

THE ONLINE INTEREST-BASED ADVERTISING ACCOUNTABILITY PROGRAM: MOBILE TIPS

On Sept. 1, 2015, the Online Interest-Based Advertising Accountability Program (Accountability Program) began enforcement of the Digital Advertising Alliance's (DAA) [Application of Self-Regulatory Principles to the Mobile Environment](#) for companies engaged in interest-based advertising across apps or websites on mobile devices.

Jedidiah Bracy, author of "The Privacy Advisor" for the International Association of Privacy Professionals (IAPP) provided the industry with [some good information](#) about enforcement, and Genie Barton, Director, Accountability Program, has compiled a terrific list of tips:

The Accountability Program will be especially vigilant to make sure that companies live up to their heightened responsibilities for enhanced notice and consent for personal directory data and precise geolocation data.

Ask yourself:

- Do I collect precise geolocation data (granular enough to locate the device)?
- Do I collect any user-generated data like contacts, calendars, photos, or videos?
- If yes, provide the consumer with enhanced notice before any collection takes place: before download, on installation, or on first opening the app.
- Make sure the consumer takes an affirmative action to signal consent.
- Make sure the consumer knows how to withdraw consent (for example, how to uninstall the app).

Three special reminders about other potential compliance problems:

Shared responsibility

- Remember that everyone in the supply chain needs to cooperate to make sure that enhanced notice and choice are provided.
- Know who is taking responsibility.

Ask yourself:

- Can I provide notice and choice in this scenario?
- If not, make sure that the party who can do so, is delivering notice and choice.
- If there is a problem, notify the Accountability Program and we will work with you and your partner to help avoid a compliance action.

First-party issues

- When you know third parties are collecting data for IBA on your app—coordinate with third parties so that one of you provides real-time notice and an opt out.

Ask yourself:

- Is there an enhanced notice link, and does it take the consumer to a disclosure that:
 - Contains a meaningful description of Third-Party IBA?
 - Affirms adherence to DAA Principles?
 - Points to an opt out such as the AppChoices App?

New First Party Responsibilities: Providing Enhanced Notice and obtaining Consent for personal directory data and transfer of precise location data to third parties.

Special responsibilities

Ask yourself:

- Do you have the capability to collect all or substantially all data on the mobile browser or across apps for IBA?
- If the answer is yes, obtain affirmative consent first.