

The Way to Protect the Personal Information of Public Figures under the Fandom Economy

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Abstract: As a derivative product of the integration of "Internet and economy" and star-chasing atmosphere, "fandom economy" takes the emotion of idols and fans group as the carrier, and relies on the unique capital to be own categories. At present, the internal and external crux of fandom economy makes the protection of personal information of public figures face severe challenges. On the one hand, within fandom, fans, media, capital platforms, mass media and other subjects may infringe personal information due to their own interests, induce information reselling market, generate false public opinion and other adverse influences; on the other hand, the law under special subjects is not perfect, when the inherent nature of personal information conflicts with the characteristics of Internet media, the risk factor of public personal information increases significantly. Therefore, to solve the problem of personal information protection, it is necessary to improve the operation mode of internal and external governance and efficiency, so as to promote the steady progress of the fandom economy.

Keywords: Fandom economy; Public figures; Personal information protection; Internet

1. Introduction: The emergence of omissions in the protection of personal information of public figures under the "fandom economy"

"Fandom" refers to the unified name of fan organization with organizational management and hierarchical scale that spontaneously carry out cluster activities and gather with the help of Internet technology and social media with the previous motivation of concern and love for a certain or several public figures. With the leap of the Internet economy and the expansion of capital flow control and diversion, "fandom economy", as a systematic economic activity derived from the interest field of the star-chasing "fans" entertainment community, emerges at the right moment and has the characteristics of organization, specialization, scale and commercialization ^[1]. The space barrier between public figures and fans can be broken through, and a variety of support activities such as voting on the list, buying popularity, picking up along with giving gifts and so on can establish connections with public figures and carry out bidirectional interest exchange. Fans can get closer to their favorite public figures, and public figures can gain more popularity and resources due to fans. Internet platforms and social media also seize business opportunities in real time, increase exposure and marketing efforts, and reap influence dividends easily.

The seemingly tripartite profit and balance of transactions are in fact likely to lead to the leakage and wide spread of non-public information of public figures on social platforms, and even to the event of selling their privacy, such as ID number, contact phone number and residential information, which seriously infringes on their privacy rights and reputation rights, and has an adverse impact on the network environment and social order.

The issuance of the Personal Information Protection Law in 2021, theoretically and profoundly reveals the scope of protection and processing rules of personal information rights and interests, and stipulates that personal information data information can be legally protected as property rights (equity), clearly indicating China's strategic importance to the protection of personal information. Since Article 127 of the Civil Code of the People's Republic of China clearly states that "different civil subjects have equal status in applying the same law in civil activities", no separate provision has been established for the personal information of public figures under the Personal Information Protection Law. Moreover, according to the theory of "balance of rights and obligations", public figures enjoying more social resources should also satisfy the curiosity of the public for their own information. However, the identity of public figures has its own particularity. If the current regulations treat public figures and ordinary people equally under the application of law, it is often defective and difficult to fully protect the legitimate

rights and interests of public figures. Therefore, it is of great significance to effectively solve the problem of protecting the personal information of public figures under the fandom economy for protecting the legitimate rights and interests of all citizens, making up for the current vacancy of targeted laws, and promoting the all-round process of law-based governance of the country.

2. The definition of personal Information Protection of public figures under the fandom economy

2.1 The subject of protection - public figures under the "fandom economy"

In 1964, the United States Supreme Court first put forward the concept of "public official" in "New York Times v. Sullivan" ^[2], which laid the foundation for the theoretical interpretation of the definition of public figure. In 1966, "Rosenblatt v. Bell case" ^[3] prompted the Supreme Court to further explain the concept of "public official" and defined the important factors to judge public officials, namely, authority, responsibility and control force. Subsequently, the Supreme Court of the United States clarified the concept of "public figures" in the case of "Curtis Publishing Company v. Bartz", which also triggered different disputes between the two groups on the specific definition of public figures. However, no matter that "public figures and government officials involve citizens to the same extent in their attitudes and behaviors related to public issues and events" or that "public figures refer to people who have been justified and have important public interest issues", the two definitions share a common point of view that public figures must be closely related to public interests. It also has considerable influence on the formation of social events and the words and deeds of the public ^[4].

