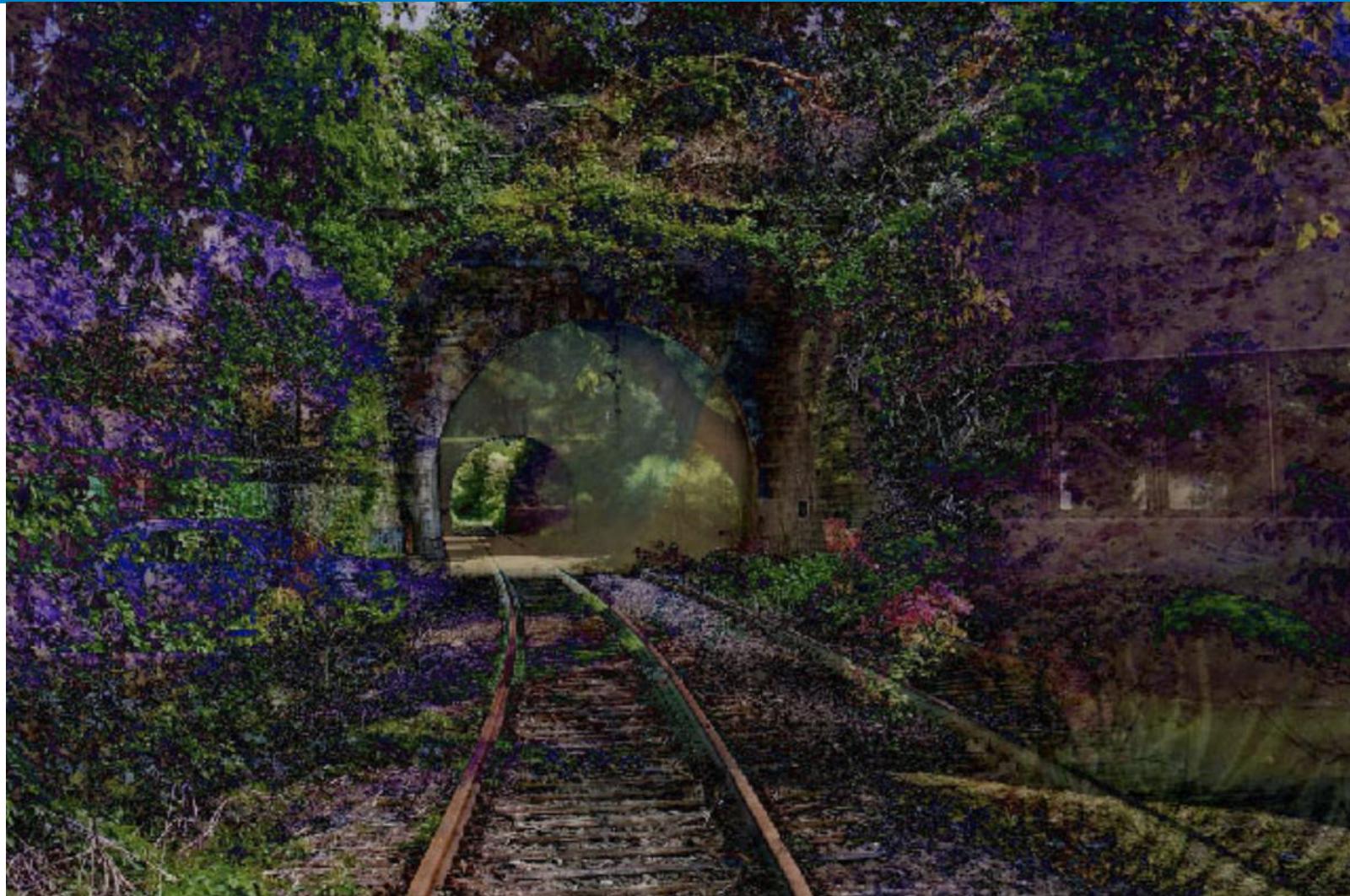
Naruto not a person, so can't have copyright in the monkey selfie

In the case of AI, who is the author, and where is the intellectual creation?



A Recent Entrance to Paradise (2012)

by [Stephen Thaler and/or] Creativity Machine



A Recent Entrance to Paradise (2012) by [Stephen Thaler and/or] Creativity Machine

Stephen Thaler



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Economist

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1843magazine

**The inventor who fell
in love with his AI**

≡ WIRED

SECURITY POLITICS GEAR THE BIG STORY MORE ▾

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WILL BEADINGFIELD BUSINESS AUG 31, 2023 7:00 AM

The Inventor Behind a Rush of AI Copyright Suits Is Trying to Show His Bot Is Sentient

Stephen Thaler's series of high-profile copyright cases has made headlines worldwide. He's done it to demonstrate his AI is capable of independent thought.

Thaler v Perlmutter

(No 1:2022cv01564; DDC (Howell J) 18 August 2023)

Courts have uniformly declined to recognize copyright in works created absent any human involvement, even when, for example, the claimed author was divine.

This case presents only the question of whether a work generated autonomously by a computer system is eligible for copyright. In the absence of any human involvement in the creation of the work, the clear and straightforward answer is the one given by the Register: No.



