

Privacy Group Recommends a Mobile Tracking Code for Retailers

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The Future of Privacy Forum, a privacy think-tank, recently drafted and released a [Mobile Locations Code of Conduct](#), directed at retailers who provide WiFi in their stores and engage in mobile tracking of customers. The Code recommends both notice and (opt-out) choice to tracking practices, as well as limits on the amount of information gathered. However, notice and choice are not necessary under the Code if information tracked isn't unique to a device or user, or is promptly aggregated. On the other hand, opt-in consent is recommended when information will be used to contact someone based on tracked information, or if a user's information is linked to a mobile device identifier (like a UDID). The Code appears to have had vendor-input in its creation, but not necessarily as much input from retailers.

TIP: This new Code provides insight to retailers who provided WiFi services on what consumer groups might expect if the retailers engage in in-store tracking.

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