Warning! Wearing Google Glass may cause legal headaches (part one)

by John F. O'Rourke and Patrick Soon

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Google Glass has so far only been made available to a select-group of beta testers, called Glass Explorers, but later this year this device is set to go on sale to the general public. It may not be long, therefore, before hi-tech headwear is as commonplace as smartphones, giving new meaning to Ann Case's well-known TED talk, "We are all cyborgs now." There is a very real potential that this innovation will have a society-altering impact, such as when automobiles began sharing the road with horses. First-generation purchasers will therefore be doing much more than simply testing a new product; they will be testing public readiness. And some Google Glass users may discover that not everyone is thrilled about the advent of "wearable technology."

What exactly is it?

Simply put, this is a new class of technology that one might call "smart glasses." It is a wearable computer that looks like a pair of lensless eyewear. There is a small device, called an optical head-mounted display (OHMD), just above the right eye, and next to that is a 5 megapixel camera. Just three years ago, the prototype weighed about eight pounds, but now Google Glass is available in four styles of titanium designer frames that are lighter than a pair of sunglasses. These frames are fully compatible with prescription lenses, so they will be much less conspicuous, especially when fitted with polarized lenses. By making the device look more like regular eyewear, they will be less obtrusive in public — and also more difficult for security personnel to spot.

How do you use it?

One can control apps, take photos or navigate the internet by either touching the side of the Google Glass, or by using natural voice commands. Such voice control is initiated by saying, "ok glass," which is then followed by a verbal command, such as, "Take a picture." And while the

computer itself has only 12 GB of usable memory, data can be transferred to Bluetooth-tethered devices.

When Google Glass is powered on, high resolution video or images appear in the corner of the user's field of vision which, according to Google's tech specs, is equivalent to viewing a 720p video on a 25-inch screen from a distance of eight feet (*as if texting wasn't already distracting enough*).

Potential benefits

While the field of wearable technology is still in its infancy, and competitors like Samsung have yet to even enter the fray, this device is already proving to be immensely beneficial.

The physically challenged

Being able to control Google Glass with one's voice can be of great assistance to the physically handicapped, particularly those that have limited use of their hands or arms. Such users will now be able to remain connected to the internet or take pictures while moving about in a wheelchair or on crutches. Such users will be able to experience more of life as they enjoy new-found independence. There is also a great potential for Google Glass to be of assistance to the blind.

Firefighters and paramedics

Emergency crews will also be able to use the heads-up display to view important information on the move, such as a building's floorplan, yet still be able to keep their hands free to carry a hose or swing an ax. Crewmembers will likewise be able to use the camera function to instantly relay information and imagery. Such improved communication will improve firefighter safety, and it may help save lives. Paramedics, for example, will be able to show a doctor in a distant emergency room the extent of a victim's lacerations, burns or bullet wounds.

Surgeons

In January, a doctor in India used Google Glass to stream a foot and ankle surgery live across the internet. Viewers could watch the entire procedure from the surgeon's vantage point in amazing detail. Most importantly, because the device was wearable, there was no need for a cameraman to be in the operating room, struggling with the surgical team to get a good shot. Google Glass's first-person video capability will be a very valuable teaching aid to medical students, and it will allow supervising physicians to observe operations being performed thousands of miles away. Doctors may also be able to use this technology to view X-rays or MRI scans while performing surgery without ever having to turn away from the patient.

Entertainment

Most consumers will be purchasing Google Glass for amusement. The ability to do so many things hands-free — whether it's taking photos, recording video, or using a wide-variety of apps — will simply be a lot of fun! Sports teams, like the Sacramento Kings, are putting the headset on players during warm-ups and practice sessions so that viewers can experience the players' points of view (POV), which will make fans feel like they are a part of the action like never before. And sports arenas may begin streaming updates, stats, or even instant replays, to the heads-up displays of Google Glass users attending live events.

Potential threats to privacy and safety

While Google Glass promises many benefits, it is also creating great controversies. Ours is soon to become a culture of cameras where citizens will be constantly surrounded by devices that can record at the blink of an eye … literally! Will this be the end of privacy and intellectual property rights as we know them? And will public safety now be at increased risk? How will we know which Google Glass users are actually paying attention and which ones are absorbed in their visual display? Part two of this article will examine these concerns in more detail, and it will discuss the novel legal issues that will arise, or have already arisen, in the wake of increased Google Glass use.

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