To sum up, the definition of public figures, which is opposite to the definition of ordinary people, should grasp its subjective and objective characteristics, including two objective points and one subjective point. From the objective point of view: First, whether it has wide visibility in a certain field, that is, whether it is familiar to most people within the current time and space limits. As the basis of influence on behavior of public figures, popularity is the prerequisite to judge whether they are public figures. Second, whether it can be reported by the news media, that is, whether it has the communication value, which is different from the relevant personnel who carry out confidential work and receive special protection. The relevant information of such personnel involving national interests is not within the scope of this paper. The subjective point is whether the public figure has subjective needs, that is, whether he or she agrees with his or her identity as a public figure. If there is no self-identification, he or she cannot be asked to distinguish his or her responsibilities and obligations from those of ordinary people.

From the perspective of the concept of "fandom economy", the concept of public figures is divided into a more specific scope. As an imported product, "fan" was translated by "fans", and the term "fandom" was officially proposed in 2012, extending to the group who like a certain culture ^[5]. In 2014, the media gave a clear explanation of the activities under the "fandom economy", including holding fan meetings, attending concerts and attending book signings. Through the above analysis, it can be concluded that the public figures in the "fandom economy" can be defined as the following: those who have certain influence and popularity in the arts and entertainment industry, and can attract media reports so as to obtain basic public cognition, for example, actors, singers, writers, musicians, dancers, etc. At the same time, as mentioned above, while enjoying the social resources brought by popularity and attention, the public figures in "fandom" should also assume the exemplary responsibility for public behavior, ideology and moral character and the obligation to safeguard public interests.

2.2 The object of protection—the personal information of public figures under the "fandom economy"

As a kind of information data, personal data is always in the public domain, and is a public resource that anyone can use ^[6]. As a comprehensive resource, personal information serves as a media tool for individuals to communicate with the society. Individuals use their own information to show and promote themselves to the outside world, so that personal information runs through all social activities and business contacts, and the results brought by the activities belong to themselves. Including and not limited to material value, but also with the extension of interests of reputation, achievements, qualifications and other spiritual value. Personal Information Protection Law regards personal information data as property rights, which proves that personal information can be used commercially as property, which coincides with the way public figures use personal information in their work and life. Therefore, when personal information of public figures is infringed, their material and spiritual property rights and interests may also suffer losses ^[7].

Chinese laws already have the definition and relevant protection of personal information ^[8]. On

December 28, 2012, the Decision on Strengthening the Protection of Network Information declared that "the identifiable personal identity of citizens and electronic information involving citizens' personal privacy, including citizens' privacy, have received legal protection from the state". This has started the legal procedure for personal information data protection. Personal information protection has become a major element in the construction of many regulations, such as the Protection of the Rights and Interests of Consumers and the Network Security Law. These laws constitute the legal rules of personal information protection in our country. The existing concept holds that digital human rights will become the most prominent and important right in the upcoming fourth generation of human rights in human society [9]. Our law makes it clear that the state respects and protects human rights; The personal dignity of citizens is inviolable; Citizens' freedom and privacy of communication shall be protected by law. Therefore, the enactment and implementation of the personal information protection law has legal prospects for protecting the legitimate rights and interests of citizens.

2.3 The Significance of Protection—the Double necessity of public Law and private Law

In addition to the protection of private interests, the protection of public figures' personal information also involves social management and national security. In the context of the rapid development of global digital trade and the cross-border flow of massive data, the cross-border transport of personal information data has become an indispensable link and poses a double-faced challenge to the development of domestic digital economy and international trade game [10]. The cracking of the regulations on personal information of public figures and the improvement of the corresponding protection system can prove that our country has the practical ability to control the rational use and safe flow of personal information. It is helpful for China to adapt to the new situation of the world economy under the background of high-tech era, so as to highlight the development potential of China's digital economy and improve China's competitiveness in international data and information transactions.

Under the leadership of BNF (big-name fan), fans often use the reasons of maintaining the idol's reputation and interests and fighting rumor-mongering to help idol against bad comments and request posters to apologize and delete the post, or report complaints to relevant platforms, and do their best to eliminate or suppress the negative news of the idol. If the poster is not willing to compromise, the fans will verbally attack the poster in comments and private messages, and even the fans will search for the relevant private information, such as social identity, home address, work unit and so on. This also means that the regulation system for the personal information of public figures needs to make special provisions for the special subject of public figures based on the framework of traditional personal information protection laws. In addition to the civil law establishing the basis for the protection of rights and interests of private law, it effectively analyzes the current problems and impacts of the protection of personal information of public figures, explores and develops a two-pronged comprehensive governance path of the management of higher authorities and the implementation of lower subjects, so as to promote the updating and improvement of the protection law of personal information of citizens under special subjects from the point to the whole area.

