

The concept of Pseudonymous Data

Boston, 11th Jan 2013

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Data Types

Anonymous Data

Personal Data

Pseudonymous Data

Data Types: Anonymous

Anonymous Data

Personal Data

Pseudonymous Data

- Is not unique or tied to a specific person.
- Includes: Hair color, system configuration, method of purchase, statistics distilled from many users.

Data Types: Anonymous

Anonymous Data

Personal Data

Pseudonymous Data

“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

Anonymous Data

Personal Data

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

Anonymous Data

Personal Data

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

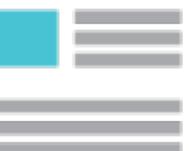
German Telemedia Act; Article 15 Para. 3

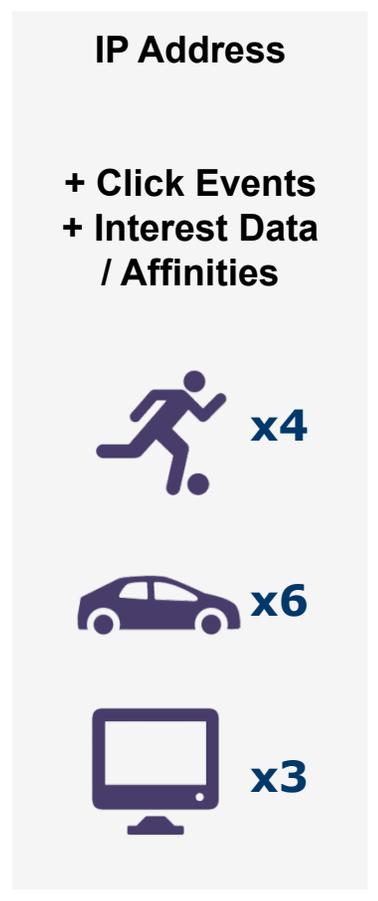
- ➔ For the purposes of
 - advertising,
 - market research or
 - in order to design the telemedia in a needs-based manner,
- ➔ the service provider may produce profiles of usage based on pseudonyms to the extent that the recipient of the service does not object to this.
- ➔ The service provider must 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