Howell J



There must be a human in the loop



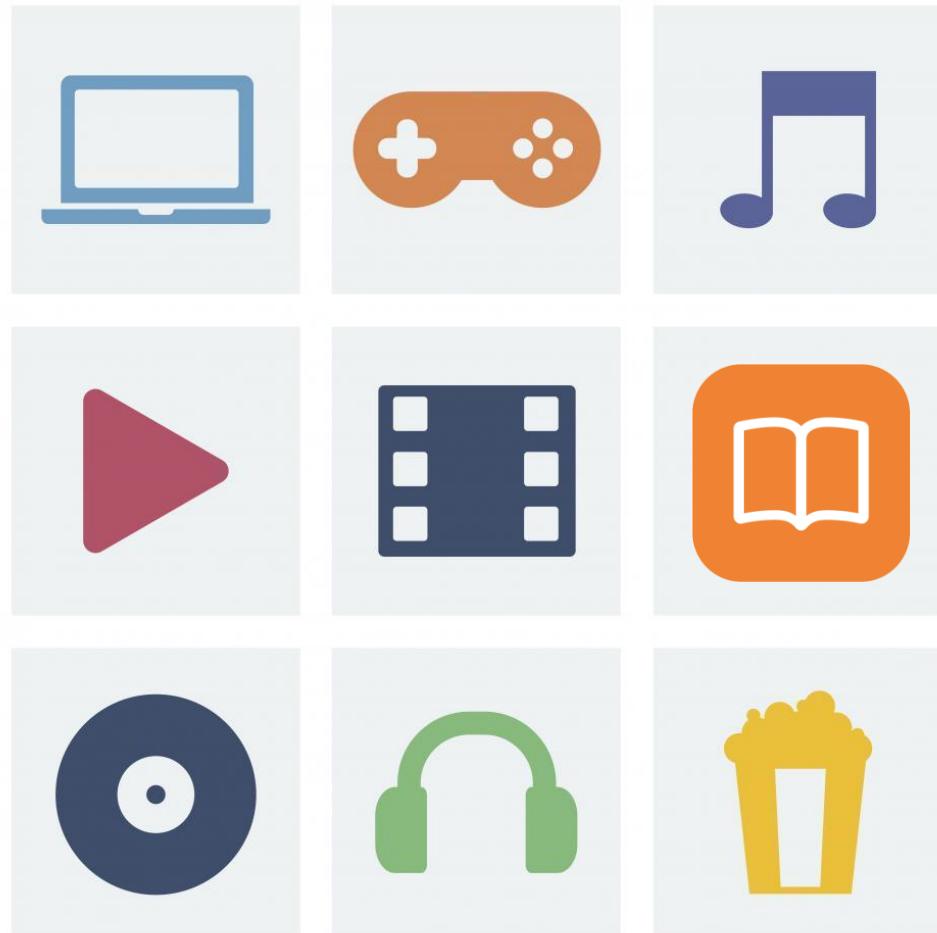
Théâtre D'opéra Spatial (2022)

by Jason Michael Allen and Midjourney

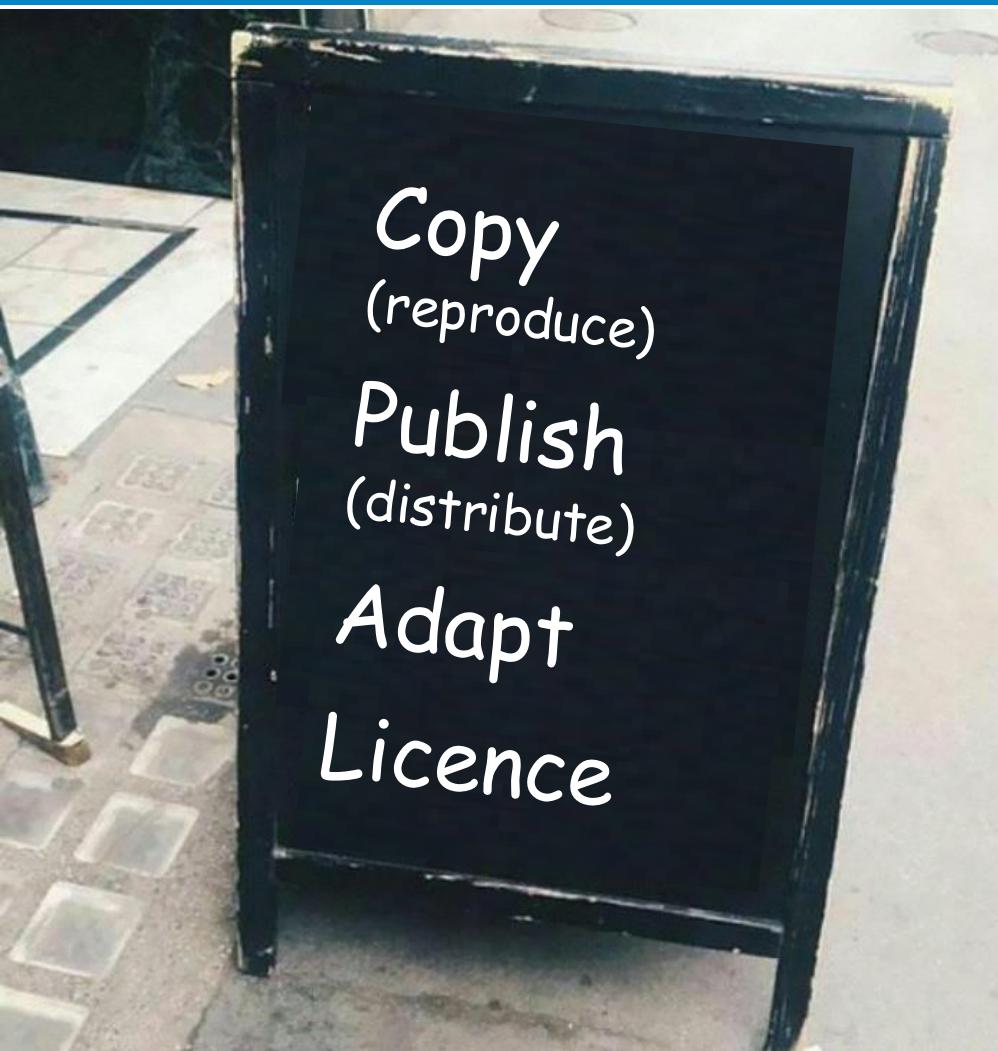


Too much Midjourney; not enough Allen; no CO registration; appeal

Rights holders



Rights holders' copyright rights



What's the most important of these rights in practice?



A<DOE<<<<<IRL<00000000X000

Rights holders' copyright rights



WHO WE ARE WHAT

ABOUT CC LICENSES

Creative Commons licenses give everyone from individual creators to large institutions a standardized way to grant the public permission to use their creative work under copyright law. From the reuser's perspective, the presence of a Creative Commons license on a copyrighted work answers the question, *What can I do with this work?*

GDPR Data Subject Rights

The image shows a screenshot of the Trinity College Dublin website. At the top, there is a blue header bar with the college's crest and name. Below the header is a navigation menu with links for Students, Courses, Research, Faculties & Schools, Alumni, A-Z, and Gaeilge. A search bar is also present. The main content area features a large photograph of the historic stone building of Trinity College. Overlaid on the left side of the photo is a blue rectangular box containing the text "Welcome to Trinity" and "Why choose Trinity?". In the bottom right corner of the image, there is a white, torn-paper effect graphic. The footer of the website is dark grey and contains several links: Accessibility, Privacy (which is circled in red), Disclaimer, Cookie policy, Cookies Settings, and Contact.

