

An analysis on the unauthorized publication of celebrity image casestudy: icloud hacking / Dhan Partap Kaur

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Abstrak

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The recent hacking of cloud storage service iCloud had shown that in the era of globalization where media rules the world, access to information is barely restricted. Especially with the use of high technology gadgets and social media, anyone can easily obtain information, even the ones that the owner did not intend to convey to other people. The spreading of information without the consent of the concerned is especially common in the case of celebrities. The hacked iCloud account of Hollywood celebrities caused the spread of various celebrities' nude pictures that were taken from their electronics' cloud storage service, which was taken by the hacker and was exchanged for Bitcoins in various Internet platforms. Based on the aforementioned occurrence, this research is going to analyse the on-going discussion of how does Indonesian positive law support the protection of celebrities' personality right in the event of unauthorized publication and commercialization of celebrity image, which party should be the liable party in the event of unauthorized publication and commercialization of celebrity image through Internet media, and to what extent should celebrities as user of cloud storage service is held responsible for their action of uploading image to iCloud. First this research will define who are included in the category of celebrities and what is meant by cloud storage. The research would further approach the issue through existing positive law in Indonesia including copyright law and information and electronic transaction law. It will then strive to find the answers to the research questions on determining who are liable in this issue and whether celebrities as uploader can also be held liable as determined by implementing law.