

THE CENTER

FOR INFORMATION  
POLICY LEADERSHIP

HUNTON & WILLIAMS LLP



# **Educating and Publicizing Domestic Privacy protections**

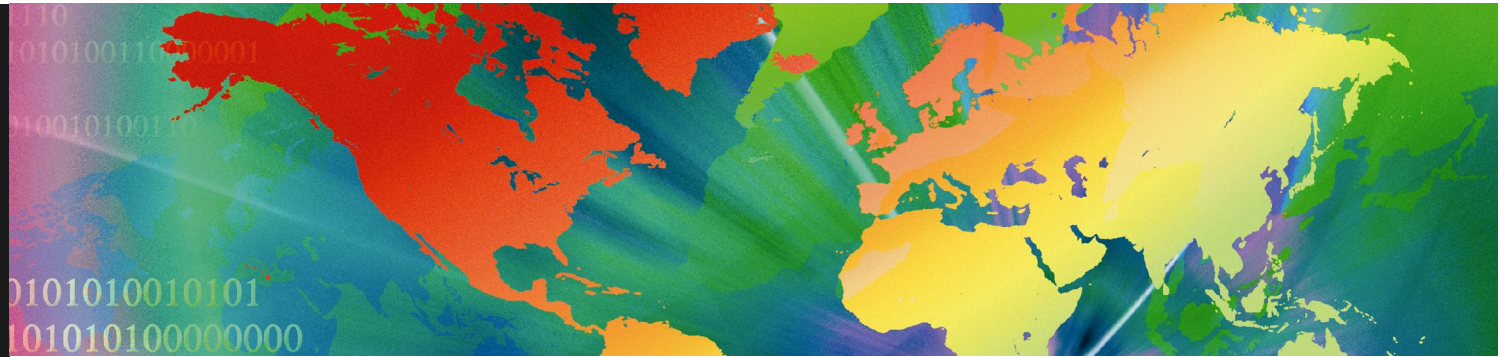
**Martin Abrams**

**Mabrams@hunton.com**

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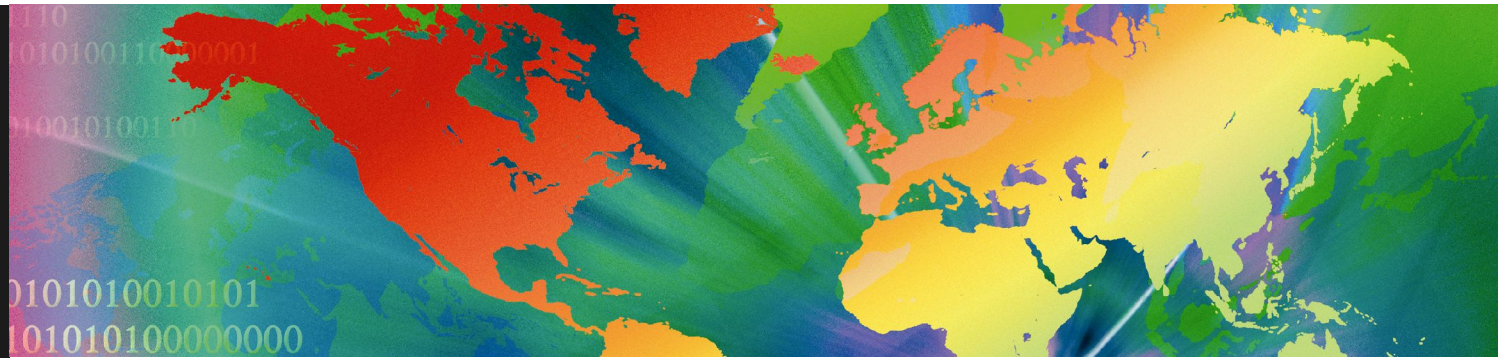
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## Roles

- **Government:**
  - Educate and encourage business
  - Offer consumers the tools to understand privacy rights and their role in a competitive market
- **Business**
  - Privacy notices that are easy to understand and use
  - Education on how business creates consumer value with information
- **Consumer organizations**
  - Oversight and education



## Business Role

- **A business needs to understand how it uses information in a manner that creates value while being compliant with privacy laws and expectations**
- **This understanding leads to thoughtful, complete, and understandable communication**
- **The APEC Privacy Framework requires companies to give privacy notices to individuals**
  - Those privacy notices need to be complete
  - Easy to read



