"Can I pin this?" The legal position of Pinterest and its users: An analysis of Pinterest's data storage policies and users' trust in the service

by Thomas Kasakowskij, Regina Kasakowskij, and Kaja J. Fietkiewicz

Abstract
It has been known for some time that in the digital environment enormous data streams are generated in which data is disclosed, forwarded, and stored. Once on the Internet, data is difficult to control. Often when creating and/or sharing content on the Internet, legal concerns about copyright and data protection might arise among the user as well as the platform provider. The same holds true for Pinterest, especially when considering that the main feature of the service is the possibility to re-pin (hence, collect and publicly share) content from external Web sites and from other users (i.e., someone else’s creation). It is unclear how Pinterest handles the data of its users and external Web sites and protects it from misuse.

It is also questionable whether the users familiarize themselves with terms of use, privacy policy, and the use of cookies by Pinterest as well as their legal awareness when using the service. This study contributes to resolve this uncertainty and to secure a more precise picture of how data is handled from the company’s point of view. For this purpose, an online survey with 365 participants was carried out. It was found that many users do not read the terms and conditions or guidelines but trust the service. In addition, an investigation on Pinterest’s guidelines has shown that a great deal of different data is stored and indirectly passed on to other companies. It was also found that users in the European economic area are not protected against copyright infringements when using Pinterest. This could lead to problems with state authority, at least for European users.

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1. Introduction

The Internet bears great potential, however, it also facilitates a much easier misuse of personal data and infringement of copyrights. These violations can be committed from two sides, both users and companies. For example, many people carelessly download and reproduce content on the Internet and by doing so, often unintentionally, violate the law (Mißfeldt, 2017). If we look on the company site, most of the social media services are at first sight “free” of charge, however, the actual price that is being paid are the enormous amounts of user data collected by companies and often forwarded to third parties, without the user necessarily being aware of it (Fietkiewicz and Lins, 2016). This could
lead to misuse of personal data and thus violate the privacy of the user. This issue was brought to the attention of society in particular by the Snowden revelations in 2013 (Bauman, et al., 2014; Lyon, 2014).

When it comes to aggregation and distribution of user data, the biggest source of (personal) data willingly shared by the users are social media or social networking sites. Pinterest is one of the most popular social media platforms and currently ranks sixth among the most popular social networking sites (eBizMBA, 2021). It is an online information service that acts as a virtual pin board. Pinterest is composed of the English terms “pin” and “interest,” which in the figurative sense means as much as to pin one’s interests. The idea is to transfer and expand the concept of a pin board from the physical world into the virtual one. On Pinterest, relevant information can be noted and sorted on pin boards in the form of pins. Pinboards can be created and named as desired. The marked content is referred to as pins in the form of pictures or thumbnails and contains various other information such as links, comments, or descriptions. Users can also search for images and topics on Pinterest and memorize relevant content found on a virtual pin board. The special thing is that not only content that is on Pinterest can be pinned, but also content from external Web sites (Kasakowskij, et al., 2020a).

The special feature of Pinterest is that it is not focused on self-portrayal like many other social media, but rather puts the user’s passion for collecting visual content in the foreground. This differentiates it from other conventional social media such as Instagram, Facebook, or Twitter (Mittal, et al., 2013; Kim, et al., 2017; Phillips, et al., 2014).

Every second private or commercial text, image, audio and video content are being uploaded on social media. However, not every post is actually created by the user uploading or sharing it. Here, the Internet is a good source for the use of third-party content, since it can be easily found and copied with just a few clicks (Ulbricht, 2016; Schwenke, 2014). The use of third-party content can be legally problematic. The main legal areas that should be taken into account are the copyright (hereinafter stands for European copyright law), competition and trademark law, and data protection law. The use of Pinterest, due to its platform-specific functions and properties, harbors risks especially in the area of copyright. It offers tools that make it simple, and sometimes even automated, to publish both, your own and third-party content, in a structured and easy way. Here users should be aware of the legal situation they are in. In many articles dealing with Pinterest, the question of the legal admissibility of the published content is therefore asked (Carrol, 2013; Carpenter, 2012; Dobusch, 2011; Wattig, 2011). If a user wants to save a pin, the consent of the owner should be obtained beforehand, because by pinning an image a copy of the content is being made. This ensures that content can be easily saved and collected, however, the information about the author of the original content can vanish very quickly. In most cases, any image details and sources are not included in the pin’s description. It is therefore no longer possible to really keep track of who is the owner of a particular image and where its source. This missing information can be caused by two factors. Firstly, the copyright information can be overlooked or ignored by the repinning user. Secondly, the author’s account might no longer exist on Pinterest because he or she has deleted the profile. Mißfeldt (2017) assumes that users may be using Pinterest as a kind of private bookmarking system and, therefore, do not worry about copyright infringements. This would indicate that users are usually not aware that they are possibly violating someone’s copyrights. Until now there appears to be rather limited interest of the original content creators to claim their rights, as we were not able to find any court hearings in this matter (and following the maxim nullo actore, nullus iudex, there can be no judge if there is no plaintiff).