Trinity College Dublin
Coláiste na Trionóide, Baile Átha Cliath
The University of Dublin

Students Courses Research Faculties & Schools Alumni A-Z Gaeilge

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Welcome to Trinity

Why choose Trinity?

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[YOUR DATA](#) FOR ORGANISATIONS RESOURCES WHO WE ARE NEWS AND MEDIA DATA PROTECTION OFFICERS

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[Home](#) » [Your Data](#) » Exercising your Rights

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 - > The reasons for not taking action.
 - > The possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy (through the courts).

Instructions

Reflective essay; **due 5pm (Irish Time) Tue 12 Nov 2024**; via Blackboard.

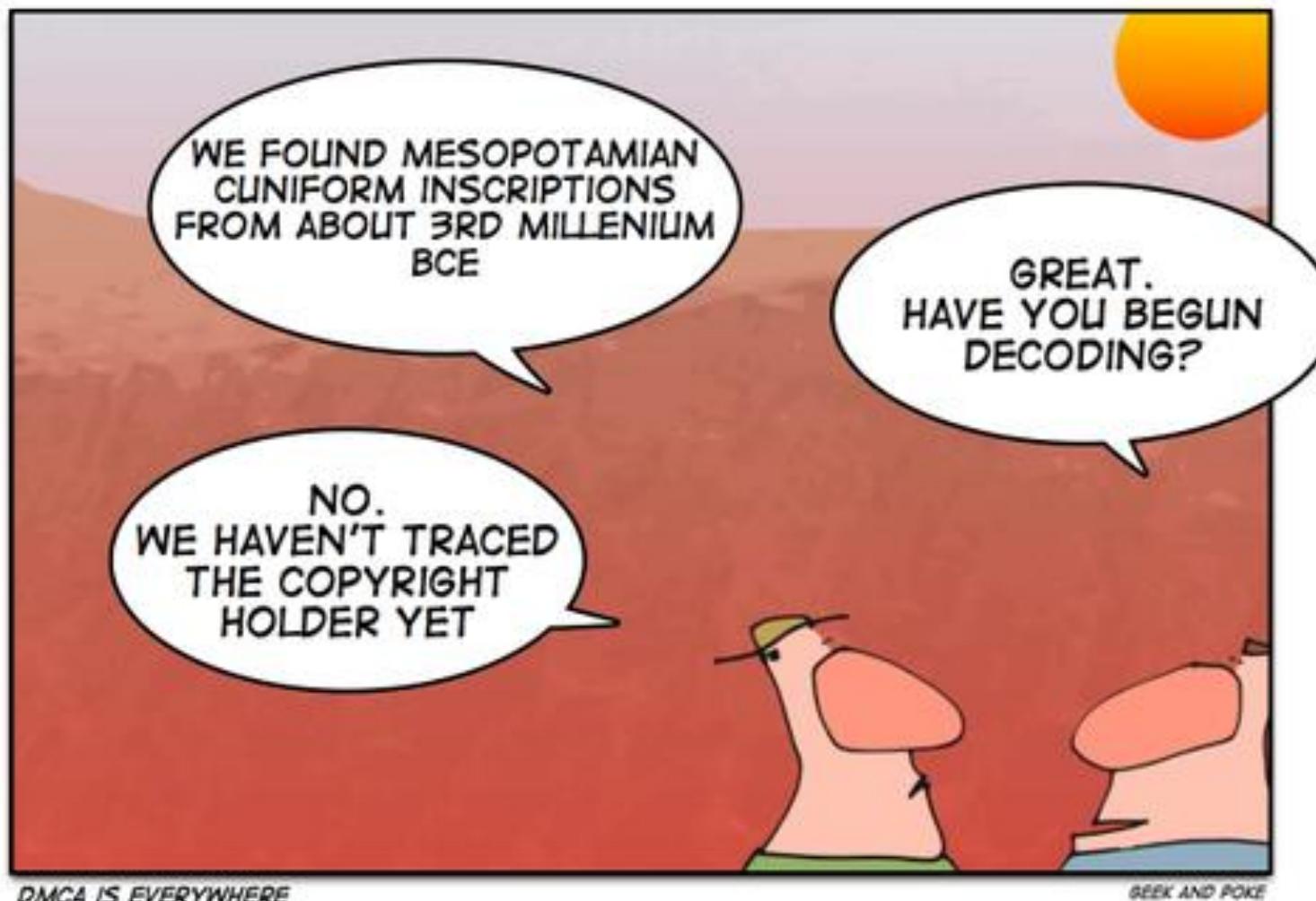
If you are conducting a **SAR** or **RTBF** request, please explain things like:

- why you chose the service to which you made your request;
- how you went about it; and
- how, if at all, they responded.

If you are engaging with a **privacy policy** or **open source copyright licence**, please explain things like

- why you chose the policy or licence in question;
- how you went about assessing it; and
- whether you felt it was accessible and transparent and successful.

