

# Augmented Reality Law: Privacy, Ethics, and the Future of Mixed Reality

Augmented reality (AR) is a technology that superimposes a computer-generated image on a user's view of the real world, thus providing a composite view. AR has many potential applications, including gaming, education, healthcare, and manufacturing. However, AR also raises a number of legal and ethical concerns, including privacy, copyright, and safety.

## Privacy

One of the biggest concerns about AR is the potential for privacy violations. AR devices can collect a wealth of data about users, including their location, movements, and even their gaze. This data could be used to track users' movements, identify them, and even create a profile of their interests. In some cases, this data could be used to target users with advertising or even to discriminate against them.



## Augmented Reality Law, Privacy, and Ethics: Law, Society, and Emerging AR Technologies by Sophie Beer

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There are a number of laws that protect user privacy in the United States, including the Fourth Amendment to the Constitution, the Privacy Act of 1974, and the Children's Online Privacy Protection Act (COPPA). These laws generally prohibit the collection of personal information without the user's consent. However, there is some debate about whether or not AR devices are subject to these laws.

The Fourth Amendment protects individuals from unreasonable searches and seizures. It is not clear whether or not the collection of data by AR devices constitutes a search. The Privacy Act of 1974 prohibits the government from collecting personal information about individuals without their consent. However, it is not clear whether or not AR devices are subject to this law.

COPPA prohibits the collection of personal information from children under the age of 13 without the consent of their parents. It is clear that AR devices are subject to COPPA. However, it is not always easy to determine whether or not a particular AR device is collecting personal information from children.

In addition to these federal laws, there are a number of state laws that protect user privacy. These laws vary from state to state, but they generally prohibit the collection of personal information without the user's consent.

Businesses that are developing or using AR technology should be aware of the privacy risks and should take steps to protect user privacy. These steps include:

- Providing users with clear and concise privacy policies that explain how their data will be collected and used.

- Obtaining user consent before collecting any personal information.
- Using data security measures to protect user data from unauthorized access.
- Limiting the collection of personal information to what is necessary for the operation of the AR device.
- Providing users with the ability to opt out of data collection.

## **Copyright**

Another concern about AR is the potential for copyright infringement. AR devices can be used to create and display copyrighted works, such as images, videos, and music. If the user does not have permission to use the copyrighted work, they may be infringing on the copyright holder's rights.

The Copyright Act of 1976 protects copyrighted works from unauthorized reproduction and distribution. The Copyright Act also provides for a number of exceptions to copyright infringement, such as fair use. Fair use allows the use of copyrighted works for certain purposes, such as criticism, commentary, news reporting, and education.

It is not always clear whether or not the use of copyrighted works in AR is considered fair use. In some cases, the use of copyrighted works in AR may be considered a transformative use, which is a factor that weighs in favor of fair use. However, in other cases, the use of copyrighted works in AR may be considered a commercial use, which is a factor that weighs against fair use.

Businesses that are developing or using AR technology should be aware of the copyright risks and should take steps to protect themselves from

copyright infringement. These steps include:

- Obtaining permission from the copyright holder before using any copyrighted works.
- Using copyrighted works in a way that is considered fair use.
- Providing attribution to the copyright holder when using copyrighted works.
- Respecting the copyright holder's rights.

## **Safety**

Another concern about AR is the potential for safety risks. AR devices can be used to create and display virtual objects that appear to be in the real world. These virtual objects can be distracting and can cause users to lose their sense of balance. In some cases, AR devices can even cause users to collide with objects in the real world.

There are a number of laws that protect public safety, such as the Occupational Safety and Health Act (OSHA) and the Consumer Product Safety Act (CPSA). These laws generally require businesses to take steps to protect the public from hazards. It is not clear whether or not AR devices are subject to these laws.

Businesses that are developing or using AR technology should be aware of the safety risks and should take steps to protect users from

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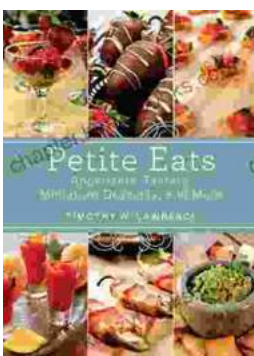


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