



Digital Law

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Abstract As governments and organizations around the world move their services and transactions online, there is the need for regulation. Digital law is digital responsibility for actions and deeds online. It deals with issues on the intersection of law and the Internet. This paper provides a brief introduction to the concept of digital law.

Keywords Digital law, Internet law, Cyber law

Introduction

As more and more information is stored online and as more people are getting connected to the Internet than ever before, there should be law or data protection against unauthorized access. There has been rampant stealing of consumer data or information on the Internet [1]. With the Internet ruling our lives, we need a cyber law that detects, prevents, and responds to cyber crimes.

Cyber law or digital law (DL) governs cyber space, which includes the Internet, software, electronic devices, and ATM. It deals with what one should or should not do while using the Internet. It ensures your rights, safety, and security as you work online. It has both positive and negative effects on individuals and communities.

Common Digital Law

Digital law (DL) involves legal topics such as intellectual property, copyright law, and freedom of speech.

Intellectual Property: This refers to creative works such as books, music, movies, software, DVD, and art. It is a form of social capital, whose growth depends on circulation and use. An ethic of intellectual property is based on the respect for the rights of creators and copyright owners [2].

Copyright Law: This protects the intellectual property. It restricts the reproduction, modification and distribution of one's individual property. Not everything can be protected by copyright. For example, facts, ideas, systems, or modes of operation cannot be copyrighted. A copyrighted material can be infringed if the material is used without permission. Plagiarism takes place when one steals another person's ideas and uses them as if they are his own. The Digital Millennium Copyright Act (DMCA) prevents any copy protection.

Freedom of Speech: Some believe in an uncensored Internet, a medium deserving at least as much as the First Amendment allows. Pornography, hate speech, lurid threats, and cyberterrorism have provoked various efforts to limit the kind of speech in which one may engage on the Internet. Critics of pornography on the Internet have sought, through federal legislation, to prevent children from gaining access to it.

Digital Responsibility

Every one should keep the law and abide by it. Unfortunately, some people are not responsible digital citizens. Some people download music from the Internet to their computer without paying for it. This is unethical and illegal; one can face serious charges if caught. Unethical use of the Internet includes [3]:

Identity Theft: An example of this is stealing your credit card number and using the information to buy things.



Spoofing: Criminals use spoofing to get access into your computer.

Software Piracy: This involves illegally copying and selling computer software, movies, music, etc. It is using the software you did not pay for.

Computer Hacking: This entails changing computer software and hardware. An example is changing the browser setting.

The collection of personal information must be fair and lawful. It should not be kept any longer than necessary.

Challenges

Most cyber crimes are essentially regular crimes committed over the Internet. One of the challenges facing the development of digital law is the pace with which the crimes and their tactics change with change in technology [4]. Digital law deals with a rapidly changing technology. The law will change as technology evolves.

Unrestricted Internet access presents some security and privacy concerns. Security provides Internet protection through confidentiality, integrity, and availability. Privacy is about a person's control over the collection, disclosure, and use of his/her personal information [5]. The convenient use of the Internet may come with a price such as infringement of fundamental rights.

Since there is no content filtering in place and there is no restrictions on which websites one can visit, there is increased risk of exposure to third party viruses and malware [6].

There is the debate on why digital law or Internet law should be a separate discipline. An Internet lawyer is expected to know about the law as well as the Internet. He should be a legal specialist on privacy, copyright, e-commerce, etc. [7].

In developing nations, companies have suffered loss because there is no law in place to protect personal data.

Conclusion

Unlimited capacity of technology to provide information and unrestricted access to its use can violate the rights of copyright holders and high-tech crimes such as hacking, identity theft and cyberbullying. The digital environment is unique and hostile to traditional legal consideration. Digital law is the legal rights and restrictions one has as one uses the Internet. Since DL deals with fast-changing technology, we must look ahead and anticipate future developments.

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