



Augmented Reality systems have the potential to deliver enormous value, including to populations with limited physical or other resources. AR users perceive more (or less) than the person, place, or object before them, as information is overlaid on their view of the world. They can also record their surroundings for future analysis.

There is no simple definition of “augmented reality”; AR is best understood as a class of technologies that tend to have common and distinguishing features such as the abilities to sense properties about the real world, process in real time, overlay information to the user, provide contextual information, recognize objects, and be mobile.

Law and Policy challenges may be divided into two categories: collection and display.

Collection

- **Reasonable expectations of privacy.** Always-on recording devices may cause societal expectations to shift in ways that diminish privacy recourse.
- **The third party doctrine.** AR systems have the potential to relay user activity to third-party servers.
- **Free speech.** The First Amendment right to free speech is a well-known right. More courts are recognizing a First Amendment corollary right to record and gather information as a prerequisite to expression.
- **Intellectual property.** The always-on recording of everyday life will capture work that is protected by intellectual property law.



Display

- **Negligence.** Injury resulting from AR systems' information could lead to a cause of action for negligence.
- **Product liability.** AR systems blend information with everyday activities in ways that can blur the distinction between real and perceived environments and risk physical harm.
- **Digital assault.** AR can appear and disappear objects, which surfaces potential for purposefully harming or instilling fear in an AR user.
- **Discrimination.** AR will make it possible for users to look up information about people and places in real-time. This information could lead to adverse decisions that are normatively unfortunate or illegal.

Policy Recommendations

- **Build dynamic systems.**
- **Conduct threat modeling.**
- **Coordinate with designers.**
- **Consult with diverse stakeholders.**
- **Acknowledge tradeoffs.**

