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Ignacio Cofone
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THE PRIVACY FALLACY

Our privacy is besieged by tech companies. Companies can do this because our laws are built on outdated ideas that trap lawmakers, regulators, and courts into wrong assumptions about privacy, resulting in ineffective protections to one of the most pressing concerns of our generation. Drawing on behavioral science, sociology, and economics, Ignacio Cofone challenges existing laws and reform proposals, and dispels enduring misconceptions about data-driven interactions. This exploration offers readers a holistic view of why current laws and regulations fail to protect us against corporate digital harms, particularly those created by AI. Cofone proposes a better response: meaningful accountability for the consequences of corporate data practices, which ultimately entails creating a new type of liability that recognizes the value of privacy.

Ignacio Cofone is the Canada Research Chair in AI Law & Data Governance at McGill University, Montreal, and an affiliated fellow at the Yale Law School Information Society Project. He writes about how the law should adapt to technological and economic change with a focus on privacy and AI.

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HARM AND POWER IN THE INFORMATION ECONOMY

IGNACIO COFONE
McGill University

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To my parents

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Abbreviations

AI	Artificial Intelligence
CCPA	California Consumer Privacy Act
CEO	Chief Executive Officer
EU	European Union
FCC	US Federal Communications Commission
FIPs	Fair Information Principles, or Fair Information Practice Principles
FTC	US Federal Trade Commission
GDPR	General Data Protection Regulation
ICO	UK Information Commissioner's Office
ISP	Internet Service Provider
OECD	Organisation for Economic Co-operation and Development
UK	United Kingdom
US	United States

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