3. Domestic turmoil and foreign aggression: the actual crux of personal information protection of public figures under the fandom economy

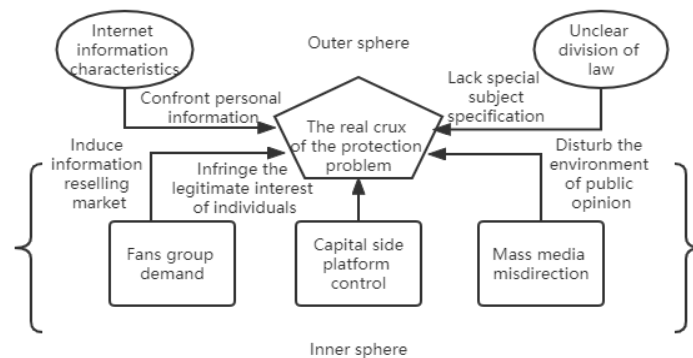


Figure 1: Fandom economic inner and outer layer structure map

The analysis of the actual crux of the personal information protection of public figures can be divided into two parts according to the different inner and outer fields of the fandom economy (see Figure 1). Fans, sponsor platforms, mass media and other participants in the fandom economy constitute the inner field of the fandom economy. These participants have an impact on the personal information security of public figures due to their different interests and needs. The environment of social development forms the outer layer of the fandom economy, among which the development of the Internet and the construction of laws cause unstable factors to the problems of the fandom economy.

3.1 Internal crux

Due to the particularity of the identity of the subject, the personal information of public figures in the fandom economy is exposed to the attention of other participants -- fan community, sponsor platforms and media for a long time, which is likely to cause the infringement of their personal information rights and interests to a great extent, and may lead to numerous negative impacts.

3.1.1 Induce information reselling market under fan community's demand

According to an online survey of young people released by the Central Committee of the Communist Youth League and the China Internet Network Information Center, 8% of the 183 million underage Internet users regularly participate in fan support activities, with the highest proportion among middle school students, indicating that fans are becoming younger. Since ancient times, the phenomenon of fans' worship of idols has been widely popular among young people and always exists among all nationalities and classes. This phenomenon is closely related to the process of social development and human emotional needs, and is the inevitable result of cultural communication ^[11]. Fans establish an identification mechanism through emotional consensus on idols' emotions, excavate and collect all kinds of public information about idols and spread it on social platforms. To some extent, these information becomes the media for interest exchange between idols and fans. Fans use the Internet to create influence data for idols and attract more attention. Some fans even spend a lot of money to buy the travel information and schedule of idols at high prices, just to get a far look at the places where idols pass by, or spend a lot of time and energy to track idols and take photos of their private lives, which undoubtedly has an impact on the normal life of public figures.

From the perspective of public figures, although most idols know that similar behavior will bring great risks to their personal safety and information security, they have to admit that fans' pursuit and attention is the main source of popularity and influence. Similarly, the existence of "paparazzi" and "barbaric fans" is common in the fandom, but it is widely believed in the entertainment industry that exposure equals popularity, leading to unclear boundaries of permissible behavior. The travel information of public figures obtained through tracking and taking photos forms an underground sales market within the fandom and is sold to fans and media on social platform groups. Individual candid photos can sell for as much as \$10, while more private information such as itineraries, phone numbers and home addresses can fetch huge sums. If such transaction exists for a long time, it will not only cause the personal information of public figures to be violated by reselling, but also lead to the chaos of the network environment and interfere with the normal operation of the market economy.

