Consent Management

December 13, 2023
Goals of Today's Discussion

**Short Term:** Educate and engage COVESIA members identifying meaningful areas of focus and ultimately work product.

**Longer Term:** Collaboration on meaningful work product (recommendations, specifications, tools, proofs of concept...)

*The topic of Consent Management is part of the Best Practices and Guidelines pillar of the Data Expert Group.*
Consent Management Agenda:

- 4 Cs of Data Privacy
- Privacy Landscape
- Consent Management
- Privacy Platform Potential
- Q&A + Next steps
Enterprises are experiencing increasing regulatory pressure and risk in using consumers data.

Consumers have no way of taking control of where and when their data is used, or properly protecting it.

This is particularly important in the connect car space where services require explicit consent to capture revenue.
Consent
Deeper engagement based on customer choice

Collaboration
Break down silos of data, allowing data sharing and insights

Privacy

Control
Revenue opportunities through consent-driven connected services

Context
Multi-dimensional insights with enriched data

4 Cs of Data
US Data Privacy is Complicated

80%+ consumers do not trust the use of their data

Walled gardens of consumers data everywhere

Consent and preferences differ by state

Geolocation Based

Until there is a national law, privacy could have 52 variations in the US.
Privacy Law Timeline

- **2018**: GDPR Enacted. 4% fine on total revenue initially. This continues to increase.

- **2019**: CCPA Adoption. 4 amendments since adoption continuing to strengthen this law. Became the de facto state standard.


- **2022**: Added Country Laws. Canada, Singapore, Mexico, China, Australia, Brazil enact country laws.

- **2023**: 13 Additional States Propose Laws

The train has left the station globally!
Privacy Conditions Requiring Consent

• To be informed about the collection, usage, and sharing of their personal data by businesses.
• To request the deletion of their personal data (with certain exceptions).
• To opt out of the collection, sale or sharing of their personal data.
• To be protected from discrimination for exercising their CCPA rights.
Consent is the basis for “Opt-out”

Opt-out definitions

**Sale (S)**
- The majority of US state privacy laws define the sale of data as data exchanged with third parties for a monetary or valuable consideration (Virginia and Utah define it as for monetary purposes only)
- This is very broad and is generally applicable to third-party analytics or third-party transfers such as partner services (marketing, rewards, etc.)

**Share (Sh)**
- Data exchanged with a third party for the purpose of cross context behavioral advertising
- Considered sharing regardless of whether it was for monetary or other valuable consideration
- This is widely applicable to the programmatic ads ecosystem

**Targeted advertising (TA)**
- Data used to provide targeted advertising based on cross-contextual or behavioral data
- This is applicable to transfers associated with the programmatic ecosystem as well as data correlated across non-affiliated digital properties

**Profiling (P)**
- Leveraging data to generate profiles to predict or otherwise evaluate or analyze user behavior
- This type of processing is generally done by MarTech tools such as Customer Data Platforms (CDPs) or Data Management Platforms (DMPs)
- This type of processing can be done by organizations directly as well as third-party providers

**Universal opt-out signals (U)**
- Extensions through which users can set their opt-out preferences across websites and browsers
- Allows them to avoid selecting their cookie preferences for each website they visit
- The most prominent universal opt-out signal today is the GPC

Global Privacy Control - The GPC is a universal opt-out signal that users can either set at a browser level (depending on the browser) or through a browser extension (such as Privacy Badger on Google Chrome). This allows a user to define their preferences across the internet when initially landing on a website.

As such, organizations under the jurisdiction of laws that require universal opt-out signals will need to be able to read the GPC as users visit their digital properties and honor the opt out of the selling and the sharing of personal information.

<table>
<thead>
<tr>
<th>State - Law</th>
<th>Opt-out Rights</th>
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<tbody>
<tr>
<td>California – CPRA</td>
<td>S, Sh, U</td>
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<tr>
<td>Colorado – CPA</td>
<td>S, TA, P, U</td>
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<tr>
<td>Virginia – CDPA</td>
<td>S, TA, P</td>
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<tr>
<td>Utah – UCPA</td>
<td>S, TA</td>
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<td>Connecticut - CTDPA</td>
<td>S, TA, P, U</td>
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Consent Design Requirements

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<tr>
<th>Easy to Understand</th>
<th>Non-confusing Language</th>
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<td>Symmetry in Choice</td>
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<tr>
<td>Avoid Choice Architecture</td>
<td>Easy to Execute</td>
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Per the current CCPA version
The Consent “Journey”

- Data Discovery
- Data Consent
- Data Augmentation
- Data Insights

Ideally, this should be a value chain for the consumer.
Consent Management Options

Enterprise Cloud/Client Software

- Managed by the company
- Data stored/owned by the company
- Risk mitigation required by the company
- Consent requests handled by the company

Consent as a Service

- Managed by a trusted third party
- Data stored/owned by the consumer
- Risk mitigation not required
- Consent requests handled by the trusted third party

Regardless of your approach to Consent Management, there are many solutions to help on your journey.
A Privacy Platform Can Facilitate Connected Car Services

With a trusted 3rd party privacy partner, an OEM can create revenue opportunities via value-added services.
Q&A with Cindy Warner, CEO
360ofme
Consent Mgt Next Steps

What ideas do you have for Consent Mgt focus throughout 2024?

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<thead>
<tr>
<th>Timing</th>
<th>Key Discussion Point</th>
<th>Audience</th>
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<tbody>
<tr>
<td>Q1</td>
<td>i.e. GDPR &amp; CCPA laws+</td>
<td>OEs, Tiers</td>
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<td>Q2</td>
<td>i.e. The Merger of Mobility &amp; Healthcare</td>
<td>Mobility &amp; Health related organizations</td>
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<tr>
<td>Q3</td>
<td><strong>What needs does your organization have that we can address together?</strong></td>
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<td>Q4</td>
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Thank you

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