- ➔ Clearly, 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

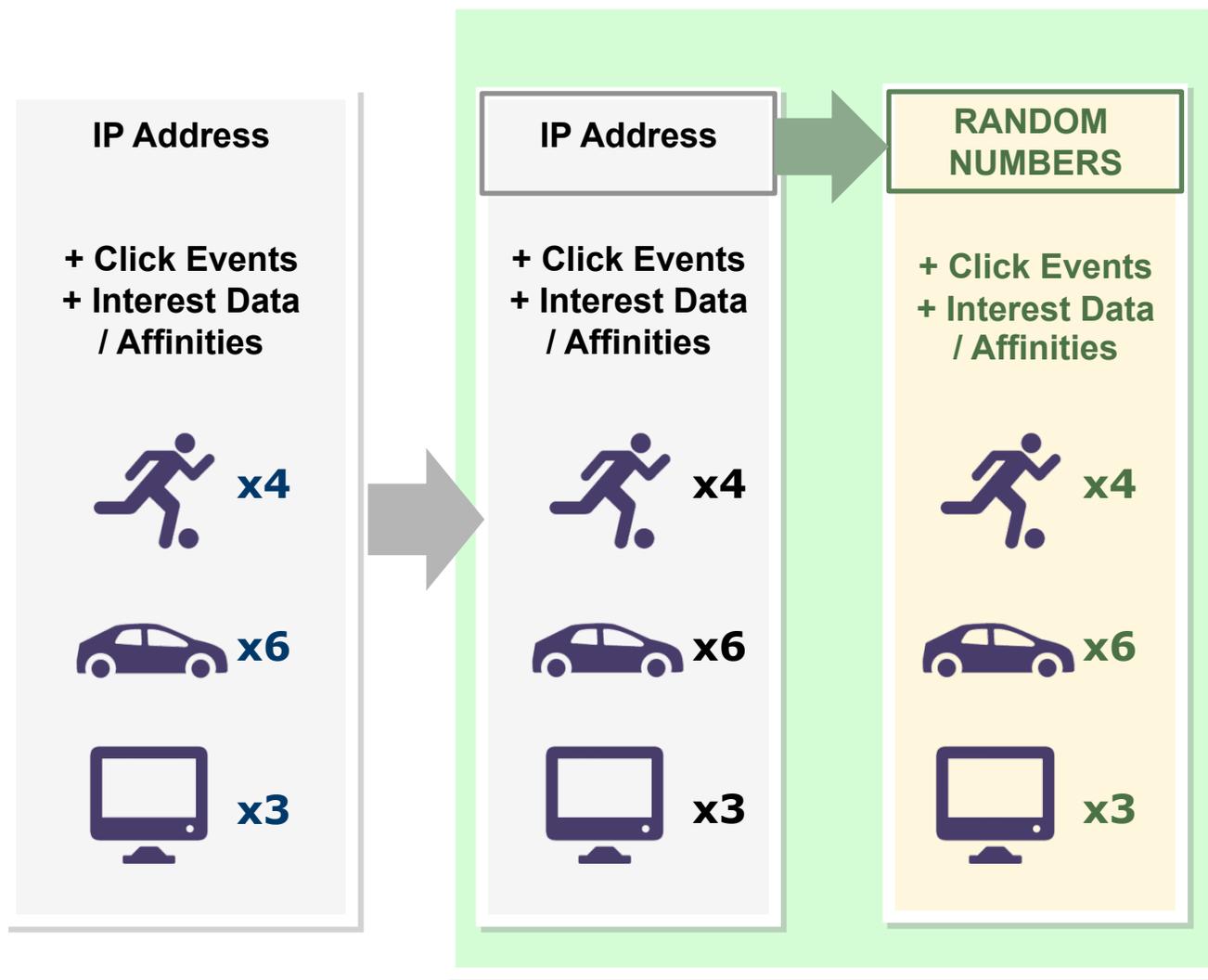

Incoming
Dataset



Data Source
(e.g. Website)

How Pseudonymisation works

Incoming Dataset

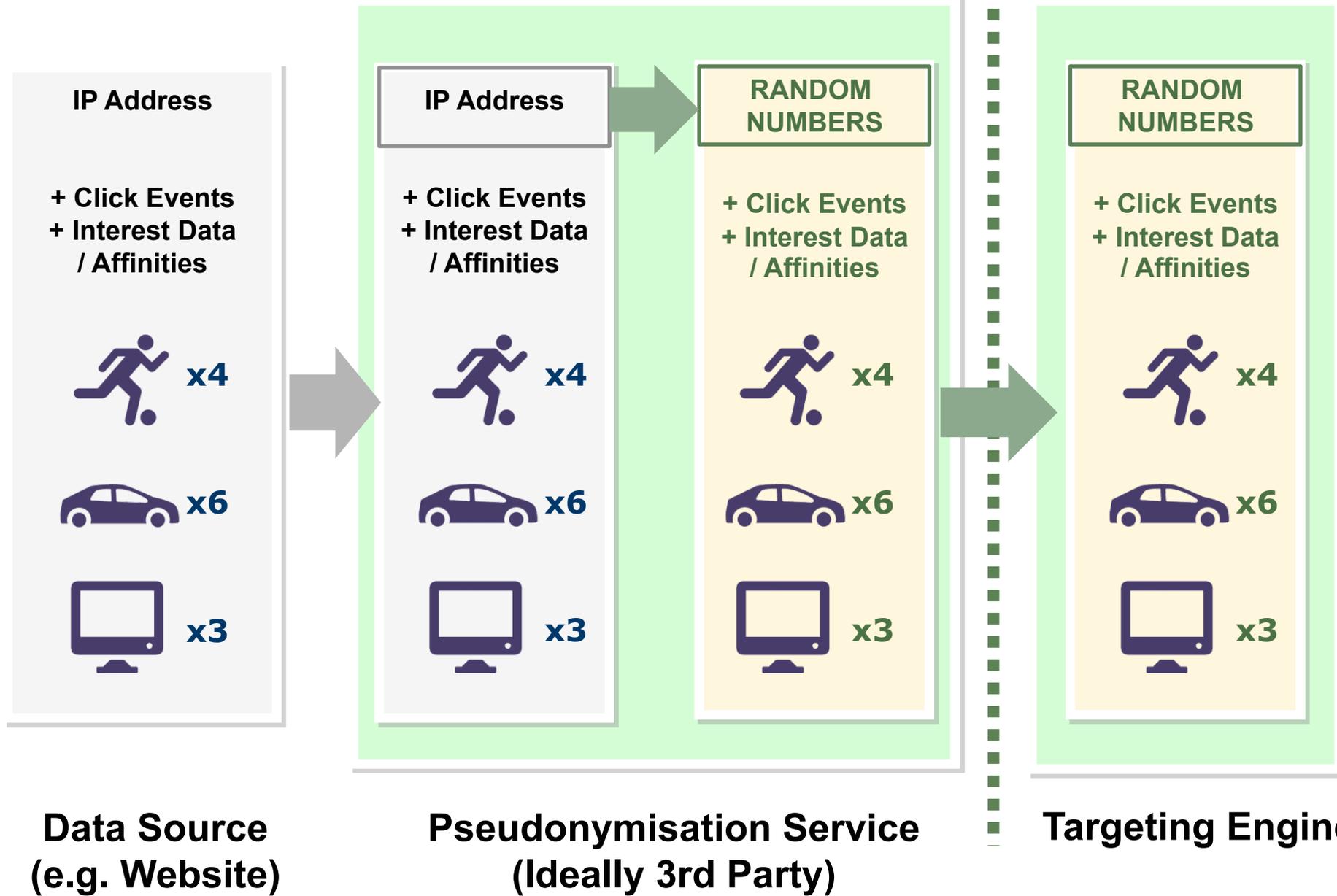


Data Source
(e.g. Website)

Pseudonymisation Service
(Ideally 3rd Party)

How Pseudonymisation works

Incoming Dataset



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.

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