Since its beginning, Pinterest has received a lot of attention from the general public, business, and science. This is particularly noticeable through the steadily increasing number of users and the growing number of reports and studies on Pinterest. A literature review revealed that, among other things, the legal situation of Pinterest with regard to copyrights within the American context was examined, for example, by Carroll (2013), Carpenter (2012), and Fink (2014). However, aspects such as data protection or the legal situation in countries outside the U.S. are still missing. In addition, the fears and behavior of the users regarding the legal situation were not investigated in detail until now. Considering the peculiarity of Pinterest as a social media platform, where the focus is shifted from the user to content curation (especially content from external Web sites), these are important research gaps that need to be closed in order to better understand which legal challenges the users can be confronted with and whether they are aware of them. The aim of this work is an evaluation of legal regulations and user awareness in context of Pinterest with regards to its legal conditions in which it sees itself as responsible. For this purpose, the following research questions were formulated:

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RQ1: \text{What is Pinterest’s legal position?} \\
RQ2: \text{What is the users’ perspective on Pinterest’s legal position?}
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1.1. Research on Pinterest

Pinterest was launched in 2010. Since then many studies have examined Pinterest and its influence in different ways.
A literature review conducted for this study revealed that, despite legal aspects, there are roughly three research areas concerning Pinterest. The first is the impact of gender on the use of Pinterest (Chang, et al., 2014; Gilbert, et al., 2013; Otoni, et al., 2013; Alperstein, 2015; Han, et al., 2014; Phillips, et al., 2014); the second is Pinterest as a social curation and information literacy tool (Linder, et al., 2014; Hall and Zarro, 2012; Dudenhofer, 2012; Robertson, 2012; Carpenter, et al., 2018; Kaminski, 2018); and, the third is user motives to use Pinterest (Wang, et al., 2016; Han, et al., 2014; Mittal, et al., 2014; Miller, et al., 2015; Sashittal and Jassawalla, 2015; Mull and Lee, 2014; Schmidt and Evans, 2018).

The main focus of these studies is on socio-economic, technical as well as psychological aspects of Pinterest (Lewallen and Behm-Morawitz, 2016). There is also a perceived and objective quality research conducted for Pinterest as a retrieval system (Kasakowskij, et al., 2020a).

Legal aspects have not yet been examined in great detail or variety, as most studies concern American copyright. For example, Carpenter (2012) dealt with possible copyright infringement on Pinterest. He noted that statutory fair use defense protects users from liability for copyright infringement to a large extent. Carroll (2013) also dealt with copyright infringements on Pinterest. Here, the main focus was not on the users, but on the company itself, which is protected from liability for copyright infringement by §512 of Title 17 on U.S. copyright. Fink (2014), Gard and Whetstone (2012), and Stokes (2014) came to similar results. They were also able to determine that copyright poses a potential risk of infringement, however, there have been no known disputes to date. In addition, when considering U.S. law, Pinterest as a company and its users are legally protected from liability over copyright. Mittal, et al. (2013) carried out a privacy and security analysis on Pinterest. They found traces of malware in the form of pin sources and instances of personally identifiable information leakage in the form of phone numbers, Blackberry Messenger pins, and e-mail addresses. They demonstrated that Pinterest could be a source for copyright infringement.

All studies are based on the investigation of possible copyright violations with regard to American law. The legal framework in the European Union, however, is much stricter. This does not only apply to copyright, but also to data protection. The relevant legal areas and possible differences between the U.S. and the EU will be discussed in more detail in the following section.

