

COMBATting CREEPINESS IN BIG DATA

JUSTIN KOPLOW
33RD ANNUAL TECHNOLOGY LAW CONFERENCE
MAY 22, 2020

CREEPY IS ALL AROUND US...

The collage features three news articles:

- Washington Post:** "To Escape Lockdown, Don't Be Creepy With Health Data" by Alex Webb | Bloomberg. The article discusses the challenges of contact-tracing apps during the COVID-19 pandemic, noting that while 80% of smartphone users in the U.K. use such apps, they often lack widespread adoption. It also mentions concerns about centralized data collection in the U.S. and the potential for misuse, such as in Maryland's "nanny state" program.
- The New York Times:** "What if We All Just Sold Non-Creepy Advertising?" by Gabriel Weinberg. An opinion piece from the "THE PRIVACY PROJECT" that argues that while big ad-tech companies know how to sell ads without damaging privacy, they often choose not to.
- The New York Times:** "A 'Creepy' Assignment: Pay Attention to What Strangers Reveal in Public" by Kate Klonick. An opinion piece discussing a classroom exercise designed to help students understand the risks to privacy in everyday, offline lives.

At the bottom of the collage, there is a colorful graphic of a stylized face with large eyes and a caption: "How to cross the 'uncanny valley,' the point at which the technology becomes too creepy and weird." To the right, a small illustration shows a person with a backpack, and a caption reads: "A SURVEY PARTICIPANT TO DATA".

TODAY'S AGENDA



3

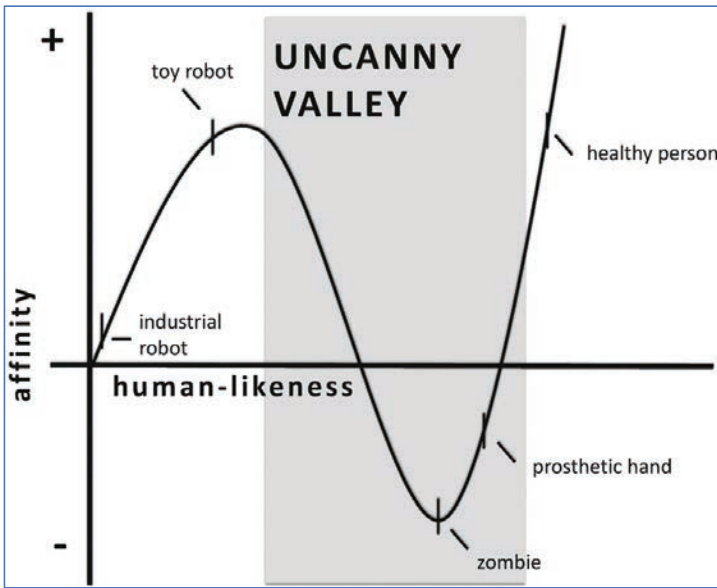
CREEPLY IN CONCEPT

“CREEPLY” IS:

1. SCARY
2. BUT I DON'T KNOW.

4

THE UNCANNY VALLEY



• Prof. Masahiro Mori

- I have noticed that, in climbing toward the goal of making robots appear human, our affinity for them increases until we come to a valley, which I call the *uncanny valley*.
- Since I was a child, I have never liked looking at wax figures. They looked somewhat creepy to me. At that time, electronic prosthetic hands were being developed, and they triggered in me the same kind of sensation. These experiences had made me start thinking about robots in general, which led me to write that essay. The uncanny valley was my intuition. It was one of my ideas.

5

CREEPIEST EXAMPLES



Cambridge Analytica



Face app



Event	Scary	I Don't Know
Target	✗	✓
Cambridge Analytica	✓	✓
Face app	✗	✓
COVID Location Tracking	✓	✗
Clearview AI	✓	✓

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Combatting Creepiness in Big Data

Also available as part of the eCourse

[2020 Technology Law eConference](#)

First appeared as part of the conference materials for the
33rd Annual Technology Law Conference session

"Combatting Creepiness in Big Data"