This chapter considers the extent to which individuals can and should be able to prevent others referring to them and their activities and, conversely, the extent to which individuals and companies should be able to commercialise and control a reputation that they have built up. The discussions cover the evolving right to personal privacy (through the tort of misuse of private information) and its base in human rights, particularly in respect of photographs; obtaining and dealing with trade marks in respect of well-known personalities; the relationship between passing off and endorsement and merchandising; and the extent to which individuals and businesses can and do control the use of their image.
18. Control of information, reputation, and intellectual property

through endorsement and sponsorship. The chapter also considers data protection, as well as the balancing of privacy and freedom of expression.

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