



# All cookies declined? How to keep your data insights

23rd of March 2021



## Agenda



**An Online-Presence Overview**



**Legal Framework – The Basics**



**Legal Framework – Data Privacy and Cookies**



**Practical Implementation**

## Cookies – Basic Legal Framework

### GDPR and e-Privacy Directive

- ▶ Starting point: cookies collect data
- ▶ Data collection and processing requires legal basis (Art. 6 GDPR, Art. 5 e-Privacy Directive („ePD“))
  - Art. 5 para. 3 ePD: necessary cookies
  - Art. 6 para. 1 lit. a GDPR Art. 5 ePD: express informed consent
- ▶ Valid consent requires
  - Active consent (opt-in)
  - Transparency (cookies, duration and purpose of use, third party access)
  - Information (user rights, e.g. deletion „right to be forgotten“)
  - Easy option to withdraw consent
- ▶ Consent documentation and management

## Cookies – Legal Challenges

### Current legal challenges and grey areas

- ▶ Necessary versus optional cookies
- ▶ Nudging and dark patterns - Where design, the law and outright deception meet
- ▶ Cookie walls
  - Starting point: No.
  - Paywall / Cookie wall: Maybe.
- ▶ „Schrems II“
  - No more legal data transfers to non-EU countries?
  - Possible solutions and current guidance from DPAs
- ▶ Political and legislative outlook
  - Privacy Shield 2.0?
  - revised SCCs
  - e-Privacy Regulation

## Cookies – Legal To Dos

### What should you do?

- ▶ Understand what you do!
- ▶ Assess and document current use of cookies (and similar tech)
  - Functionality, technical necessity of cookies
  - Data transfers to non-EU countries, third parties
- ▶ Current consent (and withdrawal) management
- ▶ Risk assessment and documentation dependent on the above
- ▶ Evaluate, implement and/or update legal and technical processes, in particular consent management
- ▶ Design consent management smart and compliant
- ▶ Evaluate technological options

# Who We Are

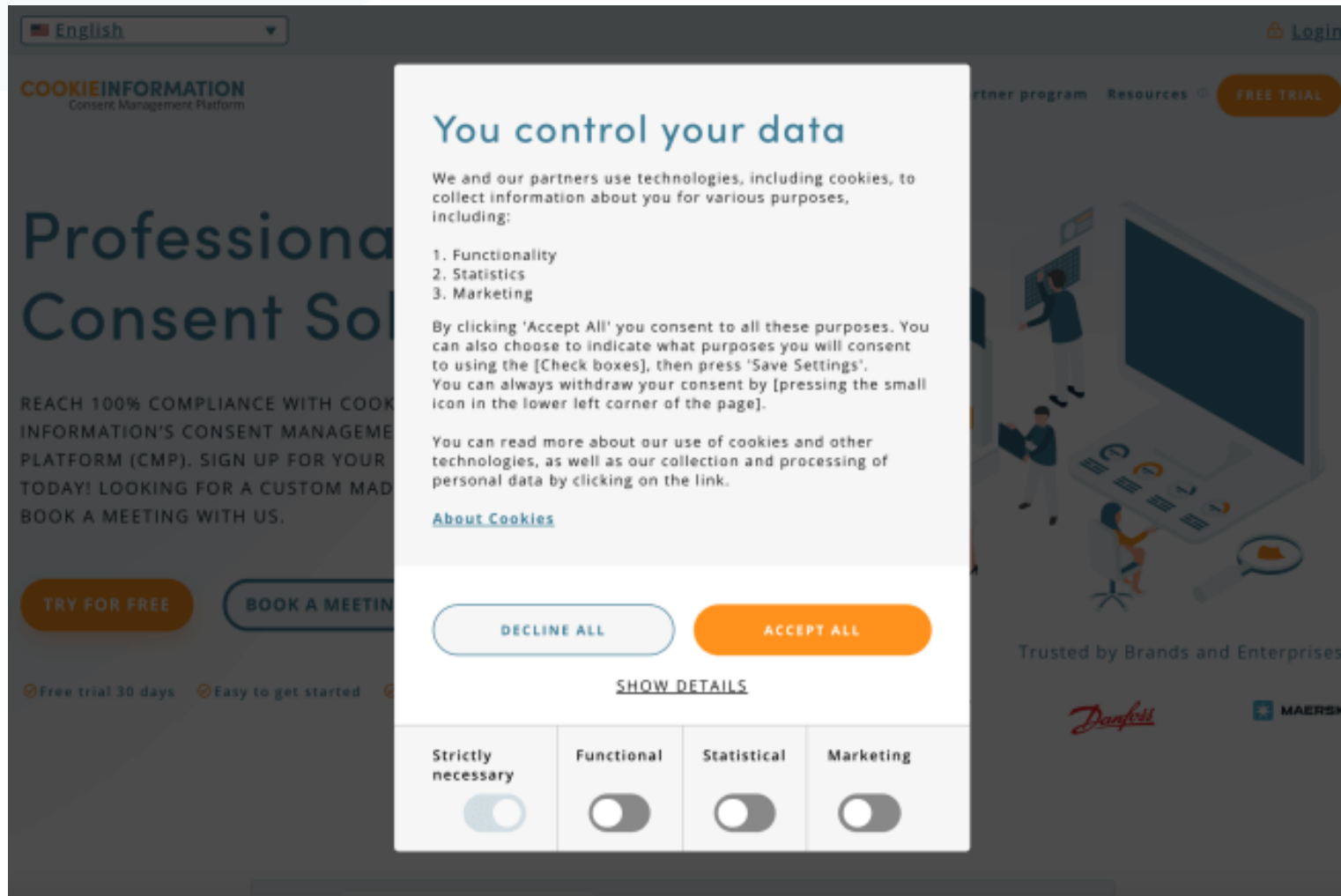
Cookie Information  
is a Consent  
Management  
Platform



