The concept of Pseudonymous Data

Boston, 11th Jan 2013

Thomas Schauf
Data Types

Anonymous Data

Personal Data

Pseudonymous Data
Data Types: Anonymous

Anonymous Data

- Is not unique or tied to a specific person.

Pseudonymous Data

- Includes: Hair color, system configuration, method of purchase, statistics distilled from many users.
“Rendering anonymous” shall mean the alteration of personal data so that information concerning personal or material circumstances cannot be attributed to an identified or identifiable natural person or that such attribution would require a disproportionate amount of time, expense and effort. (Federal Data Protection Act (BDSG))
Data Types: Personal Data

- **Anonymous Data**
- **Personal Data**
- **Pseudonymous Data**

- Data that identifies (or can be used to contact or locate) a specific individual.
- Includes: Name, address, phone number, fax number, email address, or any information associated with a person.
Data Types: Personal Data

Anonymous Data

Personal Data

Pseudonymous Data

“Personal data” shall mean any information concerning the personal or material circumstances of an identified or identifiable natural person (“data subject”).

(Federal Data Protection Act (BDSG))
Data Types: Pseudonymous Data

- Unique identifier does not identify a specific person, but could be associated with an individual.
- Includes: Unique identifiers, biometric information, usage profiles not tied to a known individual.
- Until associated with an individual, data cannot be treated as anonymous.
Data Types: Pseudonymous Data

“Pseudonymising” shall mean replacing the data subject’s name and other identifying features with another identifier in order to make it impossible or extremely difficult to identify the data subject.

(Federal Data Protection Act (BDSG))
Pseudonym Profiles = lawful Tracking without consent

German Telemedia Act; Article 15 Para. 3

- For the purposes of
  - advertising,
  - market research or
  - in order to design the telemedia in a needs-based manner,

- the service provider may produce profiles of usage based on pseudonyms to the extent that the recipient of the service does not object to this.

- The service provider must refer the recipient of the service to his right of refusal.

- These profiles of usage must not be collated with data on the bearer of the pseudonym.
Data and the German law

 때문, anonymous data are not personal data, while

pseudonymous data are personal data for the person who made them pseudonymous (i.e., the holder of the “key”)

but not for the person (e.g., a researcher) who received the encoded data but who has no access to the “key.”
How Pseudonymisation works

IP Address
+ Click Events
+ Interest Data / Affinities

Data Source (e.g. Website)
How Pseudonymisation works

Data Source (e.g. Website)  Pseudonymisation Service (Ideally 3rd Party)

- IP Address
  - + Click Events
  - + Interest Data / Affinities
  - [Icons: x4, x6, x3]

- RANDOM NUMBERS
  - + Click Events
  - + Interest Data / Affinities
  - [Icons: x4, x6, x3]
How Pseudonymisation works

Data Source (e.g. Website) → Pseudonymisation Service (Ideally 3rd Party) → Targeting Engine
Advantages of Pseudonymisation

- "Risks" graded approach

- Securing of targeting Reach

- Lawful data processing / profiling without the consent requirement

- Makes OBA Self-Regulation "possible"
Pseudonymisation and DNT

"DNT unset" opens the door to make DNT really usable
Thank you for your attention.

Thomas Schauf,
Project Director Online Privacy Self-regulation

BVDW e.V.
Berliner Allee 57
D-40212 Düsseldorf
Fon +49 211 600456 - 16
Fax +49 211 600456 - 33
schauf@bvdw.org
www.bvdw.org