![bluekai logo]

March 25, 2011

Lorrie Faith Cranor
Carnegie Mellon University
Thomas Roessler
World Wide Web Consortium

Re: Proposal for Browser Based Do-Not-Track Functionality

Dear Dr. Cranor and Mr. Roessler:

Thank you for the opportunity to submit this proposal regarding browser based Do-Not-Track. As the W3C continues to explore how best to build standards in this important area, BlueKai encourages the W3C to focus on increasing transparency and recognizing the economic tradeoffs that are a critical component to any discussion of Do-Not-Track. Unfortunately, in all too many discussions around the topic of online tracking, the economic tradeoff of free content for tracking is rarely discussed. The goal for this proposal is simply to establish a mechanism whereby individual website publishers will have the ability to highlight that economic tradeoff to consumers in a fully transparent way.

Background on BlueKai and Transparency

BlueKai (www.bluekai.com) recognizes the importance of transparency, and indeed is the first online data exchange designed with consumer transparency and control in mind. We promote polite marketing on the Internet. BlueKai provides innovative services that help websites efficiently gain access to the vital advertising revenue on which they rely to offer services and content to consumers at a low cost. BlueKai partners with websites to collect "preference data," which is anonymous information about visitors' behaviors and interests. BlueKai also offers tools designed to enable consumers to see and change the preference data stored for a specific computer, or to opt out of the system entirely. For those computers where consumers have not opted out, BlueKai acts as an intermediary between the websites and advertisers (and ad networks) by providing pricing, standardization, and quality control for disclosing this anonymous preference data for advertising purposes. In this role, BlueKai contracts with websites to help them decide which advertising partners may target data gathered from websites and consumers, and also works with ad networks to help them locate trusted and high-quality data sources. BlueKai also controls the scope of information collected so that sites can protect themselves from unwanted data capture. Additionally, BlueKai sets terms and conditions and limits on how that data may be used. These features all underscore BlueKai's commitment to transparency and privacy by design.

BlueKai is one of those businesses that, while not well known to consumers, plays a key role in maximizing consumer preference data for the delivery of relevant advertisements on publisher sites. BlueKai proudly offers an effective preference manager tool for consumers—the BlueKai Registry (http://tags.bluekai.com/registry).

The BlueKai Registry gives consumers complete access to the anonymous preferences associated with their computers that we store. Consumers can change the interest categories of preferences we record or remove preferences that do not interest them, thus declining to have their preferences used for advertising purposes. This Registry provides consumers with one place to impact many creators of data and many users of data as BlueKai works with several key data creators. We only share preference data pertaining to shopping or reading interests and do not collect data that consumers may consider to be sensitive, such as data on health, political interests, or adult behavior.

To help others provide the transparency that BlueKai has incorporated into our offerings, BlueKai launched a free white-label version of our BlueKai Registry in June 2010. This out-of-the-box tool for publishers and marketers gives consumers the same transparency and access to profiles through registries on their own websites at no charge to the companies.

Economic Tradeoffs and Do-Not-Track

Advertising has always had two directions: interruptive or relevant. TV advertising is interruptive (it forces you to watch the ad and not the content through a commercial break) while search advertising is relevant (you are not forced to view the ad and the ad is so useful it is considered content). Data targeting is the fundamental technique by which online advertising becomes relevant and therefore, a publisher can show fewer ads to achieve the same revenue. Without data targeting, publishers can either force users to pay, or force them to see the ad before the content. (Or both). Polls of users such as that done by MarketingSherpa have show that overwhelmingly users (even the ones that don't like ads) prefer to get free content sponsored by targeting OVER having to pay for the content.

Therefore, we strongly encourage the W3C to ensure that any DNT functionality provides the marketplace with the opportunity to recognize the full economic tradeoff that consumers are making when it comes to online tracking.

The BlueKai Proposal for Do-Not-Track

With that in mind, BlueKai is building a tool that will enable publishers to: a) recognize the Do-Not-Track header message, b) incorporate such header information into that publisher's content delivery process and c) provide consumers with the ability to disable or override Do-Not-Track in order to gain access to particular content.

Enable website publishers to recognize the Do-Not-Track header message

The tool will enable website publishers to easily recognize a Do-Not-Track header message so that the website is in position to take action in response to the DNT header message.

Enable website publisher to incorporate the Do-Not-Track header message into their larger content management process

Once the Do-Not-Track header message is recognized, the tool will help the website integrate the DNT header into its content management process. Thus, the tool enables website publishers to establish content tiers such as free and premium in much the same way as some websites offer certain content to subscribers and non-subscribers. The Do-Not-Track header message would be available to publishers to be utilized as an input in its content management processes.

Enable website publishers to provide consumers with the ability to disable or override Do-Not-Track in order to gain access to particular content.

The tool will enable Individual websites to ask consumers to provide their consent to domain-based exemptions from the DNT header that include all third parties operating on a particular domain. In other words, the tool allows a consumer visiting a particular domain to enable ALL tracking for that domain.

For example, a consumer visits XYZ.com with the DNT header turned 'on'. XYZ.com asks the consumer to turn off DNT for that domain (e.g., in order to access premium content). Key to this approach is that the exemption must apply to all third parties (networks / platforms / exchanges) operating on that particular domain.

Summary

BlueKai believes that any discussion of Do-Not-Track should reflect both transparency and informed choice whereby consumers are informed of the full economic consequences of their privacy choices. And the BlueKai tool will establish a mechanism whereby individual website publishers will have the ability to highlight the economic tradeoff around Do-Not-Track to consumers in a fully transparent way.

Thanks again for the opportunity to present our proposal. We look forward to discussing this with you in the upcoming months.

Sincerely,

Omar Tawakol
Chief Executive Officer
BlueKai