3.1.2 The investor platform infringes individual rights and interests

The high-viscosity and high-yield control structure of the "fandom economy" cannot be achieved without the boost of the "investors" behind the public figures, namely their studios or brokerage firms. "Funders" tend to be the opinion leaders behind the whole career process of public figures, and then control their fan communities through controlling the public figures, control the media platform through controlling the fan communities, and then grasp the platform algorithm and influence, so as to affect the social attention ^[12]. Agencies and studios regularly measure the business value of public figures in their organizations by measuring their headline numbers and relative popularity. The purchasing capacity of fans based on the topic popularity of public figures is the main source of profits for the capital. The fandom economy is also a competition between producers from different production lines, and the relationship among public figures, investors and social platforms can be regarded as the relationship between cultural products, producers and packaging factories. The operation of fandom economy takes public figures as the center and revolves around the network social platforms. The internal hierarchy of fans is distinct and the division of labor is clear. The fans are supported by their professional communication system and operation procedures ^[13]. According to the product mechanism and platform logic of most social platforms, the "trending hashtags" image-text that can be seen at the first glance when entering the App of social platforms can be promoted by spending money to increase the number

of pushing thus increasing the number of browsing topic terms. This approach gives fans a wide space to boost the popularity of idols, which makes the sponsors and platforms benefit a lot.

Under the traction of the platform, fans see the competition for the list as an opportunity to help their idols win more commercial resources and become widely known. In addition to buying popularity for their idols, fans also take the behavior of making and spreading negative news about competitors^[14] as an effective means to compete for resources and transfer the popularity of negative news about their idols, and relies on fans community to generate links and widely forward them on social networks. However, malicious reports from “fandom” often lack truthfulness and credibility, and are mostly motivated by emotional reasons to defend their idols, leading to malicious infighting. For the spread of personal information of public figures, due to their special status, they bear higher attention than ordinary people, and their right to personal information is difficult to be guaranteed under the rumors, and their right to reputation will be greatly damaged.

Despite the various types of lists that social platforms compete with each other to create, they rely on the human and financial resources of fans, rather than the pure content and quality of comparison. The platform takes advantage of the competitive psychology among different fan communities within fandom to guide fans to buy "headlines" and push their idols to the top. For economic benefits, the platform spreads unverified statements of "public figures' names and keywords" in online headlines, which seriously infringes on the personal reputation right of public figures. Meanwhile, it intentionally turns fans' emotions into labor as a tool of capital slavery.

3.1.3 Mass media misleads and disturbs the environment of public opinion

From the modern perspective, it is recognized that mass media has four functions, namely, monitoring the environment, coordinating social relations, inheriting culture and providing entertainment^[15]. Nowadays, the network media controls the mainstream position of news communication and is the main way for ordinary people to grasp social information. Under the influence of the fandom economy, mass media blindly caters to the audience's curiosity, satisfies the fans' vulgar taste so as to excavate the privacy of public figures, and it is difficult to show a positive image. First of all, it attaches the transmission news to the pursuit of interests. Although it satisfies the psychological needs of some fans inside fandom, in the outside world, unverified reports and the wanton promotion of titty news undoubtedly reflect the low credibility and reputation of news media. Secondly, the behavior of deliberately exposing the privacy of public figures for the sake of influence and popularity within the fandom deliberately causes antagonism between different fan communities, leading the fans culture to the wrong direction of blindness and exclusion of dissent. Extreme speech and behavior logic are more likely to become a catalyst for social conflicts. At the same time, the fabrication and dissemination of personal information about public figures not only breaks the boundaries of literary and artistic criticism, but also increases the burden on the censorship of social platforms and the social governance of public authorities because it involves the public interest^[16].

Exposed articles and videos that lack strict auditing standards and authenticity basis will have a far greater impact than the "material" itself once forwarded by fans and promoted by marketing accounts. This is undoubtedly a behavior of binding the personal information security and reputation rights of public figures to their own interests and ignoring their legitimate rights and interests. The concept of star-chasing based on influence and data has intensified the chaos and disorder of the fandom economy. Moreover, the bad habits of spreading rumors, language attacks, human flesh search, etc. seem to be contradictions within the field and have nothing to do with others. In fact, they not only bring about the loss of personal rights and interests, but also involves the mass perspective spreading out the sphere. Grapevine news without real basis, accompanied by public figures from different fields due to information leakage initiated by the indictment frequently occupy the headlines, so that the public cannot help doubting the existence significance of network rules and order, and distrust the protective effect of legal provisions, resulting in hidden dangers in the public opinion environment.

