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Who gets your email account when you die?

Posted in [DIGITAL ASSETS](#) by NNLRJ INDIA on November 28, 2010

Image representing Google as depicted in Crunc...

Image via CrunchBase

DIVYA A IN THE TIMES OF INDIA

Our lives are becoming more virtual by the day with email, social networking, [internet banking accounts](#) and [digital photo albums](#) and data stored on our PCs, but what of death? Who gets access to those passwords and usernames? Who can log on as the digital heir? This is why everyone needs a digital will. This is the document that bequeaths a person's digital assets to his heirs.

How can this be done? The first step is to create a digital inventory – an index of your “soft” assets. Second, get your digital signature authenticated. “Then, it won't take more than a day and a couple of thousands (of rupees) to have your digital will ready,” says Supreme Court advocate Pavan Duggal, who specializes in cyber law.

Duggal says a digital will is important because there have been many disputes about digitized data in recent times. “Most of us never think about making arrangements to name an heir for our digital assets, and it becomes a Herculean task for legal representatives to get a succession certificate for such data. It could take years in court.” There have been fights over a dead writer's manuscript on his PC, a deceased photojournalist's digital photo library and a businessman's financial records in his email account.

Service providers have different policies about passing on digital information after an account holder's death. For example, [Yahoo!](#) terminates accounts and Google, which manages Gmail (email), Orkut (social networking) and Picasa (online photo-sharing), gives conditional access to kin.

Google [India](#) spokesman Gaurav Bhaskar says, “Account details of a deceased can be passed on only to someone who furnishes proof of authority under local law that he is the lawful representative of the deceased, and presents the death certificate and other documents. The process may take up to 30 days.”

But most people, says Mumbai-based cyber behaviour expert Neeta Mehra, don't want personal stuff such as email, [social networking](#) accounts or blogs to be passed on. “To avoid this, one can use the services of ‘do-it-yourself account guardian’ websites where one can upload all secret data and opt for account incinerator services (getting your account deleted in the event of death),” she says. Such websites need a death certificate and a copy of the obituary. However, they are not governed by any law.

Duggal says Indians are gradually waking up to this issue. "For the first time in India, in April, a [Delhi](#) businessman opted for a digital will. Since then, six more have followed. Many have approached me to discuss their digital estate and to make the will."

Read more: [Who gets your email account when you die](#)
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1.  **Venkatesh P. Dalwai** said, on November 29, 2010 at [18:56](#)

Cyber era has changed the defination of property by practice. But serious doubt about E-mails being passed on as estate unless created by own web-site or page with service provider. Otherwise free account holders of many service providers do not own anything and their status will be that of licencee only. I do not think that any such accounts take shape of estate.

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