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self

# WOULD YOU EXCHANGE YOUR PERSONAL DATA FOR FUN?

THE DANGER BEHIND THE ARTIFICIAL  
INTELLIGENCE APPS





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# 1. Introduction

In the current technological space, a large majority of users downloads applications on their smartphones almost daily.

So much, that in some applications user age ranges cannot be clarified and many have become so famous, their use is democratized. News casts, newspapers, magazines; apps have crossed the digital space to become something that everyone talks about.

And what are the dangers of this multitude of users who reach the most viral apps? They can be summed up in one: privacy conditions drafted in an unintelligible way for those who are not digital experts and the misinformation regarding the implications of data possession by third parties.

While we continue to weigh more on having fun with an app, than being concerned about our information, we will continue to have a global problem. Personal data has become the oil of the 21st century. Regulating the ownership of personal data is the great battle that nobody will fight for us, if we are not aware of the value of our personal information.



## 2. Specific Application Examples

Currently, there are two applications that are leading the conversation about this subject. There is no family or friends gathering where there isn't a smartphone, with one of these applications installed.

One of the apps we are talking about is **FaceApp**. Yes, that application that analyzes our face and ages it with a precision that has horrified and swooned half the world, literally. Who would not give up some of their data, just to see the future through the screen of their smartphone? Apparently very few people.

Another ethically fraudulent app in this regard is **Zao**. This app allows you to integrate your face, quite effectively, into the frame of a series or a movie. The approach is so attractive that it has conquered millions of users who want to see their face in their favorite movie scene.

**“It is important to know, that of the more than three and a half million existing apps, more than half are malware or spyware or generate security problems.”**

- Lorenzo Cotino, DPO.

The specific problem with these two applications is that, by **accepting the terms and conditions of each of them, we are giving the developer consent for them to reserve all rights over the content that the users create.** And remember that they can use images of yourself or third parties.



This transfer of data is carried out free of charge, irrevocable, permanent and transferable. This basically means that they can use the photos users upload to the application, freely and for commercial and advertising purposes. We could say, in some way, that **the user's face becomes the property of the developer.**

As the expert comments, the most striking part of the terms and conditions of these applications is a matter of intellectual property and not so much privacy. By **accepting the conditions, we concede absolute and perpetual permission for the application to use our images, whatever the purpose might be.**



## 3. Dangers

In order to really notice a change in the user's behavior that accept terms and conditions, practically without reading them, it is necessary to tangibilize danger.

That, "well, but what could happen to me?" is common. Working on divulging information on the real power of data possession is essential so that all of those who download applications constantly, do so in a more conscious and critical way.

**"In the case of FaceApp, it will certainly not take long till we see an important acquisition of the company, either because of its technology or the data it possesses, or for all of it as a whole, at which time we will begin to have a clearer idea of the value of that data for "Wireless Lab" Ltd."**

Ramón Miralles, DPO.

On many occasions, as it is logical, we trust that the existing regulation in that sector will be in charge of acting as a barrier between the users and downloads for illegitimate purposes. The good news is that these laws exist, are harder every day and each time more focused on the new forms of scams that arise. The bad news is that they can't protect us from everything.

Laws, in many cases, only operate in the conceptual or theoretical framework of things. If we believe in "data protection" and are determined to ensure an adequate level of respect, it would be normal to move towards a system of hard law and this, in a globalized world, means we all agree on a minimum.



## 4. Conclusions

The conclusions are not defeatist. We are talking about a scenario, which although it might seem as we have always lived in it, is really new. It is common for laws to adapt to potential problems as the circumstances and maturity of the sector progresses.

On the one hand, we will probably find tougher or more specific laws, covering the legal gaps that companies take advantage of, for questionable purposes. On the other hand, users will gradually understand the need to not download anything without being aware of what is being ceded.

**“It is clear that the application has generated expectations in users, although its usefulness is practically nil, and the risks are difficult to specify, so to say that it is not used would necessarily involve including thousands of similar applications, when a responsible and meditated use may be the best formula.”**

Ramón Miralles, Partner-Lawyer en ECIX GROUP, SL

In addition, as we get used to hearing about privacy and information scandals, we will be more aware of the information we hoard with our own data. And, once we are really aware, we will be much more conscious of who or what we give this data to.

# IMPLICATED WITH DATA PROTECTION

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