1.2. Relevant legal areas

1.2.1. Data privacy

Since General Data Protection Regulation (GDPR) came into force in the EU in 2018, data privacy standards have become even more strict and unified across member states. As for data transfer between the EU and the U.S., the Safe Harbor Agreement was voided after 15 years of legal force. It was replaced by the EU-U.S. Privacy Shield, which, however, was also met with criticism and skepticism (Fietkiewicz and Henkel, 2018). Indeed, on 16 July 2020 the European Court of Justice declared the Privacy Shield to be invalid (Court of Justice of the European Union, 2020), in part because the Privacy Shield violated GDPR. This decision illustrates that data protection in the U.S. does not conform to European standards. Where does Pinterest stand when it comes to data protection and copyright? What is the perception of users regarding their rights and responsibilities on Pinterest? We could not identify any specific studies addressing these important questions.

1.2.2. Intellectual property

Intellectual property (e.g., copyright) is one of the cornerstones of our economy today. It is an important asset protected all over the world based on the Berne Convention, albeit in different ways (e.g., Digital Millennium Copyright Act (DMCA) in the U.S. or EU Directive on Copyright). Without effective protection of intellectual property, nothing prevents destructive actors from stealing product designs, inventions, software or trade secrets. Intellectual property is usually divided into three categories: patents, copyrights, and trademarks.

Taking German law as an example, copyright protects the results of intellectual work (e.g., images or text) and arises automatically when a work is created. Even if an image is published on a service through terms and conditions or similar agreements, copyright remains with the creator. Copyright cannot be passed on or sold to anyone, the creator can only grant a right of use. This also applies to posts pinned on Pinterest.

Not all results of intellectual work are protected by copyright, but only an author’s own intellectual creations. This means content that is not ordinary or obvious, so that daily communication and culture would not standstill. In addition, there are some exceptions to copyright law and limited actions are permitted under certain conditions, such as the Fair Use defense in the U.S. or certain exceptions in EU directives as well as legal traditions and opinions in other
Thus, copyright in the EU is primarily a personal right of the author, whereas in the U.S. it is more commercialized. For companies ready to protect marketing and branding efforts as well as other investments, trademark law is applicable. Trademarks (i.e., brand logos, product names, slogans) are supposed to help consumers identify and recognize a company’s products and services and can be protected under specific trademark laws. In the European context, protection of a registered trademark is unlimited as long as fees are being paid and there is no conflict with other registered trademarks. In Germany, the actual use of the trademark is not required for registration. In America a mere entry in the register is not enough, because the trademark must also be used after registration. In Germany there is also the possibility to protect a trademark without registration. An entry of the trademark in a register is not necessary, because under certain conditions the mere use of the trademark can be sufficient to justify its protection. Branding in general protects not only the company (and their marketing efforts), but also consumers who might associate a brand with certain quality (a trademarks fulfill the differentiation, origin, and guarantee functions and also have an advertising function). The existence of misleadingly similar brands can inappropriately influence purchasing decisions of consumers and falls under unfair practices. The violation of trademark law is, however, more relevant in a profit-oriented business context. Pinterest offers its business partners many functions to ideally market their products or services and to increase awareness, but some functions can also cause problems. For example, under special circumstances, false or unlabeled advertising could occur. Furthermore, in Germany, the introduction of the new “Rich Pins” function can lead to violations of advertising law, since the expanded product information is now used for price-related advertising (and involves price-related information requirements as well as product-specific labeling requirements) (European Union, 2010).

It is not clear whether users of Pinterest, in some cases business consumers (companies), are concerned about copyright and trademark infringements.

1.3. Policy-related information behavior of users and their concerns

General terms and conditions (GTC) and various guidelines are probably the most frequently used means of drafting contracts. These are contractual clauses that serve to standardize and specify contracts. They are provided unilaterally by one of the contracting parties and therefore require special controls to prevent their misuse. The agreement with the terms and conditions might give several companies access to personal information of consumers. Often, however, when logging into networks or downloading apps, the general terms and conditions are simply accepted without being read. Many users ignore or just skim terms and conditions. In this way they abandon some of their basic rights. This phenomenon is the so-called privacy paradox (Barth and de Jong, 2017; Barth, et al., 2019). Many consumers’ concerns about online privacy appear to be in contradiction with their often careless online behaviors. For example, decision-making is based on a rational weighing of benefits and risks associated with downloading, using or registering for different types of information services. There is a balancing of benefits and risks through mitigating circumstances such as immediate satisfaction, time constraints, information deficits or information overload (Barth and de Jong, 2017; Barth, et al., 2019).