Copyright term



Term

KIT CONNOR

RACHEL ZEGLER

ROMEO + JULIET

music by

HOWARD SHORE

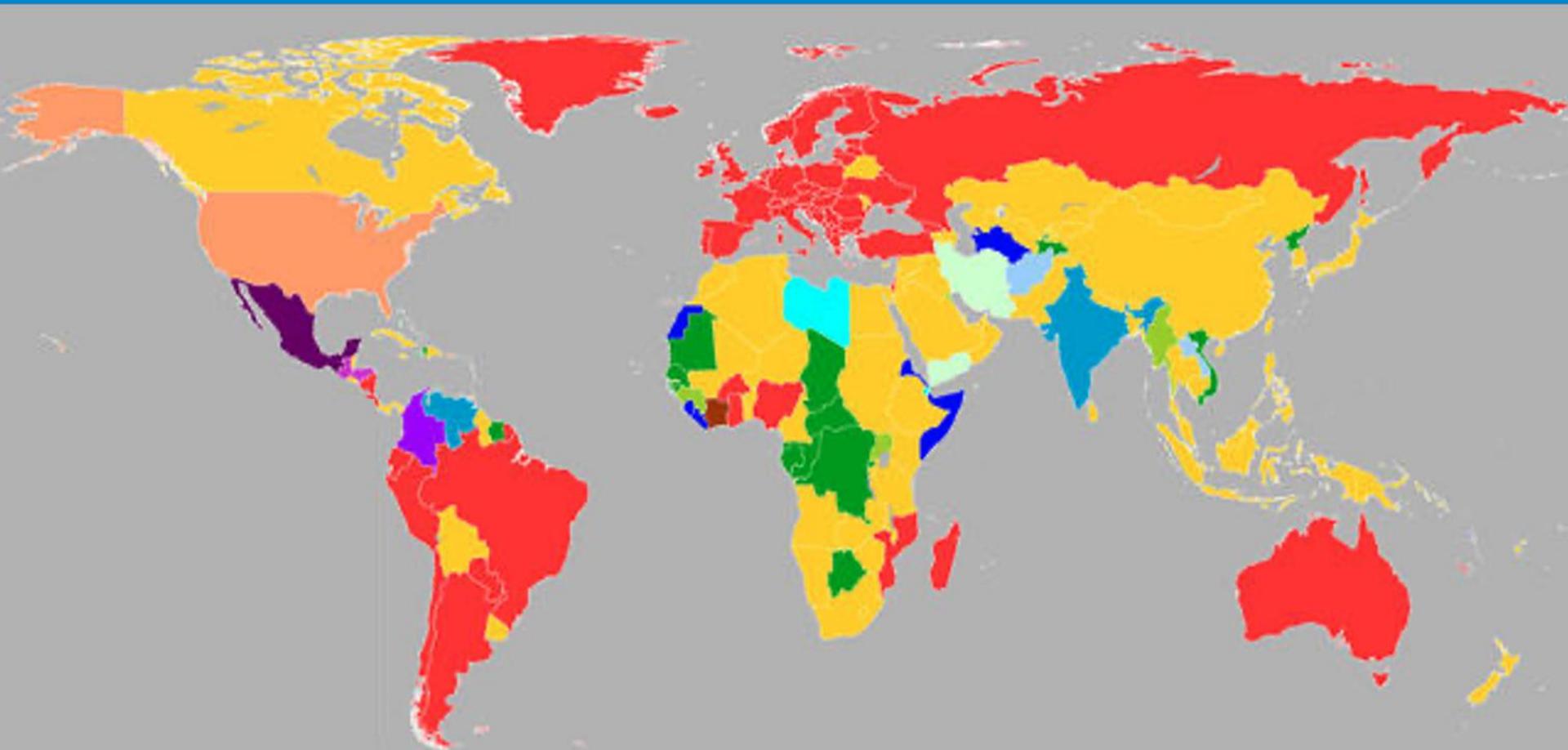
movement by

CONRAD TAVERNIER

directed by

©1597 written by W. SHAKESPEARE

Copyright term



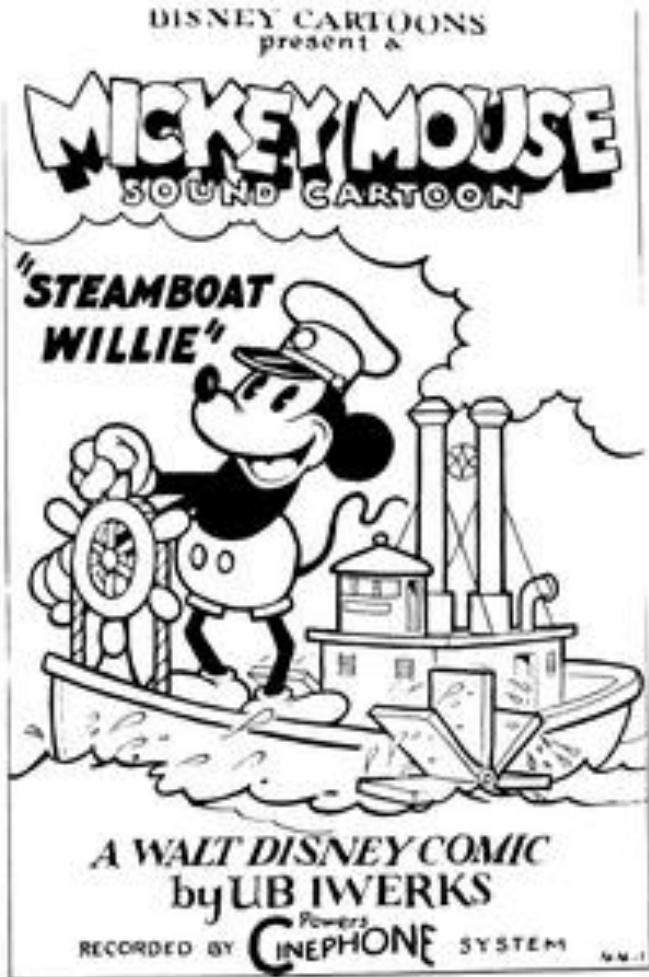
Life + 100

Life + ≥ 95

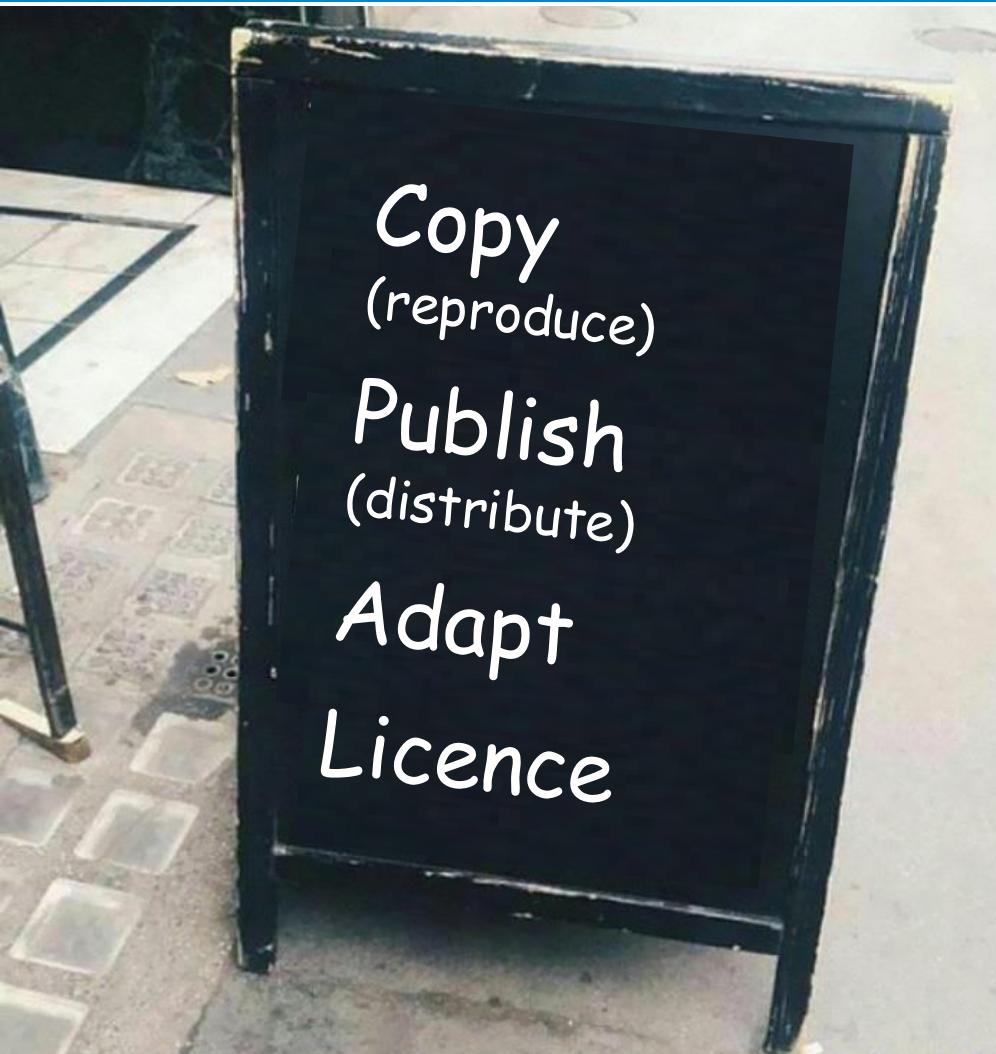
Life + 70

Life + 50

Out of copyright / not in copyright



Infringement



AI & Infringement – Input Infringement



LAION ev v Kneschke

(Regional Court, Hamburg, 27 September 2024)

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LAION



Large-scale Artificial Intelligence Open Network

TRULY OPEN AI. 100% NON-PROFIT. 100% FREE.

LAION, as a non-profit organization, provides datasets, tools and models to liberate machine learning research. By doing so, we encourage open public education and a more environment-friendly use of resources by reusing existing datasets and models.