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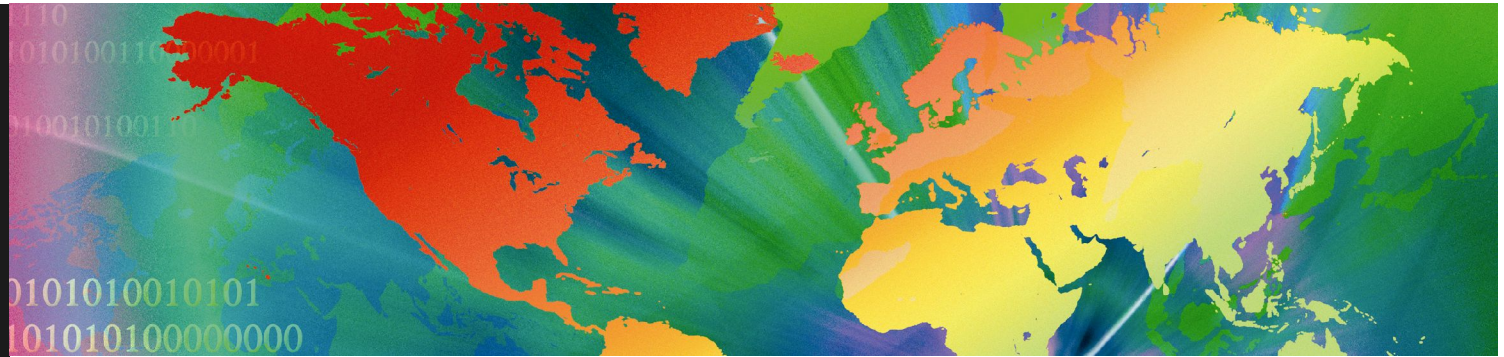
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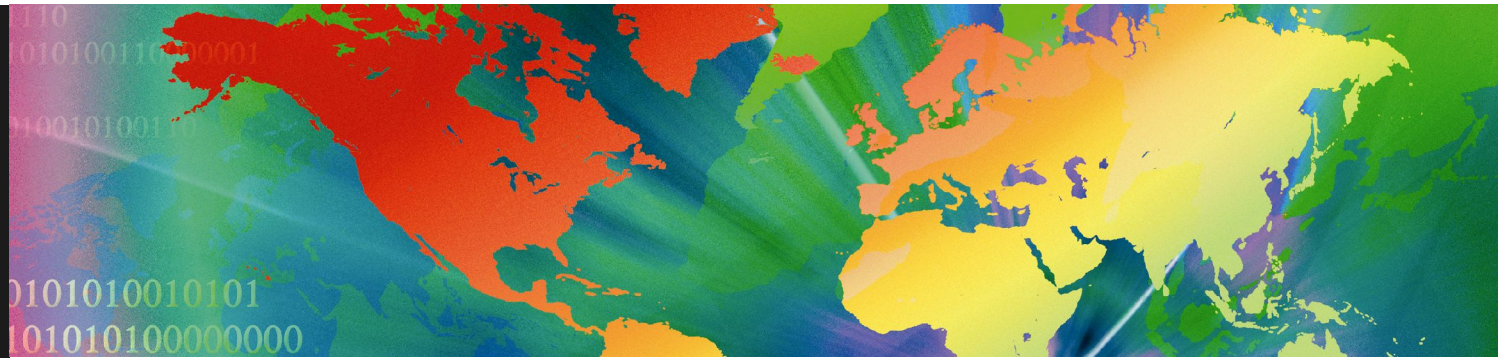
## Research Defines the Problem

- **Research tells us:**
  - Notices must be relatively short
    - No more than seven topics
  - They must be in plain language
    - No jargon
  - In a common format that makes it easy for the consumer to understand and compare
- **Long detailed notices don't meet those needs**



## The Solution

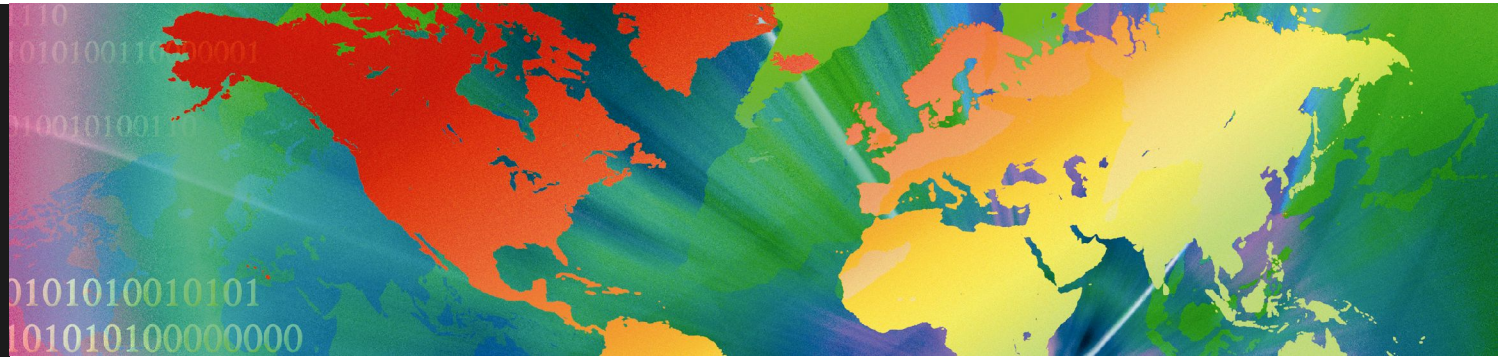
- **A system of notices**
  - A very short notice when collecting information with a mobile phone or PDA
  - A condensed notice in a common template format for most uses
  - A complete notice, on request, with all the details
- **Multi-layered notices are the solution**