Users often do not read the terms and conditions even though they are afraid of possible violations, since the advantage or satisfaction that a service gives them at a given moment is more important than possible risks. In this context, trust in a service also plays a role, under an assumption that data misuse by a company or provider appear might be less likely. Despite pre-adoption behavior like reading terms and conditions, privacy-related usage behavior of services and technology seem contradictory. In the context of fitness tracking and the collection of health details, many users were not aware of some privacy-enhancing options (due to privacy standards in the EU) (Fietkiewicz and Ilhan, 2020). What are the data privacy concerns of Pinterest’s users? What is their information behavior prior to their use of the service?

2. Method

In order to evaluate the legal aspects of the service and user trust in it, a quantitative as well as a qualitative investigation was carried out. The research design is based on the information service evaluation (ISE) model (Schumann and Stock, 2014). The ISE model is used to holistically evaluate the quality of information services. The ISE model combines different established approaches for evaluation and technology acceptance research (e.g., TAM or UTAUT; Davis, 1989; Venkatesh, et al., 2003). It is composed of five dimensions, including quality of an information
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service; users; information acceptance; information environment; and changes over time. In general, the model can be adapted in a flexible way, so that it is possible to restrict an investigation to individual aspects of an information service or to take a closer look at specific dimension. In this study, we focus on a specific part of the model, the information environment, which includes sub-areas of competition, culture, eGovernance, and information marketing. We have limited ourselves to the sub-areas of eGovernance and information marketing. The dimension of eGovernance encompasses such areas as policies and legal issues within the digital domain.

For the purpose of data collection, Internet and literature research was carried out in order to gain insight into the type of data collected by Pinterest and to find out to what extent this data is passed on to third parties. In the same way (through Internet and literature research) the legal background of Pinterest with regard to European law was examined, limited to Pinterest’s official statements and provisions. Personal contact with Pinterest was not established for this study. The empirical investigation of user perception of security and trust was based on an online survey (Appendix).

The online survey was carried out between 5 April and 5 July 2019 and was distributed across various platforms (e.g., SurveyCircle, PollPool). These platforms were chosen to enhance the international spread of the survey. Participation in the survey was voluntary and anonymous. In addition, prior to taking part in the survey, participants were informed about the conditions of participation as well as data usage and data storage by means of a declaration of consent. Invalid surveys or surveys with incomplete answers were filtered and not included in the investigation. The survey was distributed on various platforms in different countries in order to obtain a holistic and representative picture. However, the results of the survey should be interpreted with caution. Several questions were answered on a seven-point Likert scale (1 = completely disagree; 7 = fully agree). Despite sociodemographic questions, users were asked about their fear of legal violations online (copyright, data protection, trademark) in general and on Pinterest. They were also asked which parts of Pinterest’s terms and conditions and terms of use they read and whether they trusted the service (Appendix). In total 365 participants from 41 countries took part in the online survey.

3. Results

3.1. What is Pinterest's legal position? (RQ1)

3.1.1. Self-regulation

In order to be able to use Pinterest, certain requirements must be met. For example, a user must be at least 13 years old. If users live in the European economic area, they may only use Pinterest if they are at least 16 years old or have the consent of their parents. All rights and general responsibilities for user content remain with users publishing content. User content appearing on Pinterest may be used, saved, changed, reproduced, demonstrated, and distributed by Pinterest and users. As a user, one grants both Pinterest and other users a non-exclusive, fee-free, non-transferable, non-sublicensable, worldwide license. Therefore, even after deleting a pin or account, content remains on the site. Pinterest is authorized to use, provide, and improve content of users. It is possible for Pinterest to provide data, for example, to services which have registered to Pinterest; to services used by Pinterest to advertise Pinterest on external sites and apps; to law enforcement agencies and government agencies; as well as to improve content in size, color, and resolution to better fit the demands of the service. Pinterest also reserves the right to deny its own services to a given user. Companies are free to use Pinterest’s advertising service, unless they are prohibited by U.S. sanctions. Pinterest assumes no responsibility for links, Web sites, or third-party services. The terms of service for Pinterest were last updated on 1 May 2018 and have been valid since 21 June 2020.