- ▶ Support clients worldwide (GDPR, PDPA, CCPA, IAB/TCF)
- ▶ Website & Mobile App Consent Management in 40+ languages
- ▶ Smooth technical integration and audit-proven support
- ▶ Processing 15 billion consents p.a. (and growing)
- ▶ Subscriptions based on fixed pricing



# How It Can Look



Source: <https://www.cookieinformation.com>

# How It Works

Freely given

Specific

Informed

Unambiguous

Cookie Name	Domain	Description
lang		
ads.linkedin.com		Supports online marketing by collecting session information about the users to promote products through partners and other platforms.
LinkedIn		
<a href="https://www.linkedin.com/legal/privacy-policy">https://www.linkedin.com/legal/privacy-policy</a>		

**You control your data**

We and our partners use technologies, including cookies, to collect information about you for various purposes, including:

1. Functionality
2. Statistics
3. Marketing

By clicking 'Accept All' you consent to all these purposes. You can also choose to indicate what purposes you will consent to using the [Check boxes], then press 'Save Settings'. You can always withdraw your consent by [pressing the small icon in the lower left corner of the page].

You can read more about our use of cookies and other technologies, as well as our collection and processing of personal data by clicking on the link.

[About Cookies](#)



# Block Data Processing

To collect valid consents data processing needs to be blocked till consent is given:



# Before & After Consent

The collage illustrates the state of the Cookie Information platform and the browser's cookie store before and after user consent.

- Top Left:** A screenshot of the Cookie Information consent banner. It features the heading "You control your data" and lists categories: "Strictly necessary", "Functional", "Statistical", and "Marketing". The "Marketing" category is currently disabled (turned off).
- Top Right:** A screenshot of the browser's developer tools (Application tab) showing a list of cookies. The list is empty, indicating that only strictly necessary cookies are present before consent.
- Bottom Left:** A screenshot of the Cookie Information interface after consent. The "Marketing" category is now enabled (turned on), and the banner has been dismissed.
- Bottom Right:** A screenshot of the browser's developer tools after consent. The cookie list is populated with various cookies, including session cookies and cookies for analytics and marketing.

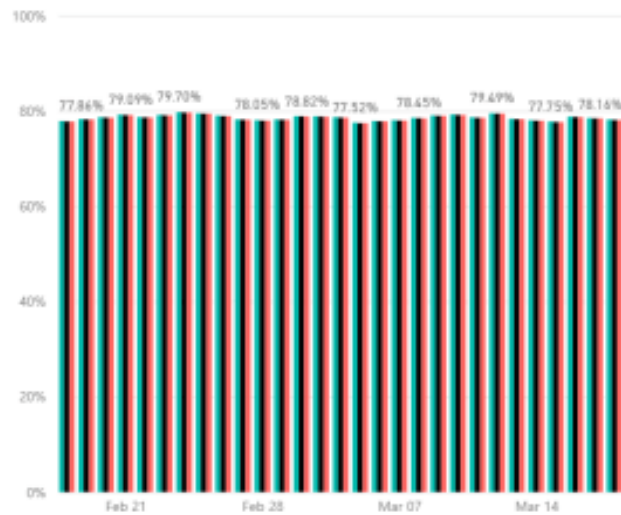
Source: <https://www.cookieinformation.com>

