

AHRC/SCRIPT and BILETA Policy Forum

Do not track or right on track? Privacy and consumer protection implications of online behavioural advertising

7-8 July 2011, University of Edinburgh, John McIntyre Conference Centre

The automatic and ubiquitous collection of information about internet users' online behaviour is often portrait as an inevitable side-effect of modern communications technology. The use of that information for profiling purposes and the revenue generated from the "interest-based" online behavioural advertising based on those profiles is an essential element of the monetisation strategy of many online services. In the absence of a clear legal framework governing the use of "tracking technologies", the perceived conflict between the individual internet users' right to privacy and the commercial interests of online providers remain largely unresolved.

With the review of the EU's data protection regime expected to begin in the summer of 2011, this policy forum seeks to bring together representatives from academia, industry and civil society, as well as regulators and policymakers for a discussion of the technical, legal, social, economical and political issues arising from the use of OBA technologies.

Chair:

Judith Rauhofer, Lecturer in IT Law, AHRC/SCRIPT Research Centre for Studies in Intellectual Property and Technology Law, University of Edinburgh

Convenors and speakers include:

Caspar Bowden, Chief Privacy Advisor EMEA, Microsoft

Julie Brill, Commissioner, US Federal Trade Commission

Dr. Ian Brown, Oxford Internet Institute

JC Cannon, Privacy Strategist, Microsoft

Jeff Chester, Centre for Digital Democracy

Dr. Alexander Dix, Berlin Commissioner for Data Protection

Prof. Lilian Edwards, Professor of Internet Governance, Strathclyde University

Alex Fowler, Global Privacy and Public Policy Leader, Mozilla

Chris Hoofnagle, Director Information Privacy Programs, Berkeley Center for Law & Technology

Peter Hustinx, European Data Protection Supervisor

Achim Klabunde, Team Leader Privacy, Trust and related issues, European Commission, DG INFSO

Cedric Laurant, Leuven University

Prof. Andrea Matwyshyn, Assistant Professor of Legal Studies and Business Ethics, Wharton Business School

Georgina Nelson, Inhouse Lawyer, Which?

Kostas Rossoglou, Legal Officer, The European Consumer's Organisation (BEUC)

Chris Sherwood, Director Public Policy, Yahoo!

Christopher Soghoian, Security and Privacy Researcher

Catherine Stihler, Member of the European Parliament

Kimon Zorbas, Vice President, IAB Europe

Programme:

Day 1: Thursday, 7 July 2011

12.30 – 13.00: Registration and coffee

13.00 – 13.30: Introduction and welcome

Judith Rauhofer

13.30 – 15.00: Interest-based advertising – in whose interest?

What does the tracking/technology behind OBA look like and in which way is data collected from different online sources used to profile internet users for OBA and other purposes? How is advertising revenue used to finance “free” online services? What (if any) are the alternatives to OBA technologies to support the provision of those services?

Chair: Dr. Ian Brown, Oxford Internet Institute

Panel: **Jeff Chester**, Centre for Digital Democracy

Christopher Soghoian, Security and Privacy Researcher

Chris Sherwood, Director Public Policy, Yahoo!.

15.00 – 15.30: Coffee

15.30 – 17.00: User choices, user control?

How can technology, regulation and/or self-regulation create more transparency about the way in which OBA is used? Can they provide users with the means to control the extent to which their personal data is collected and processed for OBA purposes?

Chair: Cedric Laurant, Leuven University

Panel: **JC Cannon**, Privacy Strategist, Microsoft

Alex Fowler, Global Privacy and Public Policy Leader, Mozilla

Prof. Andrea Matwyshyn, Assistant Professor of Legal Studies and Business Ethics, Wharton Business School

Kimon Zorbas, Vice President, IAB Europe

17.00: Close of Day One

20.00 for 20.30: Speaker’s Dinner

Day 2: Friday, 8 July 2011

9.15 – 10.45: What’s the harm? Long-term consequences of OBA

Does tracking for OBA purposes cause any actual harm to internet users or do they stand to benefit through the use of free-to-access online services? What may be the long-term consequences of using tracking technologies for consumer protection, online anonymity and privacy as an individual right as well as a common good?

Chair: **Lilian Edwards**, Professor of Internet Governance, Strathclyde University

Panel: **Chris Hoofnagle**, Director Information Privacy Programs, Berkeley Center for Law & Technology

Georgina Nelson, Inhouse Lawyer, Which?
Kostas Rossoglou, Legal Officer, The European Consumer's Organisation (BEUC)
Judith Rauhofer, Lecturer in Information Technology Law, University of Edinburgh

10.45 – 11.15: Coffee

11.15 – 12.45: Policy questions and policy makers

Chair: Caspar Bowden, Chief Privacy Advisor EMEA, Microsoft

Panel: Julie Brill, Commissioner, US Federal Trade Commission

Dr. Alexander Dix, Berlin Commissioner for Data Protection

Peter Hustinx, European Data Protection Supervisor

Achim Klabunde, Team Leader Privacy, Trust and related issues, European Commission, DG INFSO

Catherine Stihle, Member of the European Parliament

Brief: In this panel the panellists will discuss the conclusions reached in the previous panels and set out the way in which those conclusions may influence policymaking in the area of OBA.

12.45: Closing Remarks

13.00: End of Forum

Administration notes:

The organisers:

The **SCRIPT/AHRC Research Centre for Studies in Intellectual Property and Technology Law** was established on 1 April 2002 with the generous support of the Arts and Humanities Research Council. Its research examines the synergies between intellectual property law and information technology law together with work on media law, medical law & ethics, and forensic evidence. Its remit is to consider the relationship between law, policy and technologies in the broadest sense.

The **British & Irish Law, Education and Technology Association (BILETA)** was formed in April 1986 to promote the use of technology in legal education throughout the UK and Ireland. Among other things, it promotes research projects in the area of information technology law. Almost all law teaching institutions in the United Kingdom and some overseas institutions are members of BILETA.

Venue: University of Edinburgh, Prestonfield Room, John McIntyre Conference Centre, 18 Holyrood Park Road, Edinburgh, EH16 5AY

Registration: Attendance at this event is free but places are limited. If you wish to attend the policy forum, please email itandip@ed.ac.uk by 20 June 2011.