

Propertization of Personal Information: A Means of Privacy Protection for the Modern Individual

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In this Essay, an examination is made on an individual and the rights he or she has over their personal information. In today's world, globalization has increased competition between companies to come up with the most effective marketing strategy. Increasingly, marketing firms and methods require personal information about the public in order to specialize their advertising, resulting in increased profits for the businesses they represent.

To fill this legal void, it is suggested that personal information possess the attributes of property rights and, thus, should be treated as such. A discussion is also made on the recognition of personal information as a constitutionally-protected zone of privacy. It also discusses the insufficiency of current privacy statutes in fulfilling the constitutional mandate.

A property rights solution to the protection of personal information should be established. In this sense, the nexus between property and privacy rights is illustrated. Also, further discussion is made on the three models of personal information as property rights. Finally, the Essay concludes by suggesting a property rights regime may be adopted by our legislators and our courts to provide for the evolving need of the modern individual to protect his or her personal information.