3.1.2. Data handling

What kind of data does Pinterest collect?

Data protection plays an important role in today’s world. As digitalization progresses, it is for example becoming easier for third parties to create a comprehensive user profile. This further increases the risk of data misuse. In order to better protect users living in a EU state, the EU General Data Protection Regulation (GDPR) came into force on 25 May 2018. Pinterest also uses personal data according to their privacy policies.

The information that Pinterest harvests includes name, e-mail address, gender, possibly a telephone number, profile photo, and pins uploaded or saved. Pinterest can also save the location of photos if users allow it. If you buy something
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from a company via Pinterest, Pinterest receives information about payment information, contact details, and the purchase itself. If you buy something for a third person, contact details and delivery address of that person are also saved. On Pinterest you can also link your account with those of other social media, such as Facebook or Instagram. By doing this, Pinterest also receives and stores information from these accounts. Furthermore, technical information is secured such as log data, cookie data, and device identity. In addition, Pinterest also receives information from third parties (Web sites and partner companies).

To present personalized ads to the user, Pinterest and companies that advertise on Pinterest use information about activities outside of Pinterest. Companies that advertise on Pinterest may pass on lists of customer e-mail addresses to Pinterest, and Pinterest can use this to determine whether a given customer may be using Pinterest and can, thus, display relevant promoted pins to the customer. Or, the company can share information from the company’s Web site or app with Pinterest. This allows Pinterest to use this information to show specific users specific ads. If you do not want to see personalized advertising, you can alter settings. Pinterest collects, stores, and uses information not only to place customized ads, but also to improve the service and only show relevant, individualized, and interesting content. With the help of collected data, for example, new and helpful functions are developed. In addition, Pinterest also tries to network users better by displaying relevant friendship suggestions to a user. Advertisers also benefit from data storage, because Pinterest tells them how effective their advertising is and which products are of interest to certain users. Not only advertisers obtain information about users, but law enforcement agencies too. If a user engages in criminal activities, Pinterest may cooperate with authorities and forward information about the user.

All data that Pinterest collects is stored in the United States. Therefore, American data protection law applies to backed up data. The EU-U.S. Privacy Shield applied to European users. It was an agreement between European Union and the U.S., aimed at protecting personal data of Europeans, transmitted to U.S. companies (Datenschutz.org, 2021; Klein, 2017). However, this agreement (similarly to the preceding Safe Harbor agreement), was declared invalid in 2020, indicating that American standards do not conform to European data protection. For now, the trans-Atlantic data transfer can be based on the Standard Contractual Clauses (Commission Decision 2010/87/EC).

Is the collected user data forwarded to third parties?

Pinterest collects a wide variety of user data as described in their privacy policy. These are offered to registered companies indirectly and anonymously for the placement of advertising. In order to be able to optimally place advertising pins for the right users, Pinterest offers targeted ads.

There are six targeting tools available from Pinterest — automated targeting, demographics, interests, keywords, customer lists, and actalikes (audiences with similar interests to existing customers). These tools should make it easier for the advertisers to find the most appropriate potential customers.

It should be noted that companies do not have direct access to user data. Pinterest filters a target group for advertising. In this way, users and their data are at least partially protected from being viewed by third parties.

3.1.3. How does Pinterest deal with intellectual property law violations?

Pinterest itself has no direct copyright issues. According to §10 Telemedia Act (TMA) as well as the Digital Millennium Copyright Act (DMCA) and similar laws in other countries, service providers are not responsible for external information that they store for users, provided that they had no knowledge of illegal acts or immediately acted after gaining specific knowledge. It is unreasonable for a platform operator to check all user content before publication. It is also generally not possible for a platform operator to identify and filter out copyright infringement. However, the operator can take action as soon as he becomes aware of violations. If a platform operator knows of violations and does not act, he can be held responsible. Pinterest expresses itself in a responsible manner about copyright law in its terms and conditions. Pinterest respects the intellectual property of others and expects the same from users of the platform. It blocks or deletes accounts of users who repeatedly violate copyright or other intellectual property rights. For this purpose, Pinterest has a copyright officer who acts at its own discretion in the interests of concerned individuals.

