Open Issues and Discussions for the TPE

M. Schunter, 2013-05-07
Status

- TPE Working Draft Published
- Substantial Progress between Working Draft 3 and Working Draft 4:
- ISSUES:
  - 31 CLOSED
  - 7 PENDING REVIEW
  - 6 OPEN!
Agenda

• Session 1: 9-10.30AM
  – Quick Summary of Major changes since our last WD (Roy)
  – Discuss the preference collection, transmission, and acceptance/disregarding of preferences:
    • ISSUE-194: How should we ensure consent of users for DNT inputs?
    • ISSUE-161 Do we need a tracking status value for partial compliance or rejecting DNT?

• Session 2: 11AM-12.30PM
  – Review of issues that are marked PENDING Review
  – Discussion of potential changes to address DAA principles
Session 1: Preference Transmission
Goal: Reliable Capture and Transmission of Preferences

• Our Agreement:
  – Preferences must be USER preferences
  – Preferences should be explicit and informed

• Some Examples and Assessment wrt current spec:
  – OK: Preferences entered into a browser preference dialogue
  – OK: Install-time dialogue asking a user for his preference
  – Not OK: Router firmware transmitting a preference
Two Challenges

• Challenge 1 (ISSUE-194): How can a site determine whether a user agent that has sent „DNT;x“ actually followed the guidance in this document?

• Challenge 2 (ISSUE-161): A site has received a preference that does not satisfy the given criteria – what should the site do?
ISSUE-194: Reliable Capture and Transmission of Preferences

• Challenge 1 (ISSUE-194):
  How can a site determine whether a received „DNT;x“ actually contains a preference „x“ that satisfies these criteria?

• Practical challenges:
  – Existing (legacy) tools sending „DNT;1“
  – User agents that do not follow our spec sending DNT;1
  – User agents that correctly implement our spec and send DNT;1
ISSUE-194: Reliable Capture and Transmission of Preferences

• Alternative 1: New Signal to distinguish legacy signals
  – DNT;1u  (u for „user input“)
  – DNT;7  (7 != 1 to ensure that UA claims spec conformance)

• Alternative 2: Improve Channel
  – Authentication, Cookies, ...

• Alternative 3: Rely on existing data
  – UA string
ISSUE-161: How to react to unreliable signals?

- **Alternative 1: Reject unreliable signals**
  - Only process signals that are deemed reliable
  - „Reject“ the unreliable signals by returning a disregard signal

- **Alternative 2: Ignore unreliable signals**
  - Only process signals that are deemed reliable
  - Ignore other signals

- **Alternative 3: Err on the privacy side and escalate with UA provider**
  - If the signal is unreliable and says DNT;1, follow the signal nevertheless
Session 2: Issues

PENDING REVIEW
Part II: Pending Review ISSUEs

ISSUE-112  How are sub-domains handled for site-specific exceptions?
    Answer: Cookie-like Matching Rule

ISSUE-137  Does hybrid tracking status need to distinguish between first party (1) and outsourcing service provider acting as a first party (s)
    Currently, the same-party gives related information and the “s” flag is not part of the spec

ISSUE-152  User Agent Compliance: feedback for out-of-band consent
    – Site is required to indicate if out of band consent is used.
    – UA is not required to provide feedback (although user agents are free to provide feedback)
Part II: Pending Review ISSUEs

ISSUE-153 What are the implications on software that changes requests but does not necessarily initiate them?

Intermediaries are not permitted to modify.

ISSUE_194 discusses how to detect modifications

ISSUE-167 Multiple site exceptions

No mechanism for multi-site exceptions: Currently iFrames are needed

ISSUE-195 Flows and signals for handling out of band consent

New flag for delayed out of band consent and „edit“ link to inform users
Part III: Potential Changes required to Address #6 of the Draft Framework

a) Implementation through browsers this is about browsers and not other user agents-. Other user agents (UA) would not set a DNT flag in this round of the W3C work, and would be prohibited from activating a browser’s DNT flag.

b) The browser choice setting would be available in the browser settings panel, accessible from the traditional browser settings — not through an installation process or other similar mechanism.

c) Develop technological measures that, together with non-technological measures, greatly reduce the risk that anyone other than consumers are setting the choice. Develop a process on how to achieve this in a short time frame (3 months).

d) Brief and neutral description of the impact of turning the setting on. The browser choice setting would communicate the following to consumers: [...]