# User Acceptance Rates

## Consent rates in Germany

Overlay v2 Consent Rates

● Percent Functional ● Percent Statistic ● Percent Marketing

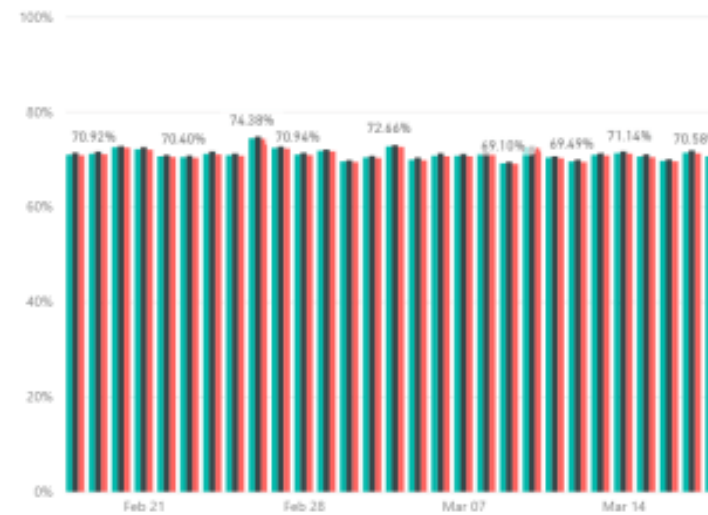


**On average 78,5%**

## Consent rates Globally

Overlay v2 Consent Rates

● Percent Functional ● Percent Statistic ● Percent Marketing



**On average 77,2%**

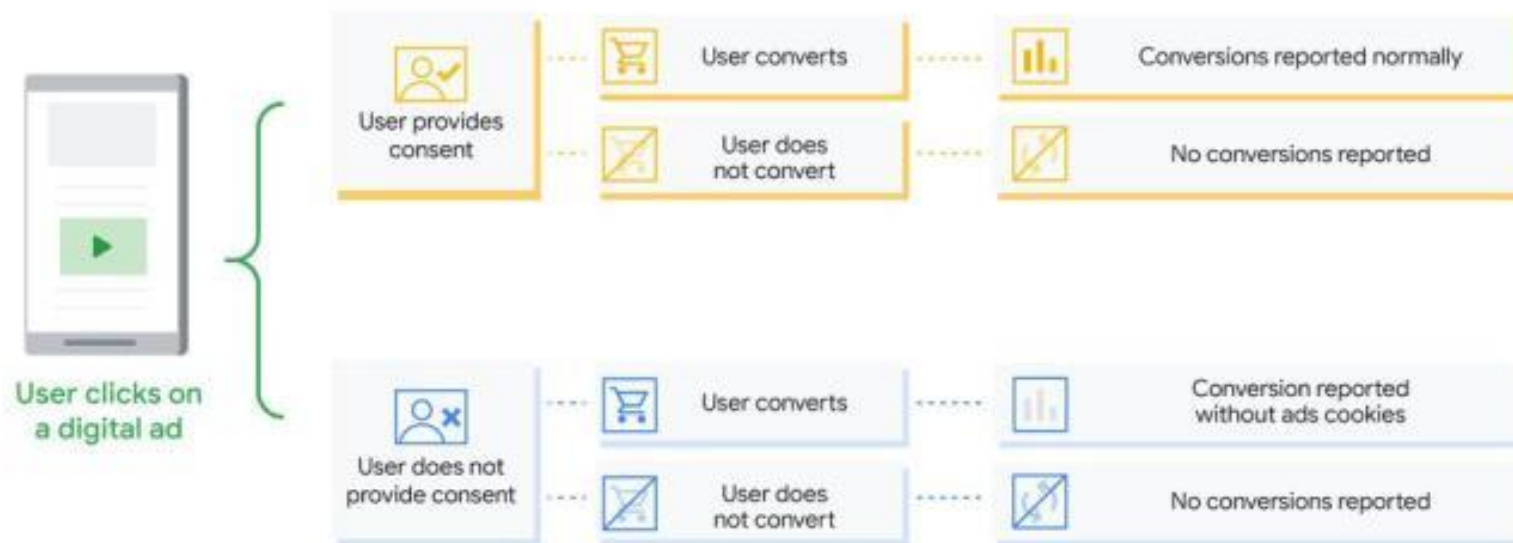