Pinterest also tries to avoid other legal violations, such as trademark and data protection violations. Pinterest respects, according to its own guidelines, trademark rights of others and therefore acts with measures that are considered appropriate. In the event that the username of an account, a name on a pin board, or other content that misleads or violates the brand of another party, these can and will be updated, transferred, or permanently blocked.

3.2. What is the users’ perspective on Pinterest’s legal position? (RQ2)
A total of 365 participants took part in the online survey. Of these, 267 (73.2 percent) were female, 90 (24.7 percent) male, and 8 (2.2 percent) assigned to a different gender. The age structure of the participants was between 18 and 60 years (from 1959 to 2001). Thus, the participants were on average 26 years old (born in 1993). The survey reached participants from 41 countries. In total 258 participants were living on the European continent, 20 in Asia, 45 in North and South America, 12 on the Australian continent, three in the Middle East, and one participant was from Africa.

3.2.1. What is the policy-related information behavior of Pinterest’s users?

As previously mentioned, Pinterest is transparent and legally compliant in its terms and conditions and guidelines relative to the European economic area. It expects the same compliant behavior from its users. Therefore, Pinterest seems to be legally on the safe side. However, this does not extend to its users, who are on their own when using the service and might bear legal consequences if they dealt with media inadequately.

![Figure 1: Which guidelines within Pinterest’s terms and conditions are read by users?](image)

How many users are actually reading the GTC of Pinterest? Of all respondents who use Pinterest, 202 (83.1 percent) participants did not read the terms and conditions and guidelines at all, 26 (10.7 percent) participants read data protection guidelines, 16 (6.6 percent) copyright guidelines, 11 (4.5 percent) advertising guidelines, 10 (4.1 percent) trademark guidelines, 8 (3.3 percent) developer guidelines and 7 (2.9 percent) dealer guidelines (Figure 1). As a result, just 16.9 percent of users dealt with at least one of the guidelines.

3.2.2. Are users more afraid of copyright, trademark, and data protection infringements on Pinterest than in general?
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Figure 2 shows the survey participants’ assessment of violations of copyright, data protection, and trademark laws. The blue boxplots represent the general fear of legal violations and the green boxplots represent the fear of legal violations on Pinterest. With a median of 4 and an interquartile range (IQR) of 3, the fear of copyright infringement is generally perceived as neutral, while the fear of it with a median of 2 and an IQR of 3 is rated as very weak or nonexistent on Pinterest. This tendency is confirmed by a strong significance, which was determined by means of the Wilcoxon test (Table 1). The same distribution can be seen for concerns about trademark law violation. Here, too, a median of 4 and an IQR of 3 is achieved for general fear. On Pinterest, the fear is rated with a median of 2 and an IQR of 3. Thus, concerns about trademark infringements on Pinterest are perceived to be significantly weaker. The fear of data breach is generally very high with a median of 6 and an IQR of 3. On Pinterest, respondents with a median of 3 and an IQR of 4 are significantly less concerned about data protection. In summary, respondents are significantly less concerned about possible legal issues on Pinterest than in general.

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<th>Table 1: Fear of legal infringement on Pinterest and in general.</th>
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<td>Note: Likert scale from 1 (“I disagree”) to 7 (“I fully agree”); IQR, interquartile range; N, number of valid cases; Sig, significance of difference; *p&lt;0.05, **p&lt;0.01, ***p&lt;0.001; a) Wilcoxon test.</td>
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3.2.3. Do users of Pinterest trust the service?
Similarities can be recognized regarding the users’ trust in the system. The users were asked if they trust that Pinterest will handle their personal information carefully (Appendix). It can be seen in Figure 3 that with a median of 4 and an IQR of 2, confidence in the system is rather neutral, but with a positive tendency.

![Figure 3: Users’ trust in the service.](image)

4. Discussion
With the boom of the Internet, a great deal of data has been accumulated and can be used by almost everyone. With one click, for example, pictures, texts, and videos can be shared with a large groups of individuals via social networks. However, this can pose legal dangers, including copyright infringement.

