Privacy as a Three Layer Cake

- Required data collection and/or use, for reason of public policy

- User choice

- Prohibited data collection and/or use, for reason of public policy
Privacy as a Three Layer Cake

- Required data collection and/or use, for reason of public policy
- User choice
- Prohibited data collection and/or use, for reason of public policy
Without Effective User Choice

- Other two layers grow, particularly prohibited
  - More: regulation, laws, divergence
- Loss of user trust
  - Spam as example
- Loss of contextual & search revenue as well as behavioral
- Chilling effects, Internet adoption, & cultural participation
Why User Choice

- Privacy is contextual
- Reasonable people differ on preferences
- Give users a voice
Why Do Not Track

- Users do not understand how their data is collected and used
  - Notice: privacy policies
  - Choice: cookie management
- Arms race: advertisers responding to cookie management; users accidentally delete opt-out cookies
- FTC staff report called for industry to develop a mechanism for users to opt-out of being “tracked” online (1 Jan 2011)
- Browser adoption starting Spring, 2011
- DNT can solve new problems: data collection when never 1st party; scaling for redirects
Creating Technical Standards

1. Definitions & Compliance
   ✤ Chair: Aleecia (Mozilla)
   ✤ Editors: Justin & Erica (CDT); Sean & Heather (Google)

2. Tracking Preference Expression
   ✤ Chair: Matthias (IBM)
   ✤ Editor: Roy (Adobe)

3. Tracking Selection Lists
   ✤ Chair (interim?): Aleecia
   ✤ Editors: Karl (Opera); Andy (Microsoft)
## Successive Drafts

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- First Public Working Draft
- Early consensus on issues to address
- Can have multiple Working Drafts
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- Last Call
- WG addressed all major issues
- WG issue freeze
- External feedback gathered
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- Candidate Recommendation
- Have responded to feedback
- Call for implementations
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- Proposed Recommendation
- Have two working implementations
- Only administrative tasks remaining
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Overall Issue Count

Identifying
Exploring
Resolving

- Sept: 10% open
- Oct: 10% open
- Nov: 10% open
- Dec: 10% open
- Jan: 17% open

(open)
Getting to Closed
Getting to Closed

Open Issue

Discussions

Drafts
Getting to Closed

Open Issue

Drafts

Discussions

Consensus Text
Getting to Closed

Open Issue

Discussions

Drafts

Consensus Text

Closed
Getting to Closed

Open Issue

Discussions

Drafts

Consensus Text

Closed

New info?
Getting to Closed

Open Issue
- Discussions
- Drafts

Consensus Text

Closed

New info?
- Yes

New text?
Getting to Closed

- Discussions
- Consensus Text
- Closed
- New info?
  - Yes
- New text?
  - Yes

Re-Open Issue

Drafts

At Chair’s discretion
Getting to Closed

Re-Open Issue

Discussions

Drafts

Consensus Text

Closed

New info?

Yes

New text?

Yes

No

At Chair’s discretion
Getting to Closed

Open Issue

- Discussions
- Drafts

Consensus Text

Closed
Getting to Closed

Open Issue

Discussions

Drafts

Consensus Text

Closed

Vote
Getting to Closed

- Open Issue
- Drafts
- Discussions
- Consensus Text
- Closed
Getting to Closed

Open Issue

Discussions

Drafts

Consensus Text

Closed

Objection

Group response

W3C
Getting to Closed

Open Issue

Drafts

Discussions

Consensus Text

Closed
Civility

- Laughter not yelling
- Shared values with differing priorities
  - Privacy tool that is simple for users
  - Implementable by user agents
  - Deployable by sites
- Confirmation bias
- External politics
Civility

- Laughter not yelling
- Shared values with differing priorities
  - Privacy tool that is simple for users
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- Confirmation bias
- External politics
Goals

- **Progress to date**
  - First f2f: opened nearly 100 issues
  - Second f2f: agreed on content and shape of document
  - Since then: drafted text proposals to consider

- **Goals of this meeting**
  - Close issues
  - Close pending review issues
  - Agree on texts for open issues
  - Last Call Documents
  - Publishing Compliance and TPE documents
1. Welcome presentations (:30)
2. Overview of drafts (:50)
3. Discussion of a Tracking Selection Lists sub-group (:20)
4. Move to Centre Borschette & lunch (1:30)
5. Overview of comments from Community Group (:15)
6. Compliance: First parties and third parties (1:30)
7. Afternoon break (:30)
8. Exceptions, data collection and use for third parties (1:30)
9. Unresolved topics (:35)
10. Wrap up (:15)