General Instructions

1. For each page, synthesize the reading and research by writing in complete sentences in essay format.
   a. Use the green instructions in the notes below each page to focus your research and writing.
   b. Write about each question, prompt, or process provided in those notes.
   c. Write a full page of text with lots of detail (about 250 words).
      i. Don’t generalize so much that your writing is devoid of detail.
      ii. Don’t repeat yourself.
   d. Cite each source by adding a hyperlink in the Title of the Article or law.
   e. Do not change the template:
      i. Text must be 14 point Lato left-justified type.
      ii. Refrain from adding extra margins or double spacing.
      iii. Do not bullet the paragraphs. Write in essay format only.
   f. Add additional pages if you need more room.

2. Add all sources to the Bibliography page.
   a. Include author, year, title, publisher, and URL.
   b. Number or bullet them using the list button.
The article *The ‘Fair Use’ Rule: When Use of Copyrighted Material Is Acceptable* (n.d.) by Richard Stim discusses when the use of copyrighted material is not considered copyright infringement even though a person did not get permission to use the material. Specifically, the article focuses on *17 U.S. Code § 106*, which discusses the rights of the owner of the copyrighted material, and *17 U.S. Code § 107*, which discusses “fair use”, or circumstances where it is unnecessary to seek permission to use copyrighted material.

Under *17 U.S. Code § 106*, the owner of the copyright has the right to grant permission of use of their materials for various reasons. Examples of cases where use of copyrighted material may be authorized by the owner include public performance of choreographed material such as in a play or movie, and to make copies of written materials for public sale (Legal Information Institute (LII), 2002).

Under *17 U.S. Code § 107*, it is legal to use copyrighted material for reasons that include “criticism, comment, new reporting, teaching..., scholarship, or research” (LII, 1992). Stim states that people should consider five rules when determining whether the use of the material is considered fair use: (1) the material should be used to create something new, not copied, (2) the material should be used in a way that negatively affects the sales of the owner’s work, (3) the use of the material must fall under the fair use code even if you give credit to the creator, (4) if too much of the source material is used, it is not likely to be considered fair use, (5) if you use the most valuable parts of the source material, it is not likely to be considered fair use (Stim, n.d.).
The U.S. Department of Health and Human Services (HHS) has provided a webpage called Your Rights Under HIPAA (2017) which goes over the rights that people have over their medical records as well as reasons that their medical records may be shared with other corporate entities. Under the Health Insurance Portability and Accountability Act (HIPAA), people have the right to access their medical records, request changes to their records, and decide who they would like to share their medical records with, although there are some exceptions. Medical providers are allowed to share your medical records for certain reasons such as with insurance companies to obtain payment for services or with law enforcement in the case of an injury due to a crime.

Entities that must obey the laws of HIPAA include medical providers, insurance providers, “health care clearinghouses” and businesses these entities are associated with (HHS, 2017). These entities must secure patient information and aim to provide the least amount of health information necessary when sharing with other entities. There are entities that do not have to obey the laws under HIPAA such as schools, employers, and child protective services.

Patients have several rights over their health information which includes obtaining access to their medical records, obtain records of how and why their information has been shared, and authorize the sharing of medical records for specific reasons, such as with family members or for advertising. If a patient judges their rights to have been violated, they can file a complaint with the entity itself and with HHS.
The article [What is a pharming attack? Pharming Definition](2019) by Executech describes pharming as the process of directing internet users to fake websites that appear to be a real website, for example, a site that looks exactly like Google, but is not Google. The creator of the fake website has malicious intent once the user has accessed the site and the creator will try to obtain personal information from the user or invade their computer with viruses or malware.

In [Phishing and Pharming – The Evil Twins](2007), Tushar Srivastava explains how pharming websites are able to redirect traffic from the intended website to the pharmed website instead. He states that the invader changes the mapping in the Domain Name Service (DNS) which then directs users to the fake websites instead of the real thing. He explains that there are several methods of achieving this hack which include “DNS cache poisoning”, “usage of malwares”, and “domain hijacking” (Srivastava, 2007).

Executech states that users can try to detect these fake sites by inspecting the URL for typos, ensuring that there is an “S” at the end of the HTTP, and searching for minor changes that differentiate it from the real thing. Users can protect themselves from pharming by investing in software that detects these malicious sites for them, using Internet Service Providers (ISP) that are known to be trustworthy, and by being cautious when clicking links in emails and downloading content off of the internet. Srivastava states that users who think they have fallen victim to a pharming attack can report it to the Federal Trade Commission.
On the International Comparative Legal Guides (ICLG) page USA: Data Protection 2019, they provide a list of laws and regulations for protecting internet data. The ICLG explains that while there are broad federal laws regarding the protection of data, there are several federal laws that specific to certain sectors, such as the Gramm Leach Bliley Act which ensures the protection of personal data in the possession of banks and other financial entities, and each state has their own legislation for issues such as notifying residents in the case of a data breach.

The ICLG describes “key principles” that are to be used in the handling of personal information which include but are not limited to being honest with consumers about the data that they share and not retaining data beyond the purpose for which it was obtained. Users also have rights (all are “statute-specific”) regarding their personal data, for example, parents are allowed to obtain online information about their children if they are less than 13 years of age and consumers have the right to correct errors on personal data that is held by a corporation, such as in the case of a credit report.

Regarding marketing, marketers are not allowed to send text messages without the consent of the consumer. Marketers may send emails to consumers unless they opt out and per the Telemarketing and Consumer Fraud and Abuse Prevention Act, they are allowed to call consumers unless the individual has registered their phone number on the “Do-Not-Call” list. Regarding cookies, some states require that websites disclose their use of cookies directly to the consumer on the website. In terms of security, companies such as banks and insurance providers are required
Cybersecurity Laws and Organizational Guidelines

to report data breaches to regulators and entities covered by HIPAA are required to report data breaches to those who may have been affected in the event within 60 days.
In the video How the Massive Equifax Data Breach Happened (2017), SciShow explains how hackers took advantage of a flaw in Equifax’s security to access the personal data of millions of Americans after Equifax failed to address the flaw. The event resulted in an investigation by the FTC and multiple lawsuits against the company.

© SciShow 2017
Bibliography