3.2 External crux

3.2.1 The characteristics of Internet information against the characteristics of public figures' personal information

With the advent of the Internet 3.0 era, human beings have entered the age of data, networking and intelligence. The development of mobile media and information interaction has made higher requirements for the protection of personal information rights and interests. Advances in information and communication technology have made communication between fans and public figures, and between

fans and fans, more direct. Driven by the capital platform, the promotion of mobile payment means will promote the circular exchange of interests of "fandom economy", making the network economic attributes of fans more profound. The information network is also contradictory with the characteristics of personal information, which makes the personal information of public figures in the fandom economy face a greater crisis.

(1) The conflict between aggressiveness and vulnerability

The vulnerability of personal information is in sharp contrast to the aggressiveness of data networks. With the rapid development of social productivity, information technology has produced a strong driving force for modern living standards and scientific and technological innovation, resulting in multiple social and economic benefits. At the same time, the core technical features of big data are the super ability to collect, store, timely and accurately process data and the accurate prediction ability, which are naturally invasive to privacy^[17]. This innate invasiveness makes it almost impossible to hide information from the Internet. Any trace of personal information that exists on the Internet is exposed to the public in a transparent form, so there are many convenient ways to obtain it, which is extremely vulnerable. Information including shipping addresses, location permissions, comments, and billing records can be leaked inadvertently. Through search engines, fan community can excavate deeply into all the information related to idols, including travel arrangements, scene photos, etc., and expand the dissemination scope through relevant social media and discussion groups.

(2) The contradiction between openness and privacy

The personal information of public figures is much more in contact with the Internet than that of ordinary people, which is positively proportional to the fact that their personal information may be leaked in the process of circulation. Today's convenient and fast modern life experience of network users involves all aspects of clothing, food, housing and transportation. All rely on Internet mobile data operators to collect information comprehensively and run personal information as open data in various programs, thus providing users with high-quality services. The openness of network data brings the development of a better life but also the hidden danger of personal information leakage. When public figures use various apps in daily life as users, it is inevitable to leave traces of personal information. These private data are clearly visible in the backstage, and there is always a risk of disclosure. The Evaluation Report on Personal Information Collection and Personal Information Protection Policies of 100 Apps released by China Consumers Association points out that: "Suspected excessive collection or use of personal information is common in 100 apps. Location information, communication record information, mobile phone number and other personal information are the main factors for excessive collection or use. Some apps are suspected of excessive collection and use of personal property information, biometric information and other sensitive information^[18]."

Out of curiosity, the public is inevitably interested in learning about public figures who are hard to reach directly. Fan communities and entertainment tabloids "treasure" all kinds of undisclosed information about their idols. Fans believe that the more they know, the closer they will be to their idols, while entertainment tabloids seek more profits by all kinds of gossip. However, in the "fandom economy", the particularity of idols' status as public figures leads to the fact that idols' personal information is not completely attached to their personal property or personality rights, but "public" data that can provide commercial value. This characteristic determines that the boundary between idols' personal information and privacy rights is relatively fuzzy, so their personal information is more susceptible to infringement.

(3) The contradiction between modifiable and untraceable

Personal information with the nature of Internet data can be modified, which is specifically manifested as replicability and variability. Nearly half of the celebrities in the entertainment industry have suffered rights infringement due to personal information disclosure. However, in the past cases, the symptoms are often treated rather than the root cause because of the difficulty of obtaining evidence. Traditionally, most public figures whose rights and interests of personal information have been infringed will protect their rights by sending lawyers' letters and civil lawsuits to those who have a bad influence. To some extent, this method can protect their privacy rights and interests and act as a deterrent. However, due to the replicability of network data, it cannot completely prevent the secondary occurrence of leaked information and prevent subsequent adverse effects. Second, the flow of personal information is relatively complex and can be deleted from the route of transmission. Therefore, once there is an infringement on the rights and interests of personal information, it is often difficult for the victim to find the starting point of information disclosure and trace the source of infringement, including how their information was known, by whom, when and where it was posted^[19]. If public figures want to further safeguard their rights and interests through litigation procedures, the untraceable network data makes it

difficult to collect litigation evidence and cannot provide comprehensive litigation support for public figures.