Re-LAION 5B release (30.08.2024)

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LAION-5B: A NEW ERA OF OPEN LARGE-SCALE MULTI-MODAL DATASETS

by: Romain Beaumont, 31 Mar, 2022

We present a dataset of 5.85 billion CLIP-filtered image-text pairs, 14x bigger than LAION-400M, previously the biggest openly accessible image-text dataset in the world - see also our [NeurIPS2022 paper](#)

Robert Kneschke



AI & Infringement – Output Infringement



Shanghai CLA Co Ltd v A Yue

(Guangzhou Internet Court; 8 February 2024)



Ultraman



Image Generated on TAB (1)

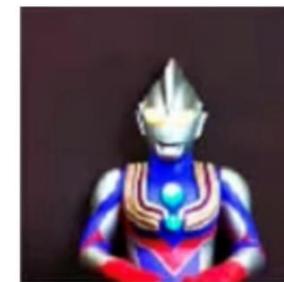


Image Generated on TAB (2)

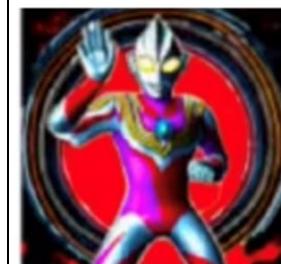


Image Generated on TAB (3)



Image Generated on TAB (4)

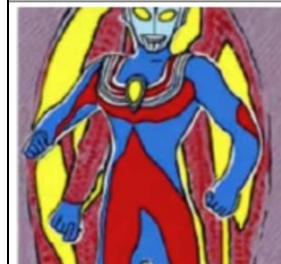


Image Generated on TAB (5)



Image Generated on TAB (6)