## International Standard

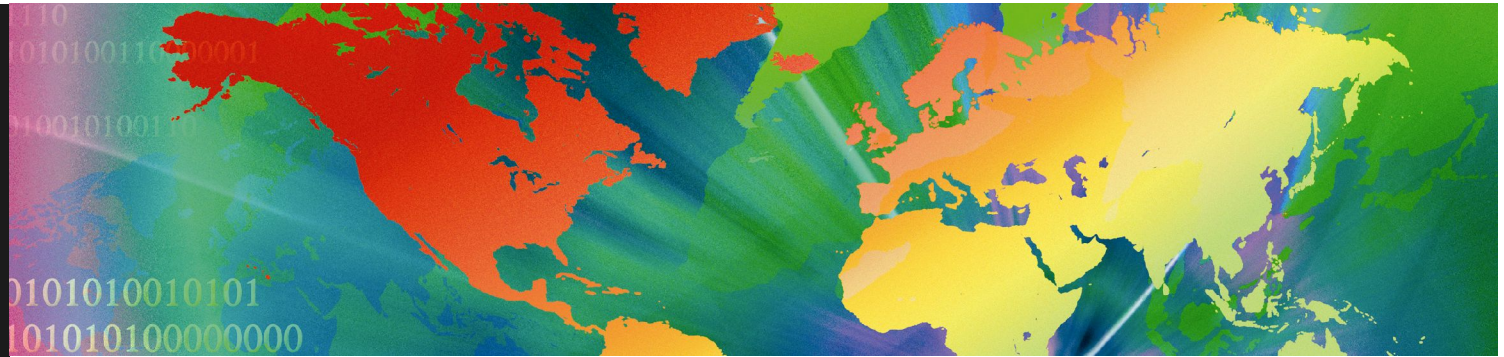
- **Multi-Layered Notices** is concept that is being adopted and recognized around the World
- **Meets the requirements of the APEC Privacy Framework and the OECD Guidelines**
- **The European Union working party on privacy adopted a common position on multi-layered notices**
- **The international data protection commissioners endorsed the concept of condensed notices**





## Multi-Layered Notice History

- **The Center for Information Policy Leadership began work on this concept in 2001**
- **International data protection commissioners endorsed the basic concept in 2003**
- **Berlin Memorandum explored the consensus in 2004**
- **EU Common position 2004**
- **US financial services regulator began detailed research in 2005**



## Short Notice

- **For use where data is collected and space is limited**
- **Informs the consumer about:**
  - The company that has collected the data
  - Primary use
  - How to get more information



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## Short Notice Example

## Very Short Notice

### ASIACO Privacy Notice

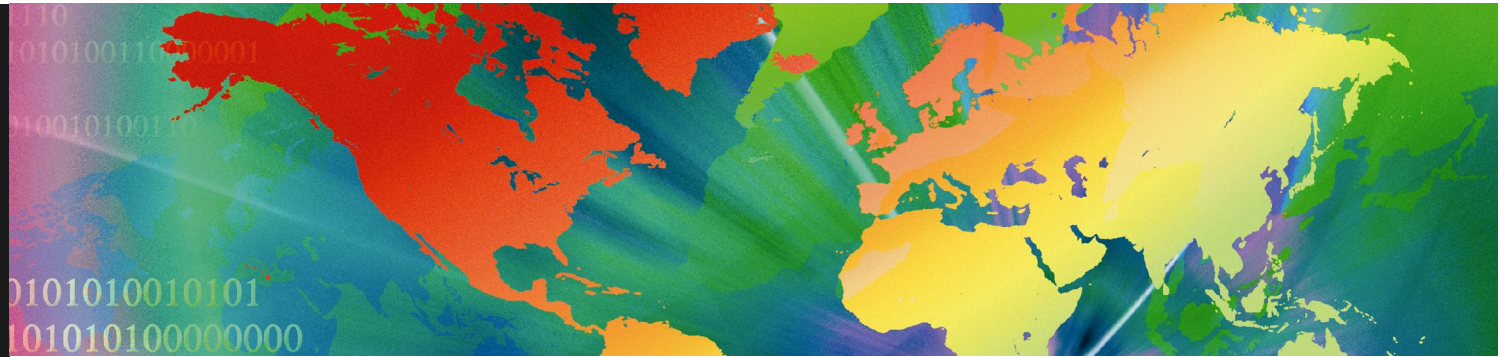
We collect information to market to you and service your account

To get a full privacy notice or exercise preferences call 0800 33 3333 or go to [www.asiaco.com](http://www.asiaco.com) and click on privacy.

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## Condensed Notice

- **Common template with six critical elements**
  1. The party covered by the notice
  2. Data collected from and about the consumer
  3. Uses (purposes) and sharing
  4. Individual choices and how to make them
  5. Other, important information
  6. How to contact the organization



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## Condensed Notice Example

www.policyleaders.com



### プライバシー

ウェブ上におけるIBMのプライバシー取扱基準  
について

#### 適用範囲

本書は、全世界の IBM 関連の Web サイトで適用されます。

#### 個人情報

通常、お客様には、お名前その他一切の個人情報を明らかにすることなく、インターネットを通じて IBM サイトにアクセスしていただけます。お客様には、さまざまな場合に、個人情報をご提供いただくことがあります。たとえば、当社からご連絡させていただくために、ご注文を処理させていただくために、定期的な情報提供のために、または IBM で募集中の職種への応募のために情報を提供いただくことがあるかもしれません。また、お客様とのお取引を完了させたり、より良いサービスを提供するために、これらの情報を補完することがあります。

