

PRIVACY IN CYBERSPACE: WHO OWNS YOUR EMAIL?

IT HAPPENS ALL THE TIME. You receive an email that's so outrageous you just have to share it with a few colleagues. Soon, it's all over the office. An offended co-worker tells the boss, who accesses your personal email. Suddenly, you're fired. You cry "privacy!" Your employer says "Too bad!" And, according to Stephen Lichtenstein and Gerald Ferrera of the Bentley Global CyberLaw Center, you lose...probably. Because the law is far from settled in cyberspace.

STEPHEN D. LICHTENSTEIN & GERALD R. FERRERA, Bentley Global CyberLaw Center



Stephen D. Lichtenstein (L), Professor of Law, chairs the Law, Taxation and Financial Planning Department at Bentley and is Co-Director of the Bentley Global CyberLaw Center. Gerald R. Ferrera (R), Gregory H. Adamian Professor of Law, is Founder and Executive Director of the Bentley Global CyberLaw Center.

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AS CO-AUTHORS OF THE DEFINITIVE TEXT ON CYBERLAW, WHAT ADVICE DO YOU HAVE FOR THOSE OF US IN THE WIRED WORKPLACE?

SL: First of all, you should know that workplace privacy is an oxymoron.

GF: There's no reasonable expectation of privacy if you are emailing, blogging or otherwise communicating at work, even if it's personal.

Q+A

BUT WHO OWNS MY EMAILS?

GF: As the author, you own the copyright; on the other hand, the recipient may own the email itself. In fact, the company, or even the network may claim to own it — the law is just catching up to these issues.

AND AFTER I'M GONE?

GF: Again, there is little case law on this. If you were a celebrity, politician or scientist, your emails could be very valuable upon your death. The issue of ownership is a hot topic.

WHAT ARE THE OTHER EMERGING ISSUES IN CYBERLAW?

SL: A big one for consumers is data collection. How long do companies keep your personal information and for what purpose? We should all be asking: "Do you really need my social security number?"

THERE'S SECURITY, PRIVACY, COPYRIGHT...

GF: Patents, defamation, obscenity... you have only to look at the CyberLaw Center website to realize how many hot topics there are. There's been an international sea change in the way we communicate, conduct business and access entertainment—and it all has legal repercussions.

MORE Professors Lichtenstein and Ferrera discuss their work at www.bentley.edu/research



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