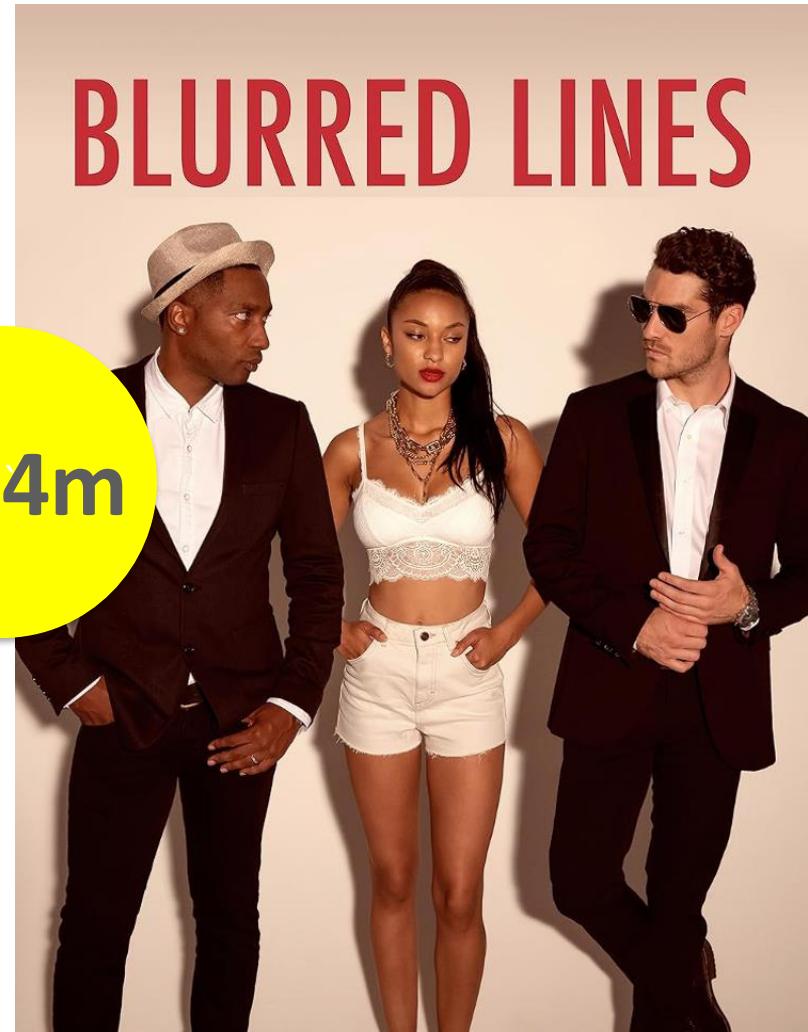
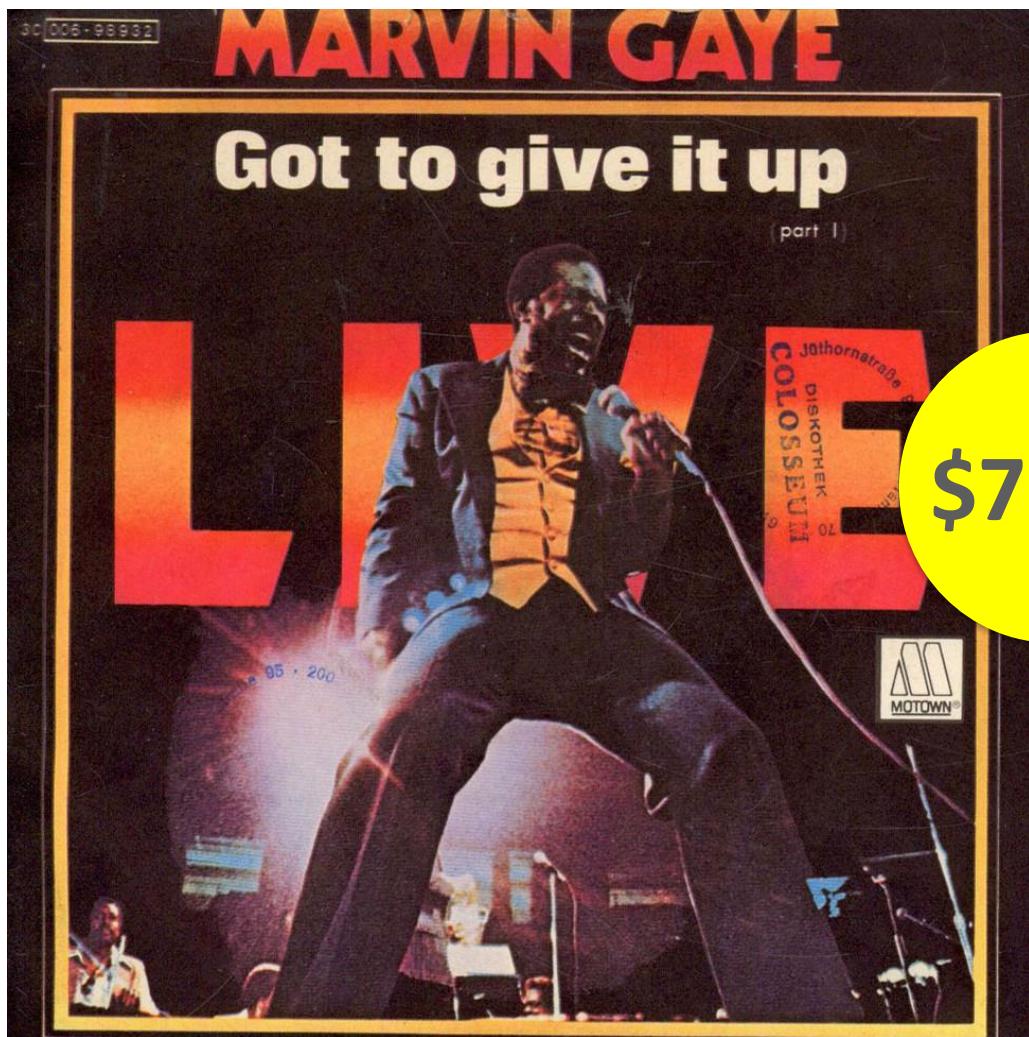
Infringing AI-generated images