#### 個人情報の使用

- ・ IBM またはフルフィルメントに関係する第三者がお客様のリクエストにお応えする場合。
- ・ お客様満足度調査や市場調査のために、また特定のお取引に関連して、お客様にご連絡させていただく場合。
- ・ IBM および IBM の子会社、関連会社、ビジネス・パートナーが製品、サービス、オファリングに関する情報を提供するために使用させていただく場合。ただし、このような目的での個人情報の使用をお客様にご了承いただいた場合に限ります。
- ・ 匿名形式で情報を収集し分析を行う場合 (クイック・ストリーム・データなど)。
- ・ お客様が IBM ビジネス・パートナーまたは購買お取引先を代表しているのであれば、ビジネス上の関係を発展させる場合。
- ・ 委託に基づき情報処理サービスを行う場合。

#### お客様が選択できること

- ・ IBM がお客様から情報を収集する場合、マーケティング目的での使用を望まないのであれば、IBM にお知らせください。IBM はお客様のご希望を尊重します。
- ・ ご使用のブラウザのクッキー機能をオフに設定することも可能です。

#### 重要な情報

IBM は TRUSTe ([www.truste.org](http://www.truste.org)) のメンバーです。EU (欧州連合) からの情報の収集、使用及び保存に関して、アメリカ商務省が規定する「Safe Harbor (セーフ・ハーバー)」の枠組みに従うものとします。IBM が所有するお客様の個人情報の記録の訂正や開示等を要求する場合は、送信先、またはお問い合わせにご連絡ください。

IBM のプライバシー取扱基準についての詳細は、IBM のプライバシー取扱基準についてを参照してください。

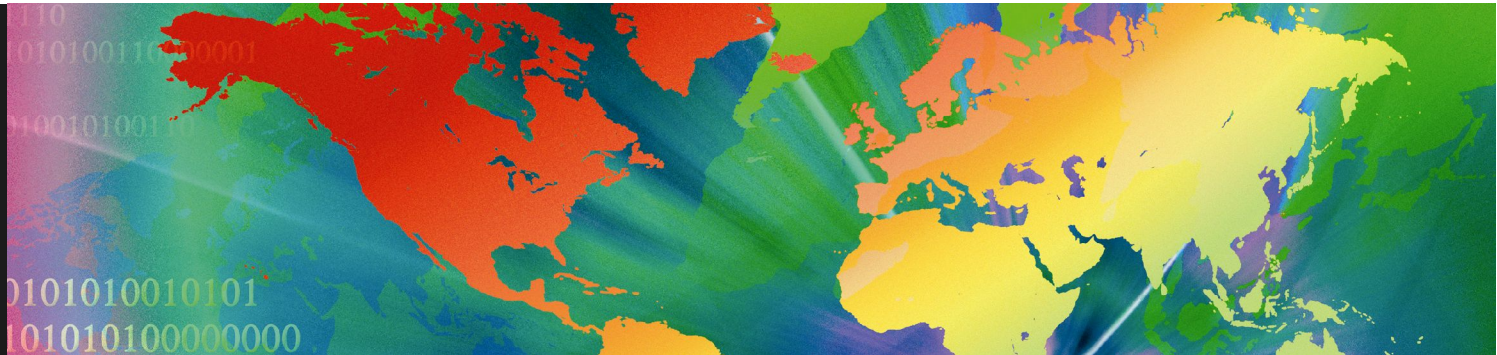
#### お問い合わせ

この文書、または IBM の情報の取り扱いに関するご質問は、下記にお寄せください。

[prvcy@us.ibm.com](mailto:prvcy@us.ibm.com)、  
または

Privacy, IBM, 1133  
Westchester Avenue,  
White Plains, NY 10604  
USA





# Condensed Notice Example

## Privacy

*IBM Privacy practices on the web*

### Scope

This statement applies to IBM Web Sites Worldwide.

### Personal information

In general, you can visit us on the internet without telling us who you are or giving us personal information. There are times when we may need information from you, for instance: to process an order, to correspond, to provide a subscription or in connection with a job application. We may supplement this information to complete a transaction or to provide a better service.

### Uses

- To fulfill your requests by us or by others involved in fulfillment.
- To contact you for customer satisfaction surveys, market research or in connection with certain transactions.
- By IBM and selected organizations for marketing purposes if you have permitted such use.
- In an non-identifiable format for analysis (e.g., Clickstream Data)
- To develop our business relationship if you represent an IBM Business Partner or Vendor

### Your choices

- When we collect information from you, you may tell us that you do not want it used for further marketing contact and we will respect your wishes.
- You may also turn off cookies in your browser.

### Important information

IBM is a member of TRUSTe ([www.truste.org](http://www.truste.org)). IBM abides by the EU/US Safe Harbor Framework. To correct inaccuracies in IBM's record of your personal information respond to the sender or contact IBM at [access\\_request@us.ibm.com](mailto:access_request@us.ibm.com)

For IBM's complete notice see [IBM's Privacy policy](#).