3.2.2 Lack of legal norms under the subject of public figures

The Personal Information Protection Law of the People's Republic of China adopted by the Standing Committee of the National People's Congress on August 20, 2021 clearly states that "no organization or individual shall illegally collect, use, process or transmit personal information of others, or illegally trade, provide or disclose personal information of others; Shall not engage in personal information processing activities that endanger national security and public interests"^[20]. This means that the collection and use of personal information without consent constitutes an illegal act and may bear the civil tort liability, administrative liability and criminal liability caused by the tort act^[21]. However, due to the close relationship between the status of public figures and their career and public affairs, there may be conflicts between "the use and disclosure of citizens' personal information shall be subject to the consent of the information subject" and "public interests first" and "ensuring the public's right to know" as emphasized by the law. Take news reporting as an example, reporting takes public opinion supervision, public supervision, and protection of the public's right to know as its functions, and the realization of these functions is based on the full exercise of the right of news reporting. When excessive emphasis is placed on protecting the privacy of public figures, the fulfillment of the duties of news reporting is bound to be restricted and the circulation and dissemination of real news will be hindered^[22].

China's current law does not clearly delineate the boundaries of news reports, which often intentionally excavate information about the private lives of public figures in order to obtain a higher reading volume. Some public figures also voluntarily expose private information in order to cooperate with news reports for higher popularity, but they also hope that the private information they do not want to make public is not known, which eventually leads to the difficulty for both sides to grasp the standards of whether news can be made public or not. At the same time, the current law lacks a separate regulation for the protection of personal information of public figures, but applies the same applicable principles to the general public. Most of the personal information protection provisions in the current civil law and criminal law are related to the privacy of portraits and communications, while the personal information that public figures can be infringed is much larger than this scope, including the information of relatives and friends, emotional life, travel arrangements, etc. These legal provisions are still blank, and cannot fully meet the practical needs of the protection of personal information of public figures.

4. Multi-governance: the standard path of personal information of public figures under the "fandom economy"

4.1 Guidance level of state organs

When dealing with infringement cases of public figures, the government should maintain an objective and fair attitude and provide special legal protection for public figures. Its significance lies in protecting the legitimate rights and interests of all citizens from infringement as far as possible, rather than taking a broad path to the application of law under special subjects. The supervision of the relevant network departments of the government plays a key role in establishing a good atmosphere in the industry. On the one hand, the policy guidance should be strengthened from the macro level, and the adverse trend of fans leaking and forwarding personal information and lowering the legal bottom line by using entertainment should be contained through special actions of disorder rectification. On the other hand, the supervision of specific industries should be strengthened from the micro level. After identifying the source of information leakage, the internal person in charge of the fandom organization should bear joint and several liabilities under certain circumstances. In addition to the conventional civil punishment, they may be required to expound the facts on open online platforms and apologize to the injured parties, so as to make up for the loss of reputation of public figures and restore their personal image. At the same time, in order to popularize the public's cognition of torts and illegal behaviors and prove the reputation of public figures, the court can conduct public hearings on the cases of personal information infringement of public figures based on the will of the parties and publicize the results, so as to build legal authority and reduce the occurrence of similar torts.

In judicial practice, in view of the difficulties brought by the high technology of the Internet in the era of big data in the behavior determination of information leakage cases, determining the subject and tracing the source are difficult, improving the technology of judicial practice is the top priority^[23]. Judicial organs should pay attention to the solutions brought by interdisciplinary disciplines and science

and technology, and jointly establish a data chain of real-time control and timely tracking with technical departments. Besides, shift the perspective of investigation from the downstream "information dissemination" to the upstream "information theft", and crack down on premeditated organized crimes from the source, so as to combine information science with legal thinking. Effectively improve the efficiency and quality of information crime investigation.

4.2 Review level of investor's platform

As a link in the transmission of personal information in the network, Internet platforms should attach importance to their central role in it, build review procedures covering the whole flow of information, pay attention to multiple ways of information transmission, and strictly control the procedures in each stage of network information release, collection and processing. Internet platform review departments need to improve the information content review system, improve the implementation of background supervision, and strictly examine the information release channels. Strengthen the supervision over the authority of information release of each account, raise the threshold of information release on the platform, predispose the spread of false statements, and prevent second-degree diffusion. The platform should establish a corresponding "negative list" as soon as possible for the infringement of the personal information of public figures sold by the "fandom economy", clarify the information release norms on the Internet and social platforms, and shut down and eliminate the accounts involved in illegal infringement. Economic companies should grasp the pre-regulation method, formulate clear standards for the identification of responsible persons, conduct official certification and record for fan communities and support associations, and publicize the record to fans. At the same time, attention should be paid to changing the idea of operation to avoid data vicious comparison and other topics that are easy to cause malicious competition among fan communities. It can also guide the expansion of public participation, strengthen the communication among the fan communities within the fandom, so as to reduce the possibility of internal struggle, timely restrict the group activities of the fandom with inducement and seditious, and control the fans' consumption within the scope permitted by law.

