

Student's name

Professor's name

Class name

Date assignment is due

Right of Privacy and Due Process

The Yummy Bits for Cats Food Company developed and used an unauthorized photo of Ms. Selleck and her cat for advertising purposes. Ms. Selleck maintains that such unauthorized possession and use of a photograph containing her and her cat's likeness is unethical. In addition, it is an invasion of Ms. Selleck's privacy. Based on the "Bill of Rights" and on the "Due Process Clause," which are parts of the US Constitution, Ms. Selleck is entitled to the right of privacy as well as due process. Furthermore, referring to the case of Terrace vs Thompson of 1923, one has a right to possess property and to enjoy or to dispose of one's personal property in any way one wishes, provided it does not violate a law (Legal Information Institute 1992). Property in this sense includes both tangible property such as concrete items and intangible property like ideas or other intellectual works. Moreover, an individual is at liberty to enter into contracts involving one's personal possessions. Said contracts or use of personal property also includes the right to use property for earning income. With that in mind, Ms. Selleck has the right to enter into a contract with a company for use of a photo of her and/or her cat for the purpose of earning money. The Yummy Bits for Cats Food Company violated Ms. Selleck's right to enter into a contract for financial gain by taking the photo without permission and then by using it for advertising purposes, aimed at making money for the company.

In developing my argument, I utilized the online legal reference, Legal Information Institute, published by Cornell University Law School. In addition, I read deeply and applied to my argument discussions put forth in the Arkansas Law Reviews. Keywords incorporated in my research include: privacy, property, and due process.

List of References

Legal Information Institute (1992) *TERRACE et al. v. THOMPSON, Attorney General of Washington* [online] available from
<<http://www.law.cornell.edu/supremecourt/text/263/197>> [3rd Oct 2014]