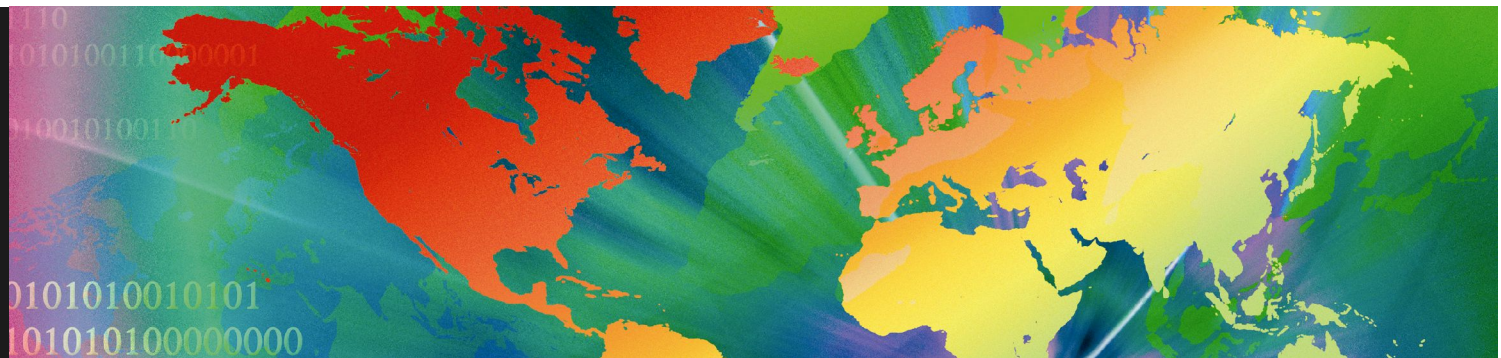
### How to contact us

Questions about this statement or about IBM's handling of your information may be sent to:

[prvcy@us.ibm.com](mailto:prvcy@us.ibm.com), or

Privacy, IBM  
1133 Westchester Ave.  
White Plains, NY 10604

# Condensed Notice Example



MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat

## msn Summary 私隱權注意事項

最近更新：2004年4月



### 範圍：

範圍：此份注意事項是完整 [MSN 私隱權聲明](#) 的部份摘要。此份注意事項和完整私隱權聲明適用於 MSN 網站和服務。

### 個人資料：

### 其他詳細資料

- 當您註冊某些 MSN 服務時，我們將要求您提供個人資料。
- 我們收集的資訊可能與來自其他 Microsoft 服務或來自其他公司的資訊進行結合。
- 我們會追蹤您與我們網站和服務的互動情況，以提供個人化的使用經驗。

### 您可以：

### 其他詳細資料

- [移至 MSN 通訊喜好設定網頁](#)，選擇我們要如何與您通訊。
- [移至 newsletters.msn.com](#) (英文網站) 訂?或取消訂?電子報。
- [移至編輯詳細資料區段](#)，檢視和編輯您的個人資料。

### 資訊的使用：

### 其他詳細資料

- 我們會使用收集的資訊來提供您所要求的服務。我們的服務可能包括顯現個人專屬的?容和廣告資訊。
- 我們會使用您的個人資料來通知您 Microsoft 及其隸屬公司所提供的其他?品或服務訊息，以及傳送給您相關的意見調?邀請。
- 我們不會銷售或租借顧客名單給任何的第三廠商。為了協助提供服務，我們偶爾也會提供資訊給代我們提供服務的其他公司。

### 重要資訊：

- 若需特定 MSN 服務的資訊，請參?完整私隱權聲明中相關的 [附註資訊區段](#)。
- 我們使用 Microsoft .NET Passport 提供在 MSN 的註冊和登入服務。若要進一?了解 Passport 服務，請參? [Microsoft .NET Passport 私隱權聲明](#)。
- 若要檢視我們對兒童私隱權所採取的其他措施，請[移至完整私隱權聲明的兒童區段](#)。
- 若需如何在網上保護您的個人電腦、收件匣、個人資料和家人的相關資訊，請[移至我們的網上安全資源中心](#)。

### 連絡資訊：

若需我們私隱權政策的更多資訊，請參?我們網站上的完整私隱權聲明 <http://privacy.msn.com.hk/>。或透過郵件與我們連絡：

MSN Privacy  
Microsoft Corporation  
One Microsoft Way  
Redmond, WA 98052

[傳送電子郵件給我們](#)

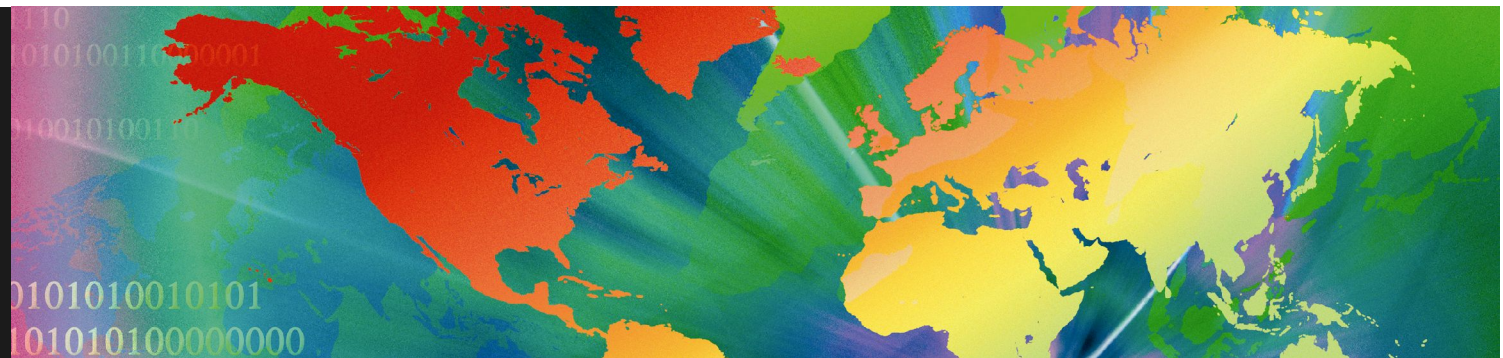
Try MSN Internet Software for FREE!

MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat | Search

Feedback | Help



# Condensed Notice Example



MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat

## msn. MSN Summary Privacy Notice

Updated April 2004



### Scope

This notice summarizes the full [MSN Privacy Statement](#). This notice and the full statement apply to the MSN websites and services.

### Personal Information

[Additional Details](#)

- When you register for certain MSN services, you [will ask you to](#) provide personal information.
- The information we collect may be combined with information obtained from other Microsoft services and other companies.
- We keep track of your interactions with our sites and services to offer a personalized experience.

### Uses of Information

[Additional Details](#)

- We use the information we collect to provide the services you request. Our services may include the display of personalized content and advertising.
- We use your information to inform you of other products or services offered by Microsoft and its affiliates, and to send you relevant survey invitations.
- We do not sell, rent, or lease our customer lists to third parties. In order to help provide our services, we occasionally provide information to other companies who work on our behalf.

### How to Contact Us

For more information about our privacy practices, go to the full privacy statement on our website at: <http://privacy.msn.com/>. Or write us at:

MSN Privacy  
Microsoft Corporation  
One Microsoft Way  
Redmond, WA 98052

[Send us e-mail.](#)

### Your Choices

[Additional Details](#)

- To make choices about how we communicate with you; [go to the MSN Communications Preferences page](#).
- To subscribe or unsubscribe to newsletters, [go to newsletters.msn.com](#).
- To view and edit your personal information, [go to the edit details section](#).

### Important Information

- For information about specific MSN services, be sure to read the relevant [supplementary information section](#) of the full privacy statement.
- We use Microsoft .NET Passport to provide registration and sign-in services on MSN. To learn more about the Passport service, [read the Microsoft .NET Passport Privacy Statement](#).
- To review additional measures we take in relation to children's privacy, [go to the children's section of the full privacy statement](#).
- For more information on how to help protect your personal computer, your inbox, your personal information and your Family online, [visit our online safety resource center](#).

Try MSN Internet Software for FREE!

MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat | Search

Feedback | Help

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# Condensed Notice Example



## P&G 개인 정보 보호 정책

### 적용 범위

본 정책은 P&G에서 운영하는 **Procter & Gamble Company(P&G)** 소비자 웹 사이트를 포함하여 본 정책이 게시된 웹 사이트에 적용됩니다.

### 개인 정보

자세한 내용 [보기](#)

- 저희는 귀하의 이메일이나 우편 주소와 같이 귀하가 선택하여 제공하는 정보만을 수집합니다.
- 저희는 브라우저 종류, 운영 체제, 저희 웹 사이트 관리를 지원하기 위하여 방문하는 웹 페이지 등과 같이 개인 정보와 무관한 정보를 수집합니다.
- 저희는 웹 사이트와 이메일 프로그램을 관리하기 위하여 쿠키 및 다른 인터넷 기술을 사용합니다. 개인 정보를 수집하거나 저장할 목적으로 이 기술을 사용하지는 않습니다.
- 다른 경로를 통해 저희가 귀하의 인구 통계 및 생활 양식 정보와 같은 추가 정보를 얻을 수 있습니다.

### 사용

자세한 내용 [보기](#)

- 저희는 다음과 같은 목적을 위하여 여러분이 제공하는 정보를 사용합니다.
  - 귀하가 요청하는 정보 및 샘플 제공
  - 유익한 웹 사이트 경험 제공
  - 귀하의 요구에 맞는 신제품 및 서비스 개발
- 저희가 명시적으로 요청하여 동의를 얻은 경우가 아니면 귀하의 개인 정보를 다른 마케팅 담당자와 공유하지 않습니다.
- 저희는 귀하의 정보 제공 이유에 해당하는 목적을 위해서만 귀하가 제공하는 개인 정보를 사용합니다.

### 귀하의 선택

자세한 내용 [보기](#)

- 저희 프로그램에서 귀하의 정보를 제거하려면 [여기를 클릭](#)하십시오.
- P&G에 제출한 개인 정보에 대한 공개 옵션을 지정하려면 [여기를 클릭](#)하십시오.

### 중요한 정보

- P&G는 소비자와 협력하여 개인 정보 보호와 관련된 불만 사항이나 문제를 공정하게 해결하기 위하여 노력하고 있습니다.
- 저희는 개인 정보 보호 문제가 발생했다고 판단되면 국가 데이터 보호 기관과 협력합니다.
- 저희 미국 웹 사이트는 미국 [Better Business Bureau OnLine®](#) Privacy Seal을 통해 개인 정보 보호 인증을 받았습니다.