4.3 Coverage level of social media

In order to strike a balance between news reporting and the public's right to know, it is particularly necessary to define the limits and scope of media reporting and clarify the duties and obligations of media staff. It prohibits any personnel from intentionally disclosing celebrities' privacy through illegal means, and stipulates elements such as the content and way of staff obtaining celebrities' privacy and the liability for infringement. The civil liabilities of the media for illegally collecting celebrities' privacy, disclosing and disseminating celebrities' privacy shall be strictly stipulated. Within the industry, "ensure strict obedience" should be made for the reporting of public figures: (1) forbid disclosure of information about family members of public figures; (2) forbid discovery of marriage and love situations of public figures whose partners are non-public figures; (3) prohibit reporting of contact information and home address of public figures; and (4) ban publicity of private information of public figures that has nothing to do with the social sphere. And "whether it involves the public domain or public interest" as the media whether to open the premise of the standard. Journalists still need to consciously strengthen the awareness of law-abiding and professional ethics, fully practice the functions of media while avoiding quibbler, catering to the public interest and losing the legitimacy and authenticity of news reports. As the recipient and disseminator of front-line news, accredited official media should be responsible for the authenticity and language of their reports, and all kinds of reports should pass strict examination and verification before being sent to social platforms. For events involving public figures, social news and other influential events, the discussion should be clear and qualitatively reasonable, and should not tend to chase and attract public attention. The report should be neutral and impersonal, and avoid exaggerating the facts. When subjectively there is no malicious disclosure of personal information of a public figure but negligently infringes upon the privacy of a public figure, the report must be deleted and the commission should publicly clarify the facts as required by the parties concerned.

4.4 Discerning level of fandom fans

As the main participants in the fandom economy, the fandom community should think deeply about their own original value, avoid indulging in self-inspired data creation, but should intellectualize and standardize the star-chasing behavior, so as to prevent the infringement of others' legitimate rights and interests under the influence of radical star-chasing concept. At the same time, they should improve their own legal awareness and responsibility awareness, and make clear the harm and consequences of

infringing others' privacy information behavior. When seeing online advertisements that illegally sell personal information of public figures, they should report to the publishing platform in time and provide related electronic evidence such as screenshots and video recordings in coordination with the reporting process of the platform. When confronted with unofficially confirmed gossip, think carefully, analyze it rationally, and do not follow the trend of forwarding. As an important organizer in the fandom organization, individual fans should make clear the significance of placing star-chasing behaviors under the premise of legality, clarify the internal rules and regulations of their own groups, assume their own management responsibilities to supervise the behavior norms of fans in the organization, guide fans to consciously maintain the order of the network environment, abide by the rules and regulations of the network platform, and learn, know, understand and use the law. Young people, who occupy the main proportion of star-chasing groups, should strictly abide by laws and regulations, do not actively buy or spread personal information of idols. At the same time, they should clarify the main task of their own identity, constantly improve the ability to distinguish online information, do not believe in rumors and do not spread rumors. On the path of star chasing, we should abandon the imprisoned idea of supporting idols through the traditional means of supporting the list, learn the excellent deeds and good qualities of idols, establish the correct concept of star-chasing, and strive to improve our own quality, so as to maximize the benefits of star-chasing.

