



October 22, 2012

To the W3C “Do not track and beyond” Program Committee:

Constant Contact® helps small organizations create and grow customer relationships in today’s socially connected world. Through its unique combination of online marketing tools and free personalized coaching, Constant Contact helps more than half a million small businesses, associations, and nonprofits find, connect to, and engage with their next great customer, client, or member. Launched in 1998, Constant Contact has long championed the needs of small organizations, providing them with an easy and affordable way to create and build successful, lasting customer relationships.

Constant Contact understands the importance of data privacy and has continually participated in organizations and working groups targeted at developing industry-wide standards. Constant Contact is a full member of the Messaging Malware and Mobile Anti Abuse Working Group (M<sup>3</sup>AAWG), and is a founding member of the Email Sender and Provider Coalition (ESPC).

Constant Contact supports the efforts of the W3C’s Tracking Protection Working Group (TPWG) to define consensus standards that provide consumers choice for third party online behavioral advertising. While much progress has been made on the technical and compliance standards, they have not progressed enough for us to make specific recommendations. However, we do have select comments to share with the working group and extended W3C community.

**We are concerned about the ability of small organizations to comply with the TPWG’s proposed technical and compliance policies.**

To date, most of the debate and consensus decisions have been between internet service providers, web client software providers, representatives from the online advertising community and privacy advocates. These discussions were mostly about how large companies with knowhow and resources can (or cannot) comply with the complexities of these new standards. Thus far, there has been little discussion about the effect these standards will have on small business and nonprofit organizations. Small organizations are generally headcount and capacity constrained and may be uniquely challenged ensuring ongoing compliance with these new tracking policy standards. We would advocate for a standard that establishes a level playing field for both smaller and larger organizations and does not put small organizations at a disadvantage from a compliance perspective.

**As an agenda topic for the upcoming November meeting, we would like to see more discussion about compliance with the TPWG’s draft documents as it relates to small organizations.**

Constant Contact looks forward to actively participating in the forthcoming W3C workshop entitled "Do Not Track and Beyond," which is scheduled for November 26-27, in Berkeley, California.

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