



BACKSPIN | BY MARK GIBBS

Freedom and privacy, R.I.P.

FREEDOM AND privacy, in any meaningful sense, are dead. I know, I know . . . I've written about this topic before but that was in

the context of our "factual" privacy, which is about access to what you might think of as "static" data about you. Now we have to recognize the death of our "realtime" or "lifestream" privacy: the freedom to go about our business unobserved and anonymously.

Factual privacy is different from lifestream privacy. The former is about access to facts such as the color of your hair and eyes, your ethnicity, your height and weight, your income, your cholesterol level and so on. Those are all data points that create a snapshot of you.

Almost 10 years ago I wrote a Backspin column titled "The Paperwork of Freedom" in which I discussed my knee surgery and the endless medical forms I had to fill in over and over again.

My point was that, while digitizing medical records may be the way of the future, the sheer messiness of paperwork ensures it's a lot harder for your "factual" privacy to be breached. Unfortunately we now know that all of our factual data, not just the medical stuff, is becoming digital whether we like it or not.

On the other hand, lifestream privacy involves behavioral data such as where you go and when, what you look at, and even how you respond; it's more like a movie of you. Taken to its extreme it also includes who you talk to, telephone and email with, and even what you talk about. A lack of lifestream privacy makes it possible, at the least, for businesses to manipulate you. For example, consider online shops that track and test your behavior.

These stores "watch" where you linger, note what you look at,

monitor for indications of interest, and then conclude, for example, from the shirts and pants you've looked at, that you like a particular shade of yellow and that you're looking for casual clothing. As a result, when you visit the shoe department, the shop makes sure you see the yellow tennis shoes first.

How does that make you feel? In that scenario you would have factual privacy (at least, until you enter your credit card at checkout), so you would be effectively anonymous, but all the same you would have been measured and manipulated, possibly over multiple visits.

While you might look at this as a good thing (your desires and interests are being addressed far more efficiently), you also need to recognize that the shop will use the intelligence it's gained about your preferences to manipulate you, at the very least to "up-sell" you related products such as, for example, socks in colors they determine might appeal to you.

Similar tracking techniques are now in use in the real world, and the connection of your factual data to your lifestream data on- and offline is what many businesses are trying to do . . . until they get caught, which is something we'll discuss next week.

Thomas Jefferson has often been quoted as saying, "The price of freedom is eternal vigilance." Alas, you can be as vigilant as you please and still have to stand by and watch your freedom being chipped away, a piece at a time, until there's nothing left. Which, it could be argued, is where we already are. Freedom and privacy, rest in pieces. ■

Gibbs mourns our loss in Ventura, Calif. Your condolences to backspin@gibbs.com.



NETBUZZ | BY PAUL MCNAMARA

If your neighbor built a fake Apple store

BY NOW you've probably seen all the stories out of China about the fake Apple stores. They got me wondering: What if my neighbor,

Bob, was to tell me that he did in our little town what those Apple imitators did in their Chinese city? How might that conversation go?

"Hey, Paul, let's take a drive and go look at my new Apple store."

"You built an Apple store, Bob? I didn't know Apple sold franchise rights."

"Oh, I didn't get any franchise rights. Just hired an architect, a construction company, and a crackerjack interior designer, who lucky for me had recently gotten out on parole. . . . Voila, Apple store."

"Uhhh, OK, Bob . . ."

Two thoughts occur next: This must be a gag, or Bob's having some kind of breakdown. But we drive to his Apple store — which looks absolutely indistinguishable from your standard Apple store.

Bob asks: "What do you think?"

"What do I think? I think it's one sweet Apple store, Bob."

We walk inside. The store wasn't open for business yet, but Bob had hired a staff and they were busy stocking shelves. Now I'm thinking I must have misunderstood him on the franchise thing; maybe Apple is going that route, after all.

Right then he elbows me in the ribs. "Hey, neighbor, check out the circular staircase."

"Says Apple store, all right. . . . But, Bob, I think I may have misheard you; you did ask Apple's permission to do this, right?"

"Nope."

"But you know Apple's lawyers are going to be all over you before you

can even get the store open."

"Maybe. The staff's working their butts off and I'm thinking we might be able to open by Monday."

"Building permit, how'd you get a building permit?"

"I told Town Hall it was going to be an Apple store. They were tickled; wanted to know if Steve Jobs would be at the opening."

Bob has clearly lost his mind and doesn't have a clue as to what he's gotten himself into. . . . I take a stab at bringing him back to reality.

"Never mind Apple's lawyers, Bob, I'm thinking you may have broken a law or two here."

"Thank-you, Capt. Obvious. I'd say it's more like a half-dozen."

"You could go to jail."

"Expect as much."

"Then how can you be so cavalier about all of this?"

"Follow your dream, my man; build it and they will come. . . . This is an Apple store, not a Ponzi scheme. The press will eat it up; the public will make me out to be some kind of hero; and, what fanboy hasn't fantasized about owning his own Apple store?"

"But what happens to your store if you go away?"

"Apple will buy it. The publicity will be priceless. And I didn't skip; this is a real-deal Apple store."

Crazy, yes. Crazy like a fox. As we drove home, I had one more question: "Bob, if you do open the store on Monday, do you think you can swing me one of those employee discounts on a new iPhone?"

"Oh, sure, I *could* do that . . . but it would be wrong." ■

Any advice for Bob? The address is buzz@nww.com.