5. Conclusion

The crux of the problem of the protection of personal information of fandom economy and public figures only shows the legislative gap and the lack of law enforcement problems, but behind the reflected is our comprehensive promotion of the rule of law facing deeper challenges. Only by grasping from the strategic level, giving full play to the role of different governance mechanisms such as public law and private law, and administering both internal and external affairs, can we form a management mode with joint efforts of all parties, improve the enforceability and supervision of the rule of law, and realize the goal of modernization of the rule of law. To effectively safeguard the rights and interests of multiple parties and maintain the healthy and sustainable development of fandom economy, it is bound to optimize the interactive relationship between public figures and fans, media and platforms within fandom. Besides, it needs to establish the development concept of harmonious coexistence, and promote the virtuous cycle of fandom economy. In order to form a sustainable development mechanism, comprehensively curb the chaos of personal information leakage caused by the fandom economy, we should guide the fan to restore its former vitality, and drive the normal operation of cultural and entertainment market economic activities. State organs should strictly control the implementation process of the existing laws, and relevant departments should strictly supervise the implementation procedures of the entertainment industry, and adjust the relevant laws according to the existing problems, so as to provide scientific guidance for the formulation of the new law. On this basis, subjects from various fields should firmly stick to their positions and form an operational system as above so below, so as to effectively curb the infringement of personal information of public figures under the fandom economy.

References

- [1] Zhang Yaguang. *Concept, Theory and Criticism of "Fandom economy"* [J]. *China Literature and Art Review*, 2021(10):20-21.
- [2] *New York Times Co. v. Su Uivan*, 376 U.S. 254 (1964).
- [3] *IWnbht v. Baer*, 383 U.S. 75 (1966).
- [4] Li Xintian, Zheng Ming. *On the Construction of the Privacy Rights of Chinese Public Figures* [J]. *Chinese Law*, 2005(5):94-95.
- [5] Wang Qi. *Taking Japanese Food as an example to see the Network Relationship of Minority Culture* [J]. *China Media Science and Technology*, 2012(6):137.
- [6] Gao F P. *On the purpose of Personal Information Protection -- Based on the distinction of interests in Personal Information Protection Law* [J]. *Legal Forum*, 2019(1):95.
- [7] Liu Deliang. *Property Rights Protection of Personal Information* [J]. *Law Studies*, 2007(3).
- [8] *Article 1034 of the Civil Code of the People's Republic of China*.
- [9] Zhang Wenxian. *Human Rights Jurisprudence in the New Era* [J]. *Human Rights*, 2019(3):22.
- [10] Zhang Linghan. *The Three Dimensions of Cross-border Personal Information Flow System* [J]. *China Law Review*, 2021(5).
- [11] Lian Si. *Youth Development in China (1978-2018)* [M]. *Social Sciences Academic Press*, 2019: 218.
- [12] Meng Wei. *The Growth and Reflection of "Fan" Culture* [J]. *People's Forum · Academic Frontier*,

2020(19):55.

[13] Wang Minzhi, Li Zhen. *Fans' Discourse Power Enhancement Mechanism and Cultural Reflection in Media Culture Perspective* [J]. *Shaanxi Teachers Journal of Fan University (Philosophy and Social Sciences Edition)*, 2019(6): 111.

[14] Qin Xuan, Chen Xi. *Idol disparagement, Group irrationality, and Moral Panic: The reporting Strategy of fan groups attacking each other* [J]. *News Reporter*, 2021(10):52.

[15] Chen Lidan, Hou Yaoshan. *Understanding the Function of Mass Media* [N]. *Learning Times*, 2004-8-23.

[16] Li Yuan. *On the legal regulation of "fan"* [J]. *Modern Law*, 2022(1):64.

[17] Xu Ming. *Privacy crisis in the era of big Data and its response to tort Law* [J]. *Chinese Law*, 2017(1):37-38.

[18] *Evaluation report of Personal information collection and personal information protection policies of 100 Apps* [EB/OL]. Chinese consumer Association website: <http://www.cca.org.cn/jmxf/detail/28310.html>, the last visit: 2022-4-20.

[19] Cheng Xiao. *Tort liability for infringement of Personal Information Rights and Interests* [J]. *China Law Review*, 2021(5):66.

[20] Article 10, Chapter I of the *Personal Information Protection Law of the People's Republic of China*.

[21] Gao Fuping. *Personal Information protection: from Individual Control to Social Control* [J]. *Network Information Law Research*, 2018(2):161.

[22] Wang Zhaohui. *Conflict resolution mechanism between News reports and Public Figures' Privacy Rights* [J]. *Media*, 2017(14):84.

[23] Yan Lei. *Criminal Regulation of data leakage Crime in the era of Big Data* [J]. *Southwest Law Review*, 2022(4):80.