### 연락 방법

- 온라인 개인 정보 보호 정책의 내용을 모두 보려면 [여기를 클릭](#)하십시오.
- 글로벌 개인 정보 보호 정책을 보려면 [여기를 클릭](#)하십시오.

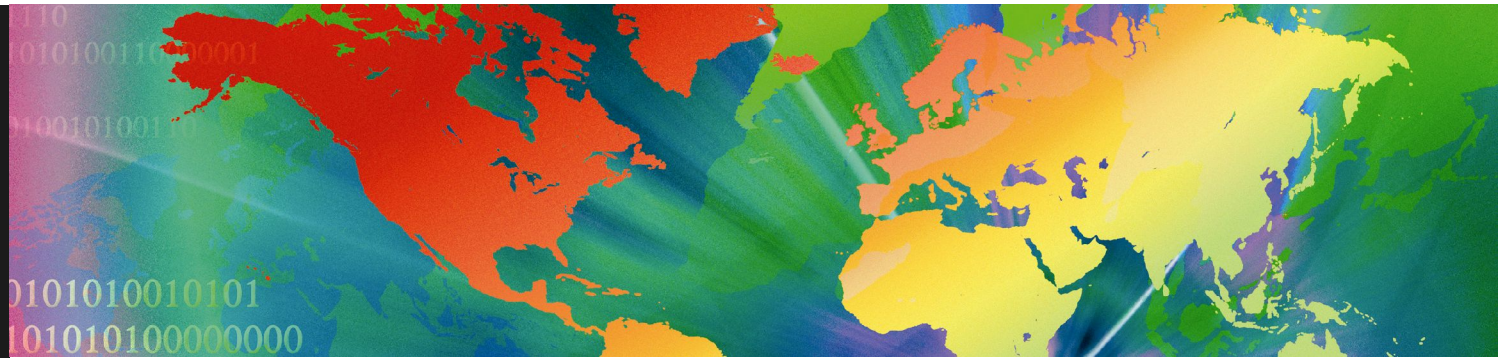
- 문의하실 내용이 있으면 [여기를 클릭](#)하십시오.
- 우편을 이용하실 경우에는 아래 주소로 보내십시오.

P&G Privacy Team  
Two Procter & Gamble Plaza  
TN-7  
Cincinnati, OH 45202

### 링크

- 개인 정보 링크를 클릭하면 온라인 정책의 [저희가 수집하는 정보 및 정보 사용 방법](#) 페이지로 이동합니다.
- 사용 링크를 클릭하면 온라인 정책의 [저희가 수집하는 정보 및 정보 사용 방법](#) 페이지로 이동합니다.
- 귀하의 선택 링크를 클릭하면 [귀하의 선택 및 귀하의 정보 공개](#) 페이지로 이동합니다.
- 연락 방법 - 저희 온라인 개인 정보 보호 정책을 모두 보려면 [여기를 클릭](#)하십시오. 온라인 정책 링크를 클릭한 후에 간략한 정책 설명 링크를 클릭해야 합니다.
- 저희 글로벌 개인 정보 보호 정책을 보려면 [http://www.pg.com/company/our\\_commitment/privacy\\_policy/privacy\\_policy\\_1.html](http://www.pg.com/company/our_commitment/privacy_policy/privacy_policy_1.html) 페이지로 이동하십시오.
- 문의하실 내용이 있으시면 온라인 정책에서 전세계 연락처 페이지로 이동하십시오.

# Condensed Notice Example



## Procter and Gamble Company Privacy Notice Highlights

### Scope

This statement applies to the **Procter & Gamble Company** and the [www.pg.com](http://www.pg.com) website.

### Personal Information

- We collect information you choose to submit during your registration.
- We use common internet technologies such as cookies on our websites and emails.
- We sometimes obtain additional information about you, such as your demographic and lifestyle information, from other sources.
- For more information about our information collection practices please [click here](#).

### Uses

- We use the information you submit to provide you with the service you requested.
- We use information about you to provide you with helpful and targeted offers from P&G products and services. [Click here](#) for more information.
- We do not share, trade, or sell information about you with other marketers without your permission. We may share your information with vendors we've hired to send you the offers you signed up for. [Click here](#) for more information.

### Your Choices

- You may request to be removed from our programs by [clicking this link](#).
- You may request access to personal information you have submitted to P&G by [clicking this link](#).

### Important Information

- The PG.com website has been awarded the [Better Business Bureau OnLine®](#) Privacy Seal. Please [click here](#) for more information.
- We take steps to protect the information you provide against unauthorized access and use. For more information [click here](#).

