



October 21, 20012

Nick Doty, W3C
Jan Schallaböck, ICPP
Event Co-chairs
32 Vassar Street, 32-G519
Cambridge, Massachusetts 02139

Re: November 26 & 27 Workshop

Dear Nick & Jan –

Thank you for the opportunity to share my position on the W3C's proposed expansion further into areas of privacy, public policy and marketing standards.

I believe that continued innovation across the Internet is best served by having the W3C continue to do what it does best: facilitate the creation of technical standards. Moving into areas of policy and digital marketing are bad for privacy, bad for innovation and bad for the Consortium.

Expansion of scope moves the W3C well outside of its core competency

Prior to the creation of the Tracking Protection WG, the W3C's most noteworthy entrée into public policy was the P3P standards - the limitations of which are widely documented.

The W3C currently lacks the expertise to address issues of policy or marketing best practice in a meaningful and productive way. The core participants W3C working groups tend to be those with technical and/or operational acumen. Moving into areas of digital marketing would require a significant expansion of both membership and W3C staff expertise. I strongly encourage the Consortium to consider whether such a shift would take too much focus from its important work on technical standards.



An expansion weighs against smaller marketplace participants

The natural answer to the issue of core competency raised above might be to simply bring in additional participants into the W3C process. And perhaps, that's a key driver here – as I would imagine that the work on a Do Not Track (DNT) standard has increased the visibility as well as the membership rolls of the W3C. Moving into new disciplines almost certainly would bring additional revenue opportunities to the Consortium.

However, a nearly \$8,000 per year membership fee is simply out of the question for most smaller companies with limited budgets. Concerns over the W3C process being dominated by large organizations are well documented. Moving into areas of policy and digital marketing are only going to exacerbate such concerns.

Similarly, while the Tracking Protection WG has participation across the United States and European Union, its worth noting that a large swath of the rest of the world has had very little input into the DNT standards.

Policy issues are extremely difficult to harmonize on a pan-world basis

The various cultural mores, legal jurisdictions and industry practices vary widely across the globe. While this may also be true when it comes to technical standards, it is more so in policy and other areas.

Email marketing provides an interesting illustration of some of these challenges. Generally speaking, the EU is opt-in; the U.S. opt-out and a good portion of the rest of the world has not taken a position. Harmonizing the opt-in, opt-out tension that exists between the U.S. and EU is as challenging as determining whether American Football is better than fútbol played in Europe – and about as productive. Each region is going to have its own distinct point of view, and the W3C should think long and hard before imposing the views of a limited set of participants in a handful of jurisdictions upon the rest of the world.



While ill advised, if the W3C decides to head down this path, I would strongly encourage the following PRIOR to the creation of any additional working group:

- First, the W3C should have a very clear list of the specific issues that the group is trying to address and the goals to be met.
- Second, the W3C should wait until it is in position to characterize the work of the Tracking Protection WG as an unmitigated success before attempting to extend its bailiwick into other areas. Moving into areas where the body of work is limited to P3P (unclear privacy protections, not widely implemented) and DNT (an incomplete grade at this point) seems premature if not entirely inappropriate.

Thanks for the opportunity to share my thoughts. I look forward to the opportunity to speak in November and share additional color.

Sincerely,

A handwritten signature in black ink, reading "Alan Chapell", is placed over a light gray rectangular background.

Alan Chapell
Chapell & Associates