Litigation

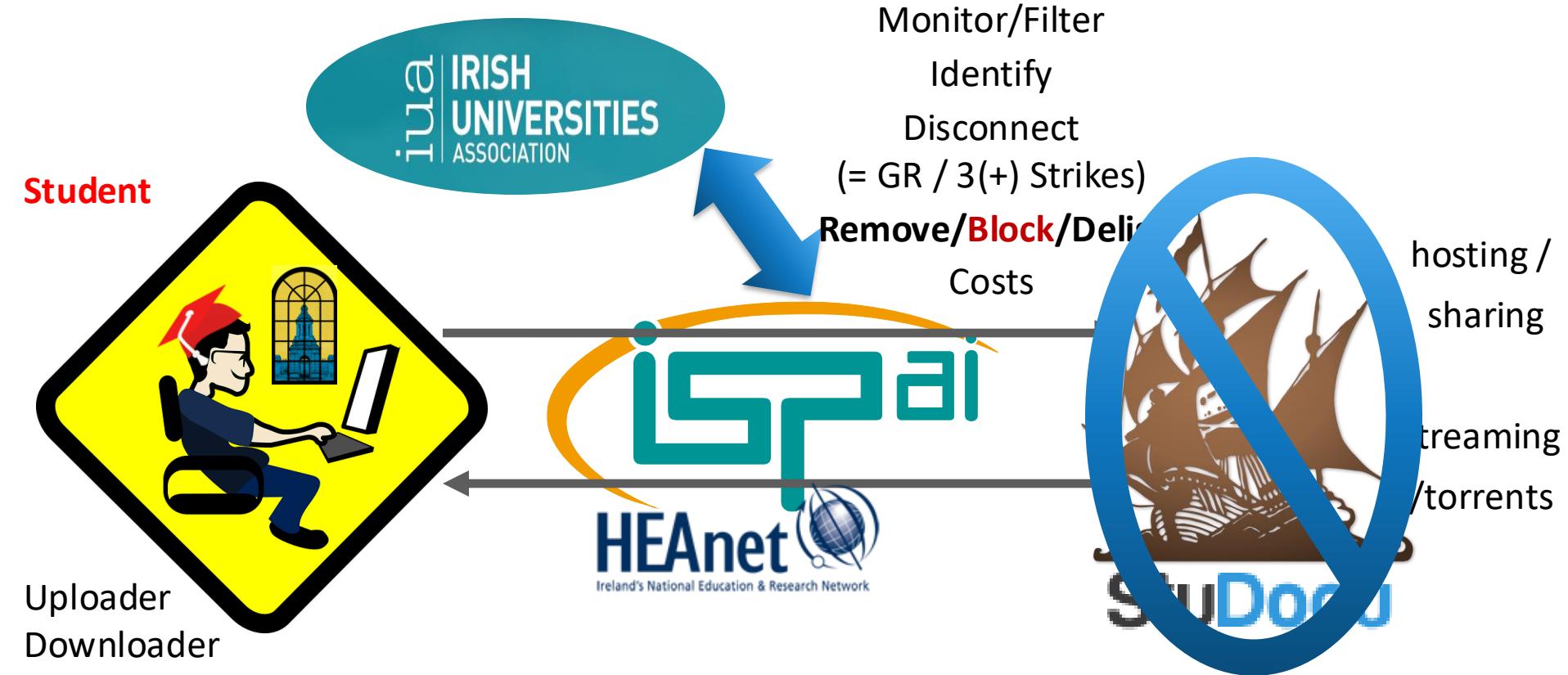
LAWSUITS 32+ V. AI THE TRIAL OF AI



Remedies: damages



Remedies - injunctions



Uploader
Downloader

Censorship



Freedom of Expression



BUNREACHT NA hÉIREANN
CONSTITUTION OF IRELAND

Freedom of Expression: Article 40(6)

- 1° The State guarantees liberty for the exercise of the following rights,
- (i) The right of the citizens to express freely their convictions and opinions.

Freedom of Expression: Article 40(6)

1° The State guarantees liberty for the exercise of the following rights, subject to public order and morality: –

(i) The right of the citizens to express freely their convictions and opinions.

Freedom of Expression: Article 40(6)

1° The State guarantees liberty for the exercise of the following rights, subject to public order and morality: –

(i) The right of the citizens to express freely their convictions and opinions.

The publication or utterance of blasphemous, seditious or indecent matter is an offence which shall be punishable in accordance with law.

Freedom of Expression: Article 40(6)

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Freedom of Expression: Article 40(6)

1° The State guarantees liberty for the exercise of the following rights, subject to public order and morality: –

(i) The right of the citizens to express freely their convictions and opinions.

The education of public opinion being, however, a matter of such grave import to the common good, the State shall endeavour to ensure that organs of public opinion, such as the radio, the press, the cinema, while preserving their rightful liberty of expression, including criticism of Government policy, shall not be used to undermine public order or morality or the authority of the State.

The publication or utterance of seditious or indecent matter is an offence which shall be punishable in accordance with law.

Murphy v IRTC

[1991] 1 IR 120, [1998] 2 ILRM 360

**What think ye
of Christ?**

MAT. xxii. v42



Whose son is he?

Will you like Peter, boldly say "*I believe He is the son of the living God*". If so, what is your belief based on? The Apostle Paul said, "*If Christ be not risen our faith is in vain*".^{1Cor. xv. 15 - v14}

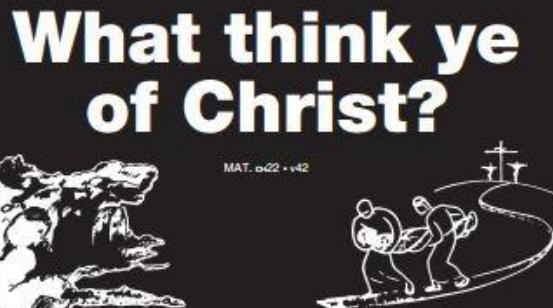
The Resurrection of Christ, therefore, is central to our Christian faith.

The Irish Faith Centre will present, for the whole of Easter Week, an hour long video by Dr. Gene Scott Ph.D., on the evidence for the Resurrection, commencing on: Monday 14th April to Saturday 19th April every night at 8.30pm and Sunday 20th April at 11.30am All are welcome to come and see it.

Irish Faith Centre
360a Nth. Circular Rd, Doyles Corner,
Phibsborough, Dublin 7.
WWW.IRISHFAITHCENTRE.IE

Murphy v IRTC

[1991] 1 IR 120, [1998] 2 ILRM 360



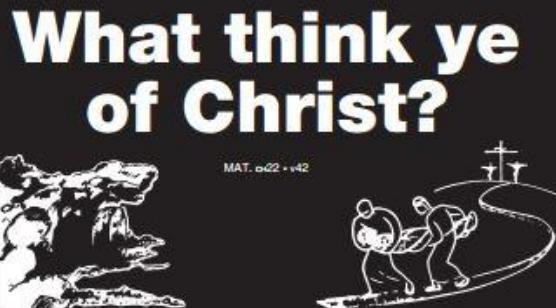
Irish Faith Centre

360a Nth. Circular Rd, Doyles Corner,
Phibsborough, Dublin 7.
WWW.IRISHFAITHCENTRE.IE

Restriction

Murphy v IRTC

[1991] 1 IR 120, [1998] 2 ILRM 360



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Restriction
Right

Freedom of Expression: Article 40(6)

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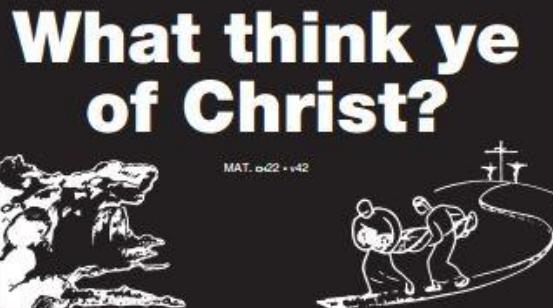
(i) **The right of the citizens to express freely their convictions and opinions.**

The education of public opinion being, however, a matter of such grave import to the common good, the State shall endeavour to ensure that organs of public opinion, such as the radio, the press, the cinema, while preserving their rightful liberty of expression, including criticism of Government policy, shall not be used to undermine public order or morality or the authority of the State.

The publication or utterance of seditious or indecent matter is an offence which shall be punishable in accordance with law.

