

ภาคผนวก

ผนวก ก

กฎหมายประเทศสหรัฐอเมริกา

Restatement (Second) of Torts (1977)

Section 652A of the Restatement (Second) of Torts (1977) incorporated Dean Prosser's four categories of invasion of privacy:

(1) One who invades the right of privacy of another is subject to liability for the resulting harm to the interests of the other.

(2) The right of privacy is invaded by:

(a) unreasonable intrusion upon the seclusion of another, as stated in section 652B; or

(b) appropriation of the other's name or likeness, as stated in section 652C; or

(c) unreasonable publicity given to the other's private life, as stated in section 652D; or

(d) publicity that unreasonably places the other in a false light before the public, as stated in section 652E.

Section 652B. One who intentionally intrudes, physically or otherwise, upon the solitude or seclusion of another or his private affairs or concerns, is subject to liability to the other for invasion of his privacy, if the intrusion would be highly offensive to a reasonable person.

Section 652C Appropriation of Name or Likeness "One who appropriates to his own use or benefit the name or likeness of another is subject to liability to the other for invasion of his privacy."

Section 652D One who gives publicity to a matter concerning the private life of another is subject to liability to the other for invasion of his privacy, if the matter publicized is of a kind that

- (a) would be highly offensive to a reasonable person, and
- (b) is not of legitimate concern to the public.

Section 652E (False light) “One who gives publicity to a matter concerning another that places the other before the public in a false light is subject to liability to the other for invasion of his privacy, if

- (a) the false light in which the other was placed would be highly offensive to a reasonable person, and
- (b) the actor had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which the other would be placed.”