Cookies – Audit & Consent
Your Strategy for Addressing the Cookie Directive

Step 1: Conduct a comprehensive audit

Step 2: Implement consent solution

Also Consider for Your Ads: Participate in self regulatory framework that is consistent with opt-in experience
EU Cookie Audit: Insightful and Thorough

• Take control of the tracking mechanisms on your site
  o Identify which trackers should be present and which should not
  o See how certain trackers arrived on your site
    o Gain deeper understanding of who, what, when and where these mechanisms are being used
• Stay ahead of the curve by continuously monitoring for any new privacy exposures
• Be confident that the disclosures you provide are accurate (key to informed consent)
EU Cookie Audit Reports

- First party trackers, and their location
- Third party trackers and their location
- The sequence of referral URLs that result in the third party being present on the website
- Third party tracker details
  - Identity
  - Category (ad network, ad platform, analytics etc.)
  - Domain
  - Opt-out URL
  - Privacy risk level
  - Oversight body membership (e.g. NAI, DAA)
Drill Down Detail

Pages with s.ytimg.com

• http://www.truste.com/go/trusted-ads
  1. http://s.ytimg.com/yts/wbin/watch_as3-vflHGsdou.swf
  1. http://s.ytimg.com/yttjsbin/www-embedCoreModule-vflId-DR.js

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  1. http://s.ytimg.com/yttjsbin/www-embedCoreModule-vflId-DR.js

• http://www.truste.com/developer/?tag=tracking
  1. http://s.ytimg.com/yts/swbin/cps-vflHcTdr.swf

• http://www.truste.com/developer/?tag=tracking
  1. http://s.ytimg.com/yts/swbin/cps-vflHcTdr.swf

• http://www.truste.com/go/trusted-ads
  1. http://s.ytimg.com/yts/wbin/watch_as3-vflHGsdou.swf
  1. http://s.ytimg.com/yttjsbin/www-embedCoreModule-vflId-DR.js

• http://www.truste.com/developer/?tag=tracking
  1. http://s.ytimg.com/yts/swbin/cps-vflHcTdr.swf
Consent Deployments
Express & Implied Consent Options

• Site Notice is present until user selects “Allow cookies” or “More Options”

• Cookies will not be accepted until user selection is made

• Site Notice is always present

• Cookies are already accepted until a user edits preferences through consent manager
Choosing Implied vs. Express Consent
Factors to Consider

• Primary countries where you do business/have website visitors from (regardless of where your business resides)

• Level and type of tracking that is done
  – Low level of tracking/tracking primarily used for site functionality
  – Moderate amount of tracking/tracking used for analytics, optimization, merchandising
  – Extensive amount of tracking/tracking used for advertising, involves 3rd parties

• In countries where the law is defined as “prior express consent”: have an express consent event at least once - supplemented by implied consent that is proportional to the intensity of tracking involved (larger volume of tracking should have more prominent notice).

• Companies need to consult their own legal counsel to advise them on which consent event to implement
Consent Manager

Express Consent Demo
TRUSTed Consent Manager – Express Consent DEMO – Step 1: Site Notice

Respond to EU Privacy Laws
Companies that market to EU customers must consider the 2009 amendments to the E-Privacy Directive which require that companies obtain informed consent before placing tracking technologies on a consumer’s computer or other device. These amendments, which are commonly referred to as the “Cookie Directive,” are currently being transposed by EU member countries into their own laws. EU countries are adopting either an “express” or “implied” consent approach to conform with the Directive’s informed consent standard. Currently, the UK is furthest along in terms of adoption, and the Information Commissioners Office (ICO), has given websites until May 25th, 2012 to comply. After this point, the ICO will be responsible for enforcing the law in the UK, including the power to fine website owners that are not compliant.

TRUSTe’s Consent Management Platform
In response, TRUSTe has developed TRUSTed Consent Manager to help address the compliance requirements mandated by the Cookie Directive. TRUSTed Consent Manager provides consumers with transparency and control over website tracking on your site.

TRUSTed Consent Manager is built on a scalable platform, is easy to implement and enables website operators to:

- Provide consumers with a customizable transparency mechanism for browsing the types of cookies present on your site
- Obtain consent from consumers to place cookies on their device in either express or implied consent models
TRUSTed Consent Manager – Express Consent DEMO – Step 2

Consumer Selects “More Information”
TRUSTed Consent Manager – Express Consent DEMO – Step 3: “Consent Manager”

Default State: All Cookies Are Accepted
TRUSTed Consent Manager – Express Consent DEMO – Step 3: “Consent Manager”

Required Cookies Only
TRUSTed Consent Manager – Express Consent DEMO – Step 4: “Submit Preferences”

User selected one of three settings in Step 3 and submits preferences.
"Cookies on this site" Notice still visible for user to change preferences in future
Consent Manager

Implied Consent Demo
TRUSTed Consent Manager – Implied Consent DEMO – Step 1: Site Notice

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Express Consent

Implied Consent
TRUSTed Consent Manager – Implied Consent DEMO – Step 2

Consumer Selects “More Information”
TRUSTed Consent Manager – Implied Consent DEMO – Step 3: “Consent Manager”

Default State: All Cookies Are Accepted
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Required and Functional Cookies Only
TRUSTed Consent Manager – Implied Consent DEMO – Step 3: “Consent Manager”

Required Cookies Only
TRUSTed Consent Manager – Implied Consent

DEMO – Step 4: “Submit Preferences”

User selected one of three settings in Step 3 and submits preferences
Questions