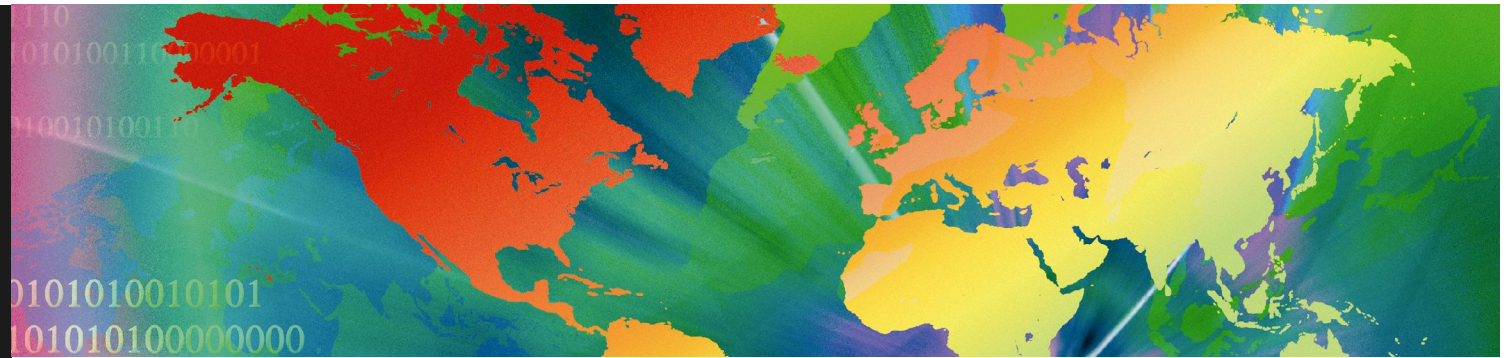
### How to Contact Us

For more information about our privacy policy, go to the privacy statement on our website at: [http://www.pg.com/privacy\\_full.html](http://www.pg.com/privacy_full.html)

Or write us at:

P&G Privacy Team  
Two Procter & Gamble Plaza  
TN-7  
Cincinnati, OH 45202

# Condensed Notice Example



## Privacy Policy Highlights

For more information, read our [full privacy policy](#).

### PERSONAL INFORMATION

- We collect information directly from you and from your transactions with us and others.
- We obtain information, such as your credit report, from information providers.

### SCOPE

These statements apply to the Chase family of companies owned by J.P.Morgan Chase & Co and to our consumer customers.

### USES

- We manage information to serve you.
- We share information about you within the Chase family to provide you with other products and services.
- We share information about you with other companies for offers of their products and services.
- We share information about you with our service providers, credit bureaus and law enforcement.

### YOUR PRIVACY CHOICES

- You may direct us not to share information about you for non-financial offers.
- You may direct us to limit certain information sharing within our family of companies.
- You may direct us not to contact you with offers.
- To make any of these choices, submit your privacy choices [online](#) or contact us at 1-800-574-7168.

### IMPORTANT INFORMATION

- Review helpful information on [identity theft](#) or how to get help if you become a victim.
- View our [full privacy policy](#).
- View our [online consumer information practices](#).

### HOW TO REACH US

- [Contact us](#) via email.
- Call the toll-free Chase Privacy Hotline at 1-800-574-7168.
- Submit your privacy choices [online](#).

For more information, read our [full privacy policy](#).



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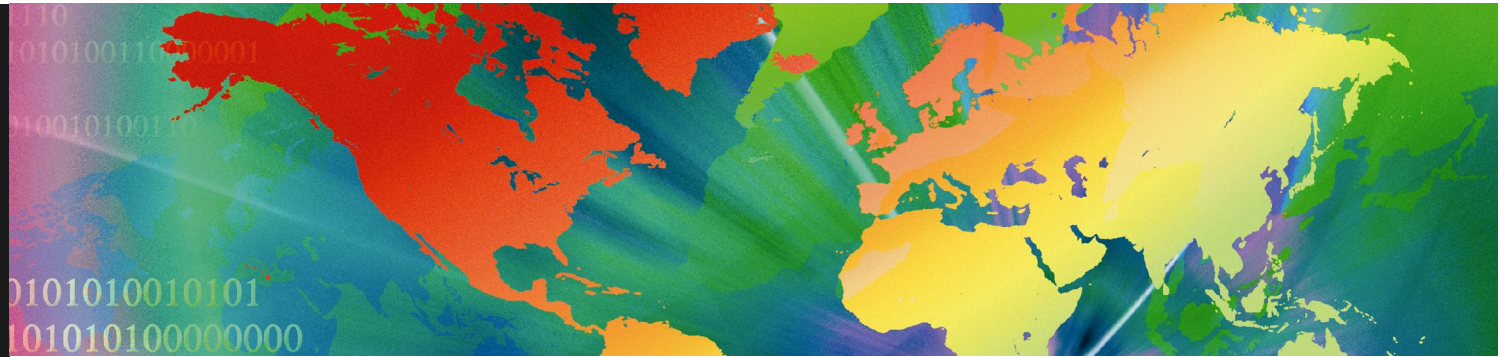
## Ten Steps to A Complaint Notice

1. Map data process
2. Review laws
3. Write internal policy
4. Translate internal policies into complete external policy
5. Test the language
6. Capture the key elements in condensed notice
7. Revise complete notices so the order is the same as condensed notice
8. If the business collects data via PDAs develop short notice
9. Conduct final test
10. Publish

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**Going  
Forward**

- **The Center stands ready to work with APEC Economies to implement Multi-Layered Notices**
  - [Mabrams@hunton.com](mailto:Mabrams@hunton.com)
  - +1.972.781.6667