What's in a Privacy Policy? March WOW Wireless at Work, CTIA (YouTube, CC Available)

Let's face it, we've all done it. As you look at a privacy policy on your mobile device you'll scroll through it as fast as you could. You hit "I agree" and you jump to the app or whatever it is you were trying to get to in the first place. Jonathan Zuck, of the Association of Competitive Technologies is here to talk about that process, and how we can maybe simplify it, John, because we do want people to be aware of what information is out there. (Jonathan Zuck) I agree. I mean it is, it's a perennial problem. I think to some extent, that we're so anxious to get to the technology that we're downloading, this app we've heard about, you know, a friend has shared with us, etc. That we click "I agree" without really paying any attention to what we're agreeing to. And the issue that's most often discussed in that context is: what of my data is being collected and how is it being used? Are you just using it in your app? Are you sharing with advertisers, so that you can serve up more relevant ads to me instead of generic ads? Or is it being used for more data analysis purposes? People want to know how their information is being used. Obviously these long text privacy policies aren't the way to get to that. People just aren't going to read them. We joke about the one eyed monster, right? I'm looking at this thing with one eye while doing something else, right? How do I capture attention and communicate with you effectively in that environment? (Walls) So bridging that gap, or at least closing that, because again there is a need, I think we all have a desire to know what company X is doing with my data. I want to get to it too. So how do we get a shorter form or some kind of reduced content that does still get this point across? (Zuck) I would say that's the new trend, if you will, right? I mean privacy policies had their genesis in a room full of lawyers. You know right now in American, and in many places around the world, you're held accountable legally for the promises you make. So to the degree to which you tell people what you're doing and when you're doing it, and why you're doing it, etc. There is somebody, in our case it's the FTC (Federal Trade Commission), who is going to hold you to that. So the fact that that's the case means that the people making those promises were usually lawyers and doing them in as expansive and incomprehensible way as possible so they could cover themselves later when they were talking to another lawyer. (Walls) But there is that tension though, right? That you do have a legal obligation, but in the real world it's not flying. (Zuck) That's right, so the privacy policies were designed for lawyers to communicate with other lawyers – when all is said and done. Consumers aren't really a part of that. So how do I better communicate between the developer and the customer? That's where this evolution to what we call short-form privacy policies, so that maybe I can just have some categories of information and I boil things down. Like is it contact related information, is it biometric information, there's all these health apps now and things like that. What sort of information Is being collected by the application? How is it being used by you and then under what circumstances are you sharing it with others? The degree to which we can more effectively communicate that with our customers I think that's how we build trust going forward. So maybe we design a screen that's got more iconic view of those things, so that I can look at it in five minutes most, or two minutes to try to really see, Okay, is this an app that collects this type of information maybe? I better drill into that and read a little bit more rather than having to find it in paragraphs and prose. (Walls) The challenge, or one of them, I think, is not to knock government, but in terms of regulation and regulator mindset, it's like more is better and we're going to protect people entirely. We're going to be comprehensive and, so there's probably in the development community or the app community, I don't want to wind up being called to Washington to explain a policy that we thought we were following, but we didn't dot every I and we kinda got caught on that one here. (Zuck) You're going to need to do both, that's what it's really going to boil down to. You're gonna need to have a privacy policy that you do via privacy choice.org or, you know, a privacy policy generator

or an attorney's going to have to draft one. You're going to need that to cover yourself right? From a legal perspective. But how you communicate that with your users can be done in a much more simplified way, so that they might actually make effective use of that information in making choices about how the information is collected by you. Like you know, you'll see a notice, can I use your location information, right? And sometimes it's obvious right, if it's Uber you know they need it to find you. Other times, you're like, why do you need my location information? And sometime it doesn't have anything to do with the working of the app, so actually just communicating to your user that I'm collecting this because I can as opposed to because it's required for the app to function, is something that's still of value. I think there's some work being done and we're part of that work to come up that work to come up with reusable code that developers might use to communicate more effectively with their end user in broad strokes: what's being collected and how it's being used. (Walls) And if anybody has any questions about the organization you said it was act online? (Zuch) Yes, www.actonline.org. And I don't know if you put up other URLs, I can give you one later, something that people can use to see this privacy policy in action if you want and I'll give that to you. (Walls) It will be on the screen right now. Jonathan, thank you for the time. We appreciate that. (Zuch) My pleasure.