

Current Topics in Privacy Seminar

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The Next Frontier is Your Mind: Neurotechnologies, the Right to Privacy, and the Battle for Your Brain

Abstract: Emerging technologies are evolving at an astonishing pace. Nowhere is this more apparent than in the field of neurotechnology, which refers to devices capable of recording, interpreting, or altering brain activity. Neurotechnology has long been used in scientific settings, pioneering both brain research and medical breakthroughs; in recent years, neurotechnology has allowed patients with paralysis to regain the ability to communicate, and helped blind people reclaim partial vision. Recently, neurotechnology has expanded beyond medical settings into the consumer world, with a host of products entering the market that allow consumers and companies to access intimate brain data. Among others, these products include brain training kits, sleep aids, devices that track levels of focus, and toy helicopters that consumers fly using concentration. This brings great promise of innovation and development, but also pressing concerns, particularly given privacy risks, rapid advances in the capacity to decode brain scans using generative AI, and the possibility of mental interference.

Speaking as co-founder and outside General Counsel of the Neurorights Foundation, Genser will examine the ways in which neurotechnologies are and will impact the forum internum, what has been heretofore the absolute private sphere of an individual's mind, conscience, and beliefs. He will present key findings from the Foundation's landmark report [Safeguarding Brain Data: Assessing the Privacy Practices of Consumer Neurotechnology Companies](#). He will explain the need to further interpret the right to privacy under international law to have embedded within in a right of mental privacy. And he will explore the implications of emerging neurotechnologies on existing legal, ethical, and regulatory regimes, pulling directly from his experience advising the United Nations, industry partners, and governments around the world.

Bio: Jared Genser has been an international human rights lawyer for more than two decades. He is Managing Director of Perseus Strategies, outside General Counsel to the Neurorights Foundation, and a member of the Advisory Board to the Carr-Ryan Center for Human Rights at Harvard University, where he was previously a Senior Tech Fellow. He was also previously a partner at the global law firm DLA Piper LLP and a management consultant with McKinsey & Company. He holds a B.S. from Cornell University, an M.P.P. from Harvard University's John F. Kennedy School of Government, and a J.D. from the University of Michigan Law School. In June 2026, he will publish a co-edited volume with former UN High Commissioner on Human Rights Zeid Ra'ad Al Hussein entitled *The Oxford Handbook on the UN Human Rights System* (Oxford University Press, 2026).