Murphy v IRTC

[1991] 1 IR 120, [1998] 2 ILRM 360



Irish Faith Centre

360a Nth. Circular Rd, Doyles Corner,
Phibsborough, Dublin 7.
WWW.IRISHFAITHCENTRE.IE

Restriction

Right

Reason

Freedom of Expression: Article 40(6)

1° The State guarantees liberty for the exercise of the following rights, subject to public order and morality: –

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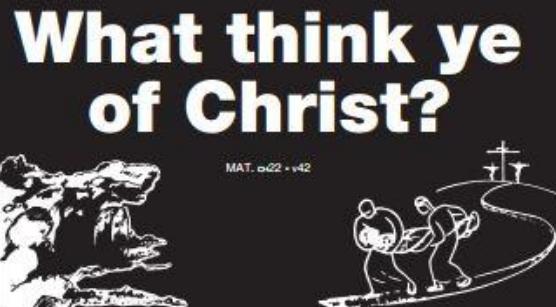
The education of public opinion being, however, of such grave import to the common good, the State shall use all its endeavours to ensure that organs of public information, radio, the press, the cinema, while preserving the freedom of expression, including criticism of Government policy, shall not be used to undermine **public order** or **morality** or the authority of the State.

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The Irish Faith Centre will present, for the whole of Easter Week, an hour long video by Dr. Gene Scott Ph.D., on the evidence for the Resurrection, commencing on: Monday 14th April to Saturday 19th April every night at 8.30pm and Sunday 20th April at 11.30am All are welcome to come and see it.

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Restriction

Right

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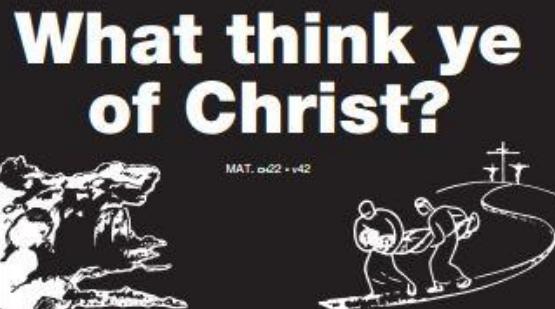
Review

Review Proportionality



Murphy v IRTC

[1991] 1 IR 120, [1998] 2 ILRM 360



What think ye of Christ?
Whose son is he?
Will you like Peter, boldly say "*I believe He is the son of the living God*". If so, what is your belief based on? The Apostle Paul said, "*If Christ be not risen our faith is in vain*".^{1Cor. xv:15 - v14}
The Resurrection of Christ, therefore, is central to our Christian faith.

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4 Rs

Restriction

Right

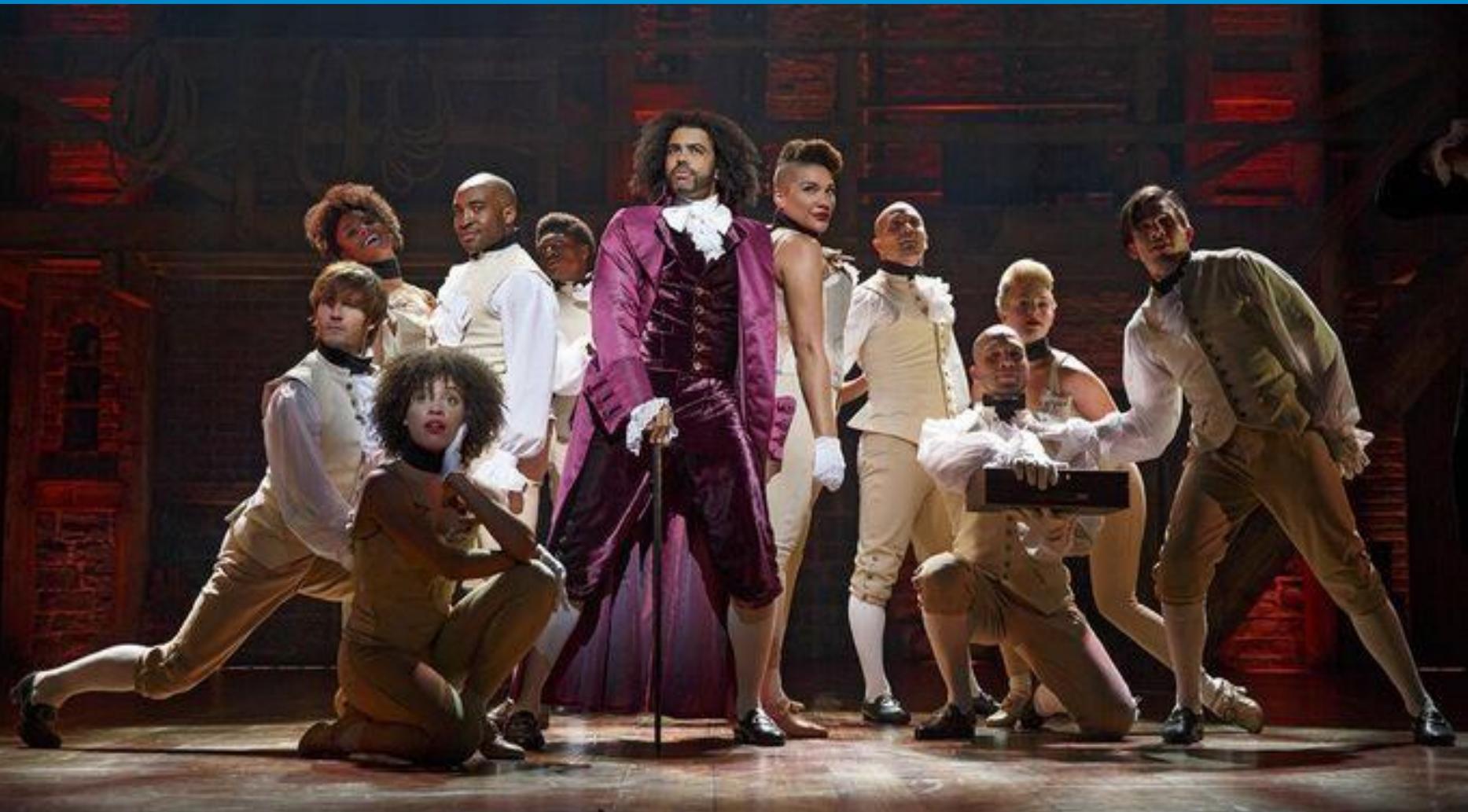
Reason

Review

What is this?



What I'd miss?



Any questions?



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Thank you



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