One of the most popular services is Pinterest, a virtual pin board for collecting content, ideas and inspirations found online. It differs from other information services and forms a kind of hybrid platform. It has a steadily increasing number of users and receives a high level of attention from businesses and researchers. Although there are already some studies dealing with user behavior, gender roles, information behavior and legal situation in the U.S. on Pinterest, some important insights are still missing in order to receive a holistic view of the service, such as its legal situation in the European economic area and legal consciousness of its users. Therefore, the aim of this work was to determine Pinterest’s legal position (i.e., its self-regulations through terms and conditions, the kinds of data that it collects, whether data is being forwarded to third parties, and, how it deals with intellectual property violations) (RQ1) as well as user perspectives on legal issues (i.e., policy-related information behavior, fears of copyright, trademark, and data protection infringements, and, users’ general trust in the service) (RQ2).

Pinterest is represented worldwide and is becoming increasingly successful and popular. In addition, Pinterest must comply with country-specific legal regulations due to its worldwide availability. One of the most critical rights is copyright, which can be problematic for users, especially in Europe. Pinterest expresses itself with a great sense of right and wrong in its guidelines and thus wants to create legal security for itself. In the case of legal violations, Pinterest refers to the personal responsibility of the user, which could lead to legal consequences due to the partially non-transparent functioning of Pinterest, a lack of technical understanding, and a possible lack of awareness of the correct use of media. Similar findings regarding American law have been noted by Carpenter (2012) and Carrol (2013).

According to our survey, 16.9 percent of users read the terms and conditions and guidelines. Pinterest is very transparent in dealing with its guidelines and use of user-related data. Users appear significantly less concerned about copyright, data protection, and trademark infringements on Pinterest than in general, as described in Figure 2 and Table 1 earlier. In general, terms and conditions are rarely read by users. This is largely due to the convenience of users and, to some extent, due to the trust in a given service (von Stetten, 1983; Zurstiege, 2015). Users voluntarily — consciously or unconsciously — give up part of their rights out of convenience and because the trust in a service, in spite of possible legal consequences. Even if trust in the system was rated by survey participants with a neutral mean (Figure 3), it seems to be sufficient for this behavior. A possible explanation for trust in a system is that no legal disputes in connection with Pinterest are known so far (Fink, 2014; Strokes, 2014). However, the possibility cannot be excluded that users do not understand the technical functions of the service properly and are not even aware that they could be subject to prosecution (Mißfeldt, 2017).

Pinterest is very transparent and confronts both its marketing partners and users with all possible data collection and legal consequences that could arise over the use of its service. Pinterest collects and stores demographic data, user behavior information, and other relevant user data. This information is collected not only for marketing purposes, but is supposed to improvements in the platform, making it more relevant and interesting (Kasakowskij and Kasakowskij, 2020). Thus, advertising through personalization becomes an integral part of Pinterest’s content (Missler, 2019; Phillips, et al., 2014). However, information about users is not released to third companies in a freely visible manner, but indirectly by filtering for advertising.

5. Limitations and further research

The results of this study provide insights into the possibilities that Pinterest offers both its users and business partners. Additionally, because of the nature of Pinterest’s use of content, this study suggested some legal uses for users of the platform, in spite of Pinterest’s efforts to educate its audience.

In general, users do not seem to be greatly afraid of legal violations on the Internet. Such concerns are even less relevant in the context of Pinterest, so it would be interesting to investigate this point further. Are users really simply too lazy to read terms and conditions as well as guidelines? Do they have tremendous trust in the service or are they simply concerned with the use of the service and accept any legal consequences? This point is particularly interesting because Pinterest stores a large amount of user data and also reserves certain rights to the images and data of users.
Furthermore, the spread of fake news and hate speech currently play a major role in the context of social networks. Against the background of such legal regulations like the German Network Enforcement Act and increasing online denunciation (Kasakowskij, et al., 2020b), it would be interesting to discuss the role and involvement of platforms like Pinterest as well, for it could also have legal consequences for Pinterest and its users.

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**Appendix**
Appendix 1: Excerpt from the survey for Figure 1, Figure 2, and Table 1.
Appendix 2: Excerpt from the survey for Figure 3.

Editorial history

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