# The business of Google



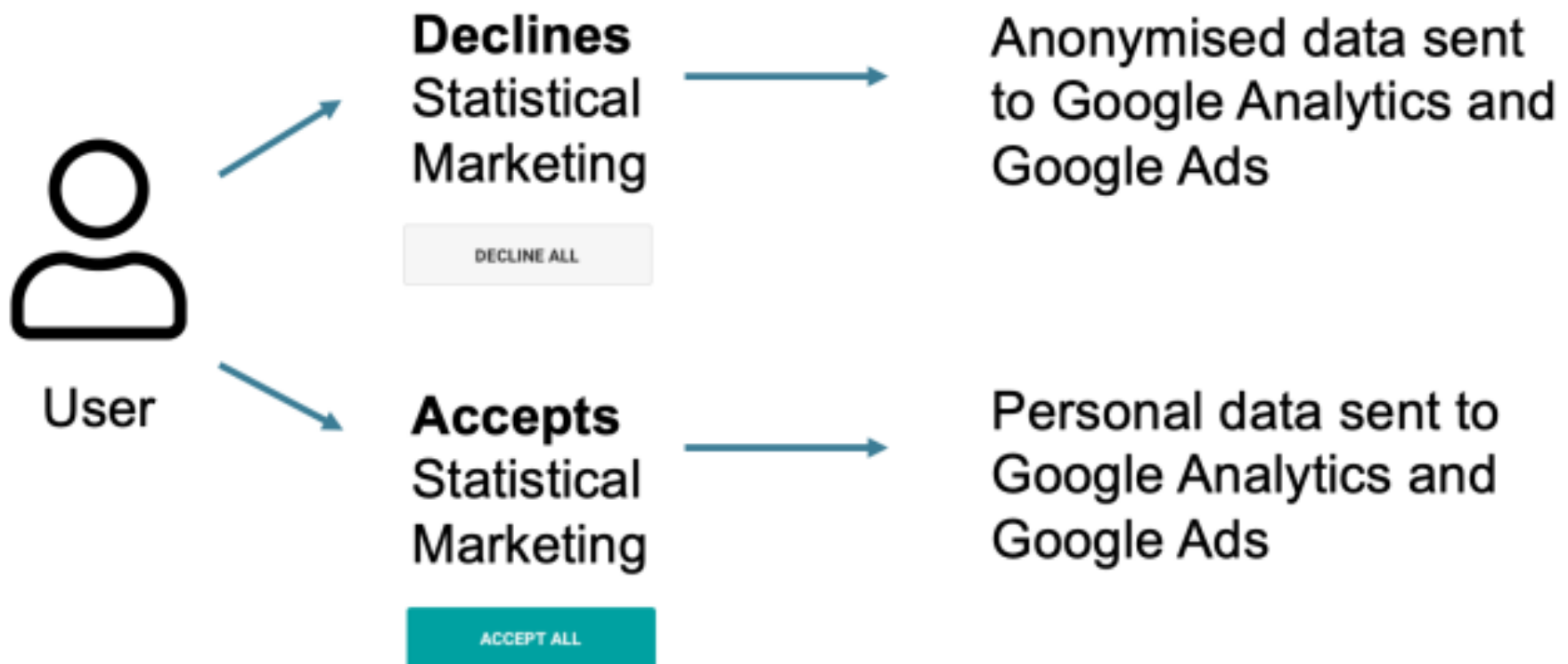


# Google Consent Mode – What does it do?

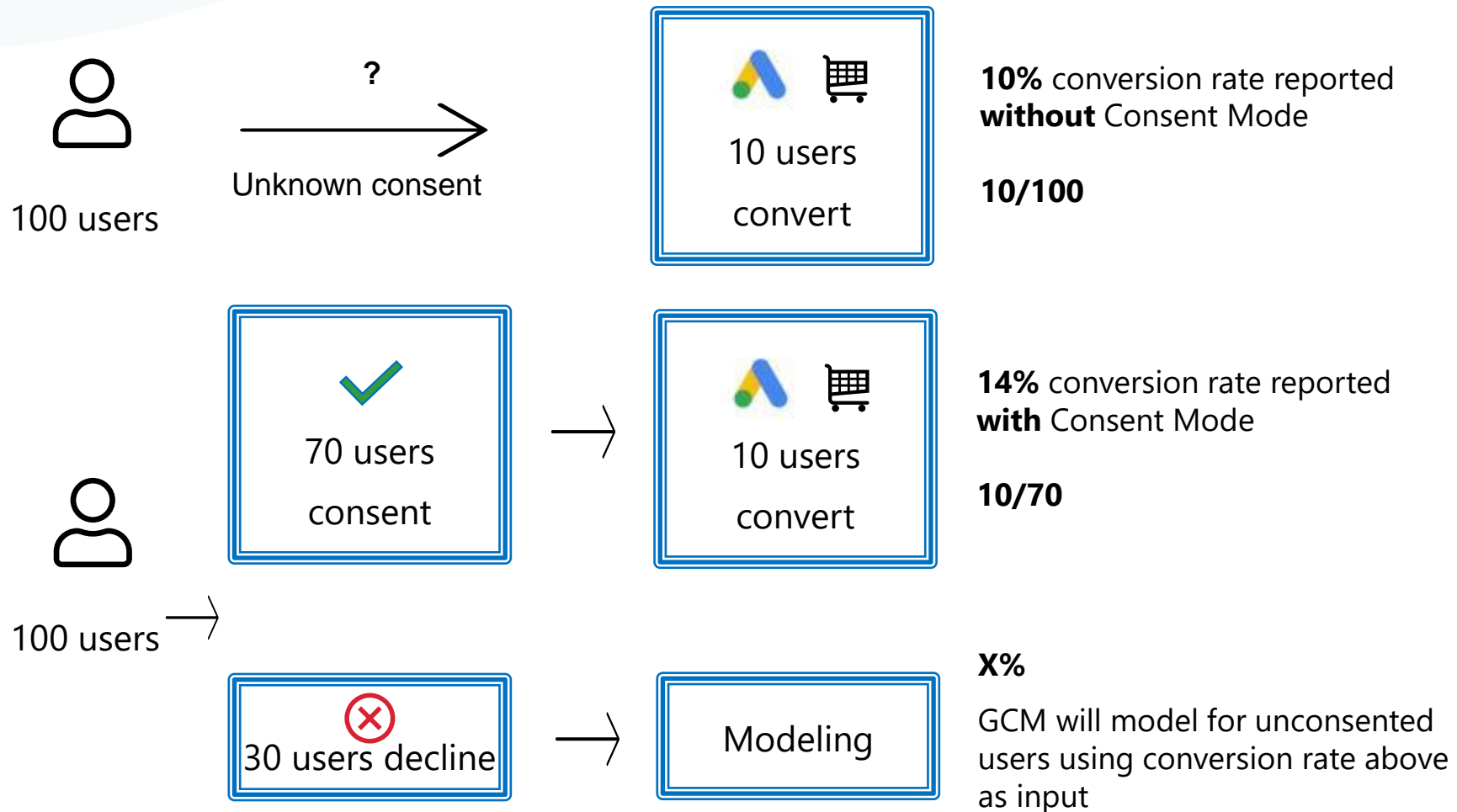
“...measure conversions while respecting users consent choices”.



# Google Consent Mode – What does it do?



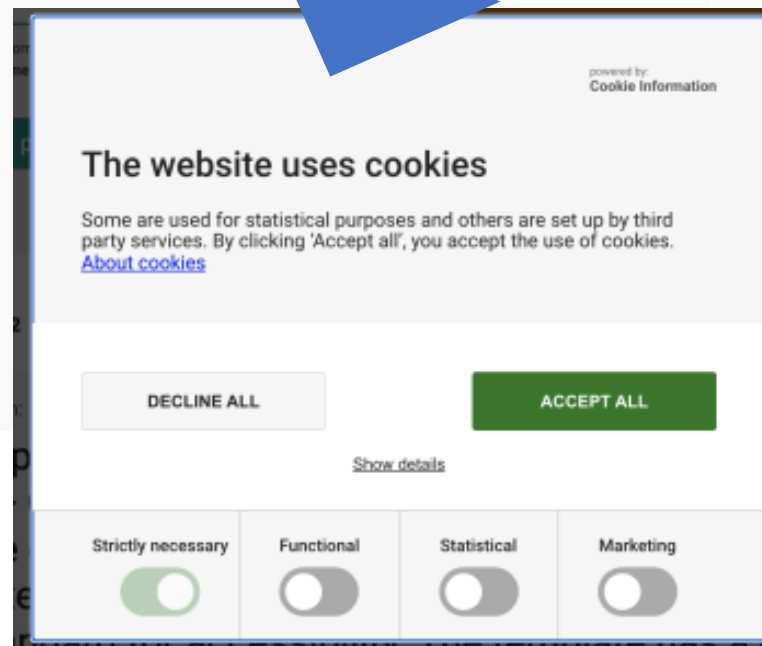
# Google Consent Mode – Modeling



# What Do We Do For You?

## Google Partner with Vendor ID

```
<script>
window.dataLayer = window.dataLayer || [];
function gtag() {
dataLayer.push(arguments);
}
gtag('consent', 'default', {
ad_storage: 'denied',
analytics_storage: 'denied',
wait_for_update: 500,
});
gtag('set', 'ads_data_redaction', true);
</script>
```







# **Answering received questions